

Subject: Everyday Injustice - SF Public Defenders Protest Against Lack of Court Hearings, Conditions For Clients' Latest on 35 Year Old Wrongful Conviction Case

Date: Wednesday, September 22, 2021 at 5:03:33 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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"Our law guarantees Californians the right to a speedy trial within 60 days. It is a humanitarian crisis that we have over 100 people waiting in jail for months, some over a year, often in their cells for 23 hours a day, this kind of isolation and deprivation can cause irreversible long-term psychological damage to individuals and their families and their children," Mano Raju - SF Public Defender

Everyday Injustice Newsletter - September 22, 2021

We Should Expect More From San Francisco

By David Greenwald

For most of the pandemic, San Francisco jail has been largely emptied and has avoided the problems we have seen across the Bay at Santa Rita and across the country at Rikers, to name a few. But when public defenders are comparing San Francisco Jail to Guantanamo, we should take notice.

The problem is that while most other public facilities are back open, the San Francisco Court is not.

Thus when a client of the public defender's office, running out of time has his case put off until February 2022, there's a problem.

Public Defender Mano Raju said, "They didn't put it over a couple of days. They didn't put the case over a couple of weeks. Put the case over to February of 2022, months past the last day. Justice delayed is justice denied."

He said, "Our law guarantees Californians the right to a speedy trial within 60 days."

We get the sense of the enormity of the problem here.

He explained, "It is a humanitarian crisis that we have over 100 people waiting in jail for months, some

over a year, often in their cells for 23 hours a day, this kind of isolation and deprivation can cause irreversible long-term psychological damage to individuals and their families and their children.”

Landon Davis illustrated the problem even further.

“You have people, our own brothers and sisters, citizens of this country who are presumed innocent for being held captive like dogs,” Davis said. “I hear all the cries and pain for my clients. And what they tell me is that this is torture.”

He said, “They are being held in a dirty smelly cell, 23 hours out of the day, no ventilation, no place to move, and if they’re lucky they get one hour out of that cell.”

He added, “(They) are not getting any counseling, no access to library books. They aren’t even allowed to go outside. They have to take Vitamin D pills because they’re getting no sunshine. This is modern-day torture.”

Imagine being trapped in custody 23 hours a day and no access to due process.

I always get the person who responds to this - if you can’t do the time, don’t do the crime.

Leaving aside a whole host of other issues, doing the crime means that the state is obligated to provide due process of law - part of that is the right to a trial in 60 days. We don’t permit indefinite detention in the US. And yet in San Francisco, with a progressive DA, that’s what is happening.

Criminal Justice News/ Commentary

SF Public Defenders Protest Against Lack of Court Hearings, Conditions For Clients

While San Francisco has guarded well against COVID outbreaks in its jails, that layer of protection has at times come at a cost, a cost that was brought yesterday by protests from Public Defenders and their clients about the

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Investigating Officer Refuses To Speak About Old Murder Conviction

Lionell Tholmer was convicted for the murder of Cynthia Sparpana and her daughter Danyel, on Nov. 14, 1992, convicted by an all-white jury, and sentenced to death.

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Despite Reactionary Response, Study Shows Most BLM Protests Peaceful, but Alt-Right Actions Not

On the anniversary of the killing of George Floyd by Minneapolis police here, The Armed Conflict Location & Event Data Project (ACLED) released a statistical analysis of Black Lives Matter demonstrations, noting

[Read More](#)

Hundreds of COVID-19 Cases Confirmed at

Broward County Jail; Federal Court Approves Class Action Settlement

Broward County Jail has been under fire for placing incarcerated people in dangerous situations that expose them to the rapid spread of COVID-19 – hundreds of COVID-19 infections among those

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COVID CDCR and Jail Dashboards

COVID-19 Outbreak At CDCR's North Kern State Prison Worsens, 70+ Active Cases Reported

Our daily run down on the COVID cases in the California Prison System (CDCR)

[Read More](#)

Santa Rita Jail Plunges Into Largest COVID-19 Outbreak Since February, 35+ Cases Emerge Overnight

Our daily run down on the COVID cases in selective County Jails

[Read More](#)

Court Watch Coverage

Deshon Marman Trial Continues for Third Day – Officer and Civilian Witnesses Testify

Two witnesses testified Tuesday here in San Francisco County Superior Court during the third day of the Deshon Marman trial – Marman is accused of resisting arrest and trying to grab an officer's weapon – but

[Read More](#)

Carjacking-Murder Trial of Trio Disrupted When One Man Rushed to Hospital Tuesday

The ongoing trial of Damone Haynes Sr., Anthony Rhodes, and Terrell Martinez was interrupted on Tuesday here in Alameda County Superior Court when Haynes was rushed to a nearby hospital.

[Read More](#)

Forensic Psychologist Testifies Howard Sipe Doesn't Have 'Mental Disorder'

Dr. Christopher Fischer testified in Alameda County Superior Court Monday in the ongoing trial of Howard Sipe involving an alleged parole violation in 2010 and recent overt acts.

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Everyday Injustice - Podcast

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Everyday Injustice Podcast Episode 124: LA Sheriff's Candidate Eric Strong

Incumbent Alex Villanueva has become one of the most polarizing sheriff figures in the country. Now Eric Strong has emerged as a challenger to the incumbent.

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Everyday Injustice Podcast Episode 123: Voices of Victims of Police Violence

This week on Everyday Injustice featured women across the country whose loved ones were killed by police – whether it be sons, brothers, or partners.

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Subject: Re: What's this guy's name
Date: Wednesday, September 22, 2021 at 4:52:12 PM British Summer Time
From: Ibarra, Valerie (PDR)
To: David M. Greenwald
Attachments: SF Courts-11.jpg

Bilal Mafundi Ali. Black Alliance for Peace

From: David M. Greenwald <info@davisvanguard.org>
Sent: Wednesday, September 22, 2021 5:04 AM
To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: What's this guy's name

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David M. Greenwald
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"Journalism is printing what someone else does not want printed: everything else is public relations." — George Orwell

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Subject: Help us get the word out - October 28 - Future of Criminal Justice Reform

Date: Wednesday, September 22, 2021 at 4:23:05 PM British Summer Time

From: David M. Greenwald

To: undisclosed-recipients;;

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Hi - this event is October 28 virtual, please help us get the word out...

Get your tickets now

Join us for an important discussion. In the last four years we have seen progress on criminal justice reform on a whole bunch of fronts to the election of progressive prosecutors looking to reduce the carceral state and the continuation of the movement toward police reform.

With the pandemic disruptions, an increase in the murder rate, and push back against some police reforms – we are potentially entering a crossroads. We have seen progressive prosecutors across the country face push back whether it's in Philadelphia or Virginia or St. Louis and this year in LA and SF, the elected prosecutors may well face recall efforts.

The key question is what does reform look like? What changes can be made to reduce mass incarceration? How do we move forward on police reform? How do we reduce racial disparities in the system from policing although through the court process? And how do we combat the forces intent on stopping progress?

We have assembled a diverse panel to discuss what the future looks like:

- SF DA Chesa Boudin
- Gideon's Promise Founder and Direct Jonathan Rapping
- BLM-LA's Founder Melina Abdullah
- And USC Law Professor and author Jody Armour

Join us for this important discussion on October 28 at 6 pm.

[It's only \\$25 – and the sign up is here – LINK](#)

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Subject: What's this guy's name
Date: Wednesday, September 22, 2021 at 1:04:51 PM British Summer Time
From: David M. Greenwald
To: Ibarra, Valerie (PDR)
Attachments: SF Courts-11.jpg

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Subject: FOR IMMEDIATE RELEASE: DOZENS RALLY OUTSIDE THE HALL OF JUSTICE DENOUNCING COURT VIOLATIONS OF PEOPLE'S SPEEDY TRIAL RIGHTS

Date: Wednesday, September 22, 2021 at 12:01:09 AM British Summer Time

From: Ibarra, Valerie (PDR)

To: PUBDEF-Media Relations, Gonzalez, Yessica (PDR), Ibarra, Valerie (PDR)

Attachments: SF PRESS RELEASE 9-21[1].pdf, image.png, image.png

FOR IMMEDIATE RELEASE: September 21, 2021

CONTACT: Yessica Gonzalez | yessica.gonzalez@sfgov.org | (323) 379-2032; Valerie Ibarra | valerie.ibarra@sfgov.org | (628) 249-7946

**** PRESS RELEASE ****

DOZENS RALLY OUTSIDE THE HALL OF JUSTICE DENOUNCING COURT VIOLATIONS OF PEOPLE'S SPEEDY TRIAL RIGHTS

San Francisco Public Defender Mano Raju and four others filed a lawsuit against the San Francisco Superior Court demanding an end to the humanitarian crisis caused by the Court forcing hundreds to wait months past their trial deadline.

SAN FRANCISCO — On September 21, 2021, dozens of people gathered outside the Hall of Justice in support of loved ones who have been detained without trial in solitary-like conditions. The San Francisco Public Defender Mano Raju, several members of his office, activists and other community members gathered for a rally and press conference holding signs saying “Open the courts,” “Speedy Trial is a Right, Not an Option,” “We Demand Trials Now,” and signs that noted the number of days that people had been waiting for trial past their legal deadline – some as many as 299 days.

“The court is supposed to enforce the law, not break it. Public Defenders will not stand by

The court is supposed to enforce the law, not break it. Public Defenders will not stand by while members of our community are denied their right to a speedy trial, locked up for a year, while the Court takes care of non-urgent civil cases, including a trial to evict people out of their homes. We demand that the San Francisco Superior Court do its job, and not put poor, Black and Brown people last in line. The law applies to everyone, including the Court,” said Public Defender Mano Raju.

Raju is one of five plaintiffs in a civil lawsuit filed last week against the San Francisco Superior Court and its presiding judge and chief executive officer, for the violation of speedy trial rights of hundreds of people. The lawsuit is in response to the current humanitarian crisis in San Francisco, with over one hundred people waiting in jail for months, some for nearly a year, all past their trial deadlines. Many of these people are locked in their cells for 23 hours a day with no freedom in sight. There are also hundreds more out of custody and awaiting trial whose speedy trial rights are being trampled by the San Francisco courts.

The massive and growing backlog of criminal cases is the result of the Court’s now-routine practice of continuing criminal cases for months past the statutory trial deadline, and its refusal to use available courtrooms in the Civic Center Courthouse for criminal trials.

Other San Francisco institutions, including government agencies, hospitals, businesses, and superior courts in other counties, have risen to the challenge of safely providing essential public services. The lawsuit urges that the pandemic cannot be a permanent excuse for bureaucratic disregard by the Court for people’s human and legal rights. Raju and community members are demanding that the Court open all available courtrooms for criminal trials, along with other public venues it can use – and get to work giving people their day in court.

Elaine Portillo, whose niece has been in jail months past her trial deadline, shared earlier today, “I need my niece home. My niece’s daughter needs her mother. This is unjust and they need to let her have her court date. Inside she is being torn apart and I’m afraid for her. This is not justice for anyone.”

The Public Defender’s Office is holding a series of events in the coming weeks, including a Twitter Town Hall on Thursday, September 30th, at 11AM PT, to continue demanding that the San Francisco Superior Court open all courtrooms and uphold constitutional and human rights. You can read the complaint [HERE](#).

You can find the recording of the press conference which was live-stream on the San Francisco Public Defender’s Office Facebook page: www.facebook.com/sfpublicdefender.

IMAGES:



San Francisco Public Defender Mano Raju



Family Member Elaine Portillo

###

To read this press release online and to read the complaint filed, please visit
SFPublicDefender.org/media.

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Valerie Ibarra
Public Information Officer
San Francisco Public Defender's Office
Valerie.Ibarra@sfgov.org
(628)249-7946
SFPublicDefender.org/Media

Subject: Everyday Injustice - Sacramento City Attorney's Motion Reveals Drunken Incident Involving Officer Who Killed Darell Richards

Date: Tuesday, September 21, 2021 at 5:03:45 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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"There is a clear connection between the shooting and Defendant Cox's decision to drive to a parking lot, in a city owned vehicle full of firearms, while on call for the SWAT team, with the specific intent to drink multiple bottles of alcohol on the anniversary of killing Richards"

Everyday Injustice Newsletter - September 21, 2021

Sacramento City Attorney Screws UP – We Weren't Supposed to See This – Except We Probably Should Have, That's the Problem

The Sacramento City Attorney's Office screwed up. They were supposed to file the motion under seal would permit the judge to rule on the legal issues without making the arguments moot by air them in public. One problem – the Deputy City Attorney failed to file it under seal and we got it.

But the inadvertent disclosure is telling.

The officer was one of two SWAT officers who were involved in the fatal shooting of Darell Richards, now three years ago this month. A year to the day (just about), Cox is in Rancho Cordova, drunk off his duff and on call IN A CITY POLICE VEHICLE.

Shockingly he doesn't get fired for this – which is bad enough.

Sean Richmond from the City Attorney's office argues that this is not disclosable: "The subsequent event did not involve a shooting, did not involve a use of force and nothing was presented to the district attorney for review."

Attorneys for Richards family are not buying this.

"The disciplinary letter to Defendant arises directly from Defendant's abuse of alcohol in apparent guilt and lack of innocence related to his shooting of Decedent Richards. The drunken incident occurred on the one-year anniversary of Decedent Richard's death and Defendant admits the Richards killing motivated his decision to become intoxicated while on call for the SWAT team."

"There is a clear connection between the shooting and Defendant Cox's decision to drive to a parking lot, in a city owned vehicle full of firearms, while on call for the SWAT team, with the specific intent to drink multiple bottles of alcohol on the anniversary of killing Richards, which is clear Rule 404 (b) evidence that corroborates Plaintiff's narrative that Defendant Cox's decision to shoot Decedent was unreasonable, and neither by mistake or accident."

To me there are at least two key issues.

One is that Cox is showing guilt over the shooting. The fact that it's a year later, on the anniversary, and while not in the letter itself from the Deputy Chief, attorneys disclose his acknowledgement that the two acts are related.

And second, it goes to the mindset and mentality of the officer. The extreme lack of judgment to get drunk (rather than take leave) while on call and in a city issued car is appalling. That seem very relevant to the issues at hand.

We can add in the fact that he was just given a letter of reprimand rather than dismissal as a result, although he apparently left.

Finally, the fact that none of this is deemed relevant to the public underscores the problem of police accountability. But for the error that will likely lead to lawsuits against the city of Sacramento, we would not know about this.

Thanks for reading.

Criminal Justice News/ Commentary

**Sacramento City Attorney's Motion
Reveals Drunken Incident Involving Officer
Who Killed Darell Richards**

It was a high profile police killing. Darell Richards, 19, was shot and killed by SWAT Officers Patrick Cox and Sgt. Todd Ederton on September 6, 2018. The police claim that Richards pointed a gun at them in his backyard in the

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SFDA Boudin Announces Support for United States v. Safehouse Amicus Brief Advocating for Overdose Prevention Sites

San Francisco District Attorney Chesa Boudin joined with 80 current and former elected prosecutors, law enforcement leaders, and former Department of Justice officials in an amicus brief filed in the U.S.

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In Full Page Ad, Civil Rights Groups Urge Biden Administration to Provide Relief to Thousands of At-Risk Home Confined

In a full page advertisement in the Washington Post, Color of Change and the ACLU demanded greater leniency from the Biden Administration for home confined inmates and broader prison reform

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Guest Commentary: Healing From Hurt – Reflections on Recovering From Childhood Trauma

As of Sept. 5 there have been a total of 65,605 confirmed COVID-19 cases in the CA Department of Corrections and Rehabilitation (CDCR) system comprising of 35 state prisons – 187 of these cases emerged in the last two

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CDPH's Mandatory Testing Order for Unvaccinated Jail Staff to Cost \$70k Per Month at Santa Rita Jail

There has been a surge of COVID-19 cases at Santa Rita Jail (SRJ) managed by the Alameda County Sheriff's Office (ACSO) over the past month, reflecting trends in cases among the general county population.

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COVID CDCR and Jail Dashboards

Over 600 Reinfections Were Previously

Excluded From CDCR COVID-19 Tracker

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Santa Rita Jail Plunges Into Largest COVID-19 Outbreak Since February, 35+ Cases Emerge Overnight

Our daily run down on the COVID cases in selective County Jails

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Court Watch Coverage

Despite Some Long, Intense Questions, Jury Selected in Deshon Marman Trial

After a tedious and long morning, San Francisco County Superior Court Judge Brendon Conroy, Assistant District Attorney Asit Pahwala, and Assistant Public Defender Diamond Ward chose their final 12

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Victim Testifies in Assault and Battery Preliminary Hearing; Judge Sets November Jury Trial

A victim found beaten outside of a bar earlier this year testified at an assault and battery preliminary hearing Monday in Sacramento County Superior Court, vividly describing a "straight, constant beating."

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Everyday Injustice - Podcast

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Everyday Injustice Podcast Episode 124: LA Sheriff's Candidate Eric Strong

Incumbent Alex Villanueva has become one of the most polarizing sheriff figures in the country. Now Eric Strong has emerged as a challenger to the incumbent.

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Everyday Injustice Podcast Episode 123: Voices of Victims of Police Violence

This week on Everyday Injustice featured women across the country whose loved ones were killed by police – whether it be sons, brothers, or partners.

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Subject: Everyday Injustice - San Joaquin Grand Jury Indicts Officers in Brutal Beating of 17-Year-Old; Judge Steps Down in OC Murder Trial
Date: Monday, September 20, 2021 at 5:02:13 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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Sanders writes, "Defendant will pursue litigation in which the decade-long concealment of evidence by Baytieh and his prosecution team will be the focus." He adds, "Defendant also anticipates it will be necessary to file a motion to compel discovery seeking a significant quantity of items related to Baytieh."

Everyday Injustice Newsletter - September 20, 2021

Opening Thoughts

San Joaquin Grand Jury Indicts Officers in Brutal Beating of 17-Year-Old

By David Greenwald

Highlighting this article from Saturday that you probably missed...

Stockton, CA – Earlier this year, [the Vanguard](#) reported on a federal lawsuit filed on behalf of Devin Carter, a 17-year-old Black Stockton teen whose civil rights attorney John Burris said about the attack that the “cops acted like a pack of wolves.” In a rare instance, a San Joaquin Grand Jury, empaneled by DA Tori Verber-Salazar, handed down indictments against two of the officers.

On Friday, Salazar announced that the grand jury has indicted Michael Stiles and Omar Villapudua, two former Stockton Police Department Officers, with felony counts of assault by a public officer and assault with force likely to cause great bodily injury, as well as great bodily injury enhancements.

“Those who violate their oath to protect and serve discredit the good work law enforcement strives to do every day,” said District Attorney Tori Verber-Salazar. “This grand jury indictment reminds us all that when police use unlawful force, they undermine community trust. As your District Attorney, I have a responsibility to ensure equal accountability and justice for all. As the daughter of a police officer, I know how important that responsibility is to restore community trust, safety, and honor to the profession.”

According to Salazar's office, the allegations stem from a use-of-force incident that occurred on December 30, 2020. The victim, a minor, according to police, “was driving on Eight Mile Road in North Stockton when officers attempted to pull him over for reckless driving. The teen led officers on a brief chase before a pit maneuver was executed which brought the vehicle to a stop.”

Burris' office called the beating following the stop, allegedly for speeding, “without any provocation or cause.” They said the officers “pulled the young black man from his car and viciously beat him.” A new video purportedly captures these two recently fired officers and two additional Stockton police officers repeatedly punching and kicking Devin about his face and back while calling him profane names and using threats of criminal prosecutions for crimes he had not committed.

“The shocking video shows that Devin continually told the four officers that he was not resisting, but they kept hitting him and falsely claiming that he was resisting. The officers' body-worn cameras clearly show that the terrified young man was not resisting but was shouting/screaming for his very life. Devin was afraid that the officers were going to beat him to death,” Burris' office described.

“Two of the officers were fired,” John Burris told the Vanguard. “I hope this sends a clear message to the department that this kind of mentality will not be accepted and that they will be prosecuted for it.” Burris again reiterated, “These officers were on him like a pack of wolves, jumping on him when he in fact had basically put his hands up in a surrendering mode.”

[Full article here...](#)

Criminal Justice News/ Commentary

San Joaquin Grand Jury Indicts Officers in Brutal Beating of 17-Year-Old

Earlier this year, the Vanguard reported on a federal lawsuit filed on behalf of Devin Carter, a 17-year-old Black Stockton teen whose civil rights attorney John Burris said about the attack that the “cops acted like a pack of wolves.” In a

[Read More](#)

Orange County Judge Agrees to Disqualify Himself in High Profile Murder Case

Last month the Orange County DA Todd Spitzer and his office agree to retry a 2010 high profile conviction of Paul Gentile Smith for a Sunset Beach murder based on the conduct of Ebrahim Baytieth, a high ranking DA executive.

[Read More](#)

Guest Commentary: Healing From Hurt – Reflections on Recovering From Childhood Trauma

When a civil war erupted during times of poverty and instability in my native El Salvador, I was removed from first grade and forced to go out into the streets to hustle to feed my family. At seven years old, I was exploited and exposed to

[Read More](#)

Everyday Injustice Podcast Episode 107: Yolo County DA Candidate Cynthia Rodriguez

Stabbing Hearing Highlights Issues About Woman's Options for Mental Recovery

Guest Commentary: Closing Our Eyes Will Not Address Systemic Racial Bias

Racial bias in charging and sentencing criminal defendants in Yolo County is an acknowledged problem that we must address head-on. A year ago Yolo County District Attorney Jeff Reisig attempted to publicly shame Tracy Olson, the

[Read More](#)

COVID CDCR and Jail Dashboards

Over 600 Reinfections Were Previously Excluded From CDCR COVID-19 Tracker

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Santa Rita Jail Plunges Into Largest COVID-19 Outbreak Since February, 35+ Cases Emerge Overnight

Our daily run down on the COVID cases in selective County Jails

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Court Watch Coverage

Stabbing Hearing Highlights Issues About Woman's Options for Mental Recovery

Michelle Arnold's mental health issues raised concerns here in Riverside County Superior Court late last week over what type of rehabilitation she requires after stabbing her 78-year-old mother in the middle of the night.

[Read More](#)

Defense, Prosecution Argue; Judge Determines Woman Poses Risk To Public Safety and Denies Request For Release

The prosecution and defense were at odds over a suspect's involvement in a reportedly violent and unprovoked attack, but an Alameda County Superior Court judge determined the woman should not be released

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Everyday Injustice - Podcast

see our podcasts

Everyday Injustice Podcast Episode 124: LA Sheriff's Candidate Eric Strong

Incumbent Alex Villanueva has become one of the most polarizing sheriff figures in the country. Now Eric Strong has emerged as a challenger to the incumbent.

[Read More](#)

Everyday Injustice Podcast Episode 123: Voices of Victims of Police Violence

This week on Everyday Injustice featured women across the country whose loved ones were killed by police – whether it be sons, brothers, or partners.

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Subject: MEDIA ADVISORY | Press Conference 9/21/21 | San Francisco Public Defender Mano Raju and Impacted Family Members Sue San Francisco Superior Court for Illegally Denying People their Right to a Speedy Trial

Date: Friday, September 17, 2021 at 10:33:33 PM British Summer Time

From: Ibarra, Valerie (PDR)

To: PUBDEF-Media Relations, Ibarra, Valerie (PDR), Gonzalez, Yessica (PDR)

Attachments: MEDIA ADVISORY - Press Conference 9.21.21 - San Francisco Public Defender Mano Raju and Impacted Family Members Sue San Francisco Superior Court for Illegally Denying People their Right to a Speedy Trial.pdf, image.png

*****MEDIA ADVISORY for Tuesday, September 21, 2021 at 12:00 p.m. PT*****

FOR IMMEDIATE RELEASE:
September 17, 2021

CONTACT: Yessica Gonzalez | yessica.gonzalez@sfgov.org | (323) 379-2032;
Valerie Ibarra | valerie.ibarra@sfgov.org | (628) 249-7946

SAN FRANCISCO PUBLIC DEFENDER MANO RAJU AND IMPACTED FAMILY MEMBERS SUE SAN FRANCISCO SUPERIOR COURT FOR ILLEGALLY DENYING PEOPLE THEIR RIGHT TO A SPEEDY TRIAL

WHAT: On Tuesday September 21st, join San Francisco Public Defender Mano Raju, members of his office, and community members for a rally and press conference to denounce indefinite detention without trial. **On September 15, 2021, San Francisco Public Defender Mano Raju, along with four taxpayer plaintiffs, filed a lawsuit against the San Francisco Superior Court,** its presiding judge, and its chief executive officer, for the Court's mass violations of speedy trial rights. The plaintiffs are represented by the law firms of Olivier Schreiber & Chao LLP and Miller Shah LLP.

WHEN: Tuesday, September 21, 12:00 p.m. PT

WHERE: Outside the Hall of Justice at 850 Bryant Street, San Francisco, California 94103

WHO:

- Mano Raju, San Francisco Public Defender
- Mothers and family members whose loved ones are being held in jail past their trial deadlines.
- Allies Community Organizations, Western Regional Advocacy Project

WHY: As of August 30, 2021, hundreds of legally innocent people are waiting for trials – months past their legal deadline for trial. More than one hundred of them are in jail, locked in their cells for 23 hours a day. Some have been locked up without trial for a year or more past their trial deadlines. The San Francisco Court's disregard for basic human and legal rights has created a humanitarian crisis. The lawsuit seeks to end the Court's now-routine practice of continuing criminal cases for months past the trial deadline while it holds jury trials in a variety of non-urgent civil cases for money damages and a ruling requiring the Court to eliminate the backlog of criminal cases through all means necessary. Open all SF courtrooms now!





###

To view this Media Advisory online, please visit SFPublicDefender.org/media.

Valerie Ibarra
Public Information Officer
San Francisco Public Defender's Office
Valerie.Ibarra@sfgov.org
(628)249-7946
SFPublicDefender.org/Media

Subject: Everyday Injustice - Maricopa Prosecutor Finds Herself in Hot Water; Why Not Release More Aging Prisoners?

Date: Friday, September 17, 2021 at 5:00:27 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

"I just turned the car in. Ya'll can have it," she said. But alongside Brianna's nonchalance was a painful grappling with the magnitude of the setback. "Once your car is gone, you've got to learn how to get to work, what bus to take, it's back to square A," she explained, "It's like now you're back down to crawling after you were just walking."

Everyday Injustice Newsletter - September 17, 2021

Opening Thoughts

What Will the Recall Fall Out Be?

By David Greenwald

Yesterday opponents of LA DA George Gascón announced their first effort had failed. The group needed to compile 580,000 signatures by October 26 – they had just 200,000 with five weeks to go.

That in and of itself is not a huge problem. We saw it in San Francisco, the group up their reorganized behind more money and more moderate opposition and the expectation is that the measure will qualify.

In LA now they will regroup.

"The incredible effort by thousands of volunteers gathering hundreds of thousands of signatures during the last few months has been nothing short of amazing and is a sign of what's to come," the group said in a statement. "This reset will put all that work to great use, and it is invaluable to the recall effort moving forward. Make no mistake, this is not a white flag — it is a double down on our efforts."

Maybe this will work in LA and San Francisco.

But both groups have something working very strongly against them now. The notion of recall itself is tarnished. Both counties are deep blue counties.

In LA over 70 percent of the voters rejected the recall. In San Francisco it was even work, with votes against the recall outpacing support by more than a 6 to 1 margin.

Yes, elections are often and usually decided on local issues. And the DA's races in LA and San Francisco will have their own unique dynamics. But in this past recall election, the process itself was cast into considerable doubt. Newsom not only ran against Larry Eleder as the embodiment of Trumpism, but he ran against recall itself as a tool of the right.

That message was heavily conceived in these deep blue counties.

While Gascón probably has an easier time making the case of the connection to the right by showing his enemies to be part of the police union/ Assistant DA/ CDAA establishment, both candidates with some skilled maneuvering have an opportunity to make hay.

Chesa can point to big money and right wing attacks against him.

Both can also tie the pushback against criminal justice reform to Trumpism. The connections are there for the taking. And now that recall is a damaged brand in the eyes of California's left, that's all the more reason to jump in.

Meanwhile the legislature will push to make it harder to recall in the future – something that would have to itself go before the voters but the voters seem willing to support. Thanks for reading.

Criminal Justice News/ Commentary

Guest Commentary: Unforgiving Towing Fines Deepen Inequality

I got the call from my client, Brianna, a few days before Christmas in 2020. She was trying to get to her doctor's appointment in 15 minutes, but her 2006 Nissan Altima was not where she had parked it. "No notification, nothing. Just

[Read More](#)

Commentary: Maricopa DA Refuses Calls to Resign Despite Being in Substance Abuse Treatment

Who is more audacious than a prosecutor who jails people for substance use while suffering from a substance addiction herself? An elected prosecutor who goes out-of-state for weeks

[Read More](#)

Guest Commentary: Why Aren't More Rehabilitated, Aging Prisoners Being Released?

On Aug. 23, former Gov. Andrew Cuomo granted me executive clemency. I have been elated since then, but on one particular morning, I awoke with tears in my eyes as I thought of Stanley Bellamy, one of my closest friends who I

[Read More](#)

DA Digest: New Support in Santa Clara, Alameda Races for the Progressive Candidates

"Two specific supporters who I am proud to call friends are Carlos and Norma Alcala. As chair of the Chicano Latino Caucus of the California Democratic Party, Carlos has a stellar history of advocating for civil rights. In fact, Carlos

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Santa Cruz County Names First Public Defender

This week, Santa Cruz County for the first time, hired a public defender. They announced Heather Rogers has been hired and confirmed by the Board of Supervisors.

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COVID CDCR and Jail Dashboards

Over 600 Reinfections Were Previously Excluded From CDCR COVID-19 Tracker

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Santa Rita Jail Plunges Into Largest COVID-19 Outbreak Since February, 35+ Cases Emerge Overnight

Our daily run down on the COVID cases in selective County Jails

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Court Watch Coverage

Man's Bail \$250,000, Faces Charges Ranging from Human Trafficking to Pimping

Conte LeSean Watson was in Yolo County Superior Court this week, facing a host of alleged offenses from human trafficking to sex related crimes and assault with a firearm that occurred Sept. 9.

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Mom Seated Right Behind Him, Deshon Marman Trial Begins with Jury Selection Day 1

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Subject: Everyday Injustice - Woman Speaks Out on Solano Police Brutality; Report Analyzed Crime Trends in California During the Pandemic

Date: Thursday, September 16, 2021 at 5:01:07 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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"Think about that for a second excessive force experts who are former law enforcement officers didn't say that there should be an internal investigation," he said. "The events were so horrifying what happened to them is so bad that these experts said that these deputies should be criminally investigated."

Everyday Injustice Newsletter - September 16, 2021

Opening Thoughts

Nakia Finds Her Voice...

by David Greenwald

Let me set the scene. At the Capitol in Sacramento on Wednesday morning. Press conference. The case of Nakia Porter is horrible - this small woman who appears to be a threat to no one is driving with her father and three young kids under the age of 6. They get tired and pull over. They do the quick driver swap. And the police arrive and start questioning her. The remarkable thing - it escalates to the point where they beat her, knock her unconscious and then lie and cover it up.

We hear from everyone - attorneys, Betty Williams from the NAACP, CAIR, the faith community, you name it. Finally her father says two words and then Nakia comes up. She's cry. She's holding her composure. Holding her father. This is traumatic for her.

I'm standing there, I've got my COVID mask on. I'm wearing sunglasses. I'm holding two heavy cameras. I expected two words and we're done. I would have been satisfied. Good quotes. Good photos. Ready to roll.

As she gets up there and tries to get her composure, I'm thinking, okay, find your voice.

I was wrong. I underestimated Nakia Porter. She already had a voice. She let it roar. She let it roar in a passionate, angry, but most of all eloquent and intelligent manner. It was the most powerful thing I have ever heard. I was fighting back tears as she laid it bare for 25 minutes - eloquent, powerful and composed.

This wasn't an angry rant. This was a very intelligent, articulate young woman who found her voice and let everyone know that injustice was happening and she was going to do something about it.

My job became simple - bear witness. Read the article. Look at the photos I posted, some of my best (helps to have great material). But also listen to that 25 minutes of audio we posted because I knew my

words would not do this story justice.

See it all here: <https://www.davisvanguard.org/2021/09/nakia-porter-speaks-out-about-solano-county-incident-as-her-supporters-call-for-action/>

For those of you reading this in Yolo County - this was right down the road from us. For those of you reading this across the country, this stop occurred 15 to 20 minutes from where I live.

The Solano County DA Krishna Abrams isn't going to do anything. The Sheriff of Solano County has done nothing. California Attorney General Rob Bonta might.

There is a problem. The Sheriff's are a problem. But Vallejo is just 15 minutes away from this spot and we know all about that city.

The words of the NAACP's Betty Williams hit home. She is calling Solano "the new Mississippi." "If you're going through Solano county, black people be aware because if you have to stop for anything late at night, early in the morning or during the day, and you are approached by Solano sheriff, you need to be aware," Williams warned.

But to me the words of Nakia herself moved me to tears.

"So many of us are covering our faces, hiding, not speaking about the pain at which we go through, because we're afraid to make people uncomfortable because there's guilt and there's pressure, and there's pain that doesn't belong to us. That that burden belongs to those that are doing these heinous acts to de-humanize people so they can feel good about them not loving themselves."

This is 2021, this is what an intelligent young Black woman with a degree from UC Davis has to think about. Thanks for reading.

Criminal Justice News/ Commentary

Nakia Porter Speaks Out About Solano County Incident, As Her Supporters Call For Action

Supporters of Nakia Porter, the 33 year old woman beaten and knocked unconscious as she pulled over off I-80 last year to switch drivers with her father and three young children in the car gathered to push for

[Read More](#)

Report Analyzed Crime Trends in California During the Pandemic

This week, research released by the nonpartisan California Policy Lab (CPL) shows that "as the COVID-19 pandemic disrupted daily lives, crime in California and across the country also changed in dramatic ways." The

[Read More](#)

Approaching Supreme Court Case Has Potentially Harmful Impacts on Carceral System

The state of Arizona is aiming to prevent federal courts from hearing evidence that a trial counsel is ineffective in *Shinn v. Ramirez and Jones*, a case that observers suggest has the potential to limit the rights of

[Read More](#)

COVID-19 at County Jail Delays Premeditated Attempted Murder Hearing

A preliminary hearing for a defendant charged with premeditated attempted murder faced further delays here Wednesday in Yolo County Superior Court after the suspect was exposed to COVID-19.

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COVID CDCR and Jail Dashboards

Over 600 Reinfections Were Previously Excluded From CDCR COVID-19 Tracker

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Court Watch Coverage

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Everyday Injustice - Podcast see our podcasts

Everyday Injustice Podcast Episode 124: LA Sheriff's Candidate Eric Strong

Incumbent Alex Villanueva has become one of the most polarizing sheriff figures in the country. Now Eric Strong has emerged as a challenger to the incumbent.

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Everyday Injustice Podcast Episode 123: Voices of Victims of Police Violence

This week on Everyday Injustice featured women across the country whose loved ones were killed by police – whether it be sons, brothers, or partners.

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YouTube: <https://avanan.url-protection.com/v1/url?o=http%3A//www.youtube.com/davisvanguard&g=OTY4YjFiZTIkMmZIMzJjYg==&h=OGJjNzA2ZjU1MTM1NjUxMjE2NmNiZTM5OGQzZGRkZTVjN2NhMjhlMjY5NzI0YmU0YWwNkODIyOTc1YzlyNTk4NA==&p=YXAzOnNmZHQyOmF2YW5hbJpvOjQxNGZmZmUyMTE1MGEzZDYyMTkyZjlmN2FkY2ZkYmU2OnYx>

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Subject: Jury Finds Woman Not Guilty After Ex-Partner Lies About Existence of Restraining Order | Davis Vanguard

Date: Thursday, September 16, 2021 at 4:50:18 AM British Summer Time

From: Ibarra, Valerie (PDR)

To: Ibarra, Valerie (PDR)

<https://www.davisvanguard.org/2021/09/jury-finds-woman-not-guilty-after-ex-partner-lies-about-existence-of-restraining-order/>

Sent from my iPhone

Subject: Jury Finds Woman Not Guilty After Ex-Partner Lies About Existence of Restraining Order | Davis Vanguard

Date: Thursday, September 16, 2021 at 4:50:17 AM British Summer Time

From: valerie.ibarra@sfgov.org

To: Valerie Ibarra

<https://www.davisvanguard.org/2021/09/jury-finds-woman-not-guilty-after-ex-partner-lies-about-existence-of-restraining-order/>

Sent from my iPhone

Subject: Tweet by Vanguard Media Group on Twitter

Date: Thursday, September 16, 2021 at 4:48:49 AM British Summer Time

From: Ibarra, Valerie (PDR)

To: Ibarra, Valerie (PDR)



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9/15/21, 1:00 PM

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Subject: Tweet by Vanguard Media Group on Twitter

Date: Thursday, September 16, 2021 at 4:48:49 AM British Summer Time

From: valerie.ibarra@sfgov.org

To: Valerie Ibarra



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9/15/21, 1:00 PM

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Subject: Vanguard — Tiara's case

Date: Thursday, September 16, 2021 at 4:48:38 AM British Summer Time

From: valerie.ibarra@sfgov.org

To: Stephanie Tan, Mark Jacobs, Manohar Raju, Matt Gonzalez, Carolyn Goossen



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Jury Finds Woman Not Guilty After Ex-Partner Lies About
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9/15/21, 1:00 PM

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Subject: Get your tickets for The Future of Criminal Justice Reform!
Date: Wednesday, September 15, 2021 at 9:00:12 PM British Summer Time
From: David Greenwald
To: valerie.ibarra@sfgov.org

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Image



*Join the Vanguard on **October 28, 2021, at 6**
pm, for our 11th Annual Fundraiser -
The Future of Criminal Justice Reform is*

October 6, 2021

Here

Our webinar will feature:

Dr. Melina Abdullah, Co-Founder Black Lives Matter
LA

Chesa Boudin, SF District Attorney

Jonathan Rapping, Founder and President of
Gideon's Promise

Jody Armour - Professor of Law at USC

Including a live Q&A section with the audience.

**The webinar is online-only, \$25 for general
admission.**

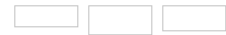
Including discounted rates for undergraduates and
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Subject: Everyday Injustice - Activists Push Back, Urge Governor to Veto AB 1542; Chesa Boudin's Father Parole Hearing in October

Date: Wednesday, September 15, 2021 at 1:23:22 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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"(AB 1542) blurs the lines between men medical care and punishment."

Everyday Injustice Newsletter - September 15, 2021

Do Police Believe in Protecting the Public?

By David Greenwald

Yesterday I noted the statements from the Riverside Sheriff with regards to vaccinations - he claimed he wasn't an anti-vaxer, "I am certainly not anti-vaccine. I am anti-vaccine for me."

The language used though was troubling dismissing public health officials warning as cherry-picked statements from "supposed health experts" as an attempt "to paint me and the Sheriff's Department in a negative light."

He explained, "The information I have about Covid and the vaccine is easily found and available for anyone wanting to find it."

With this caliber of individual leading his department - the fourth largest in the state of California, it should probably not be surprising what we are hearing from the rank and file.

The Guardian reported on Monday, “Los Angeles police department (LAPD) employees have sued over requirements they get vaccinated for Covid-19, alleging that the department has created a “hostile work environment” for the unvaccinated and that the mandate violates employees’ privacy and civil rights.”

Indeed, this is hardly an isolated incident and one of several challenges to vaccine mandates by police unions and officers across the state.

Reports the Guardian: “It comes as staff at law enforcement agencies **remain unvaccinated at disproportionately high rates.**”

LA will mandate all employees including the police to be vaccinated by October 20. But six LAPD employees in a federal complaint argued that this policy infringed on their rights to “bodily integrity” and constituted “coerced medical treatment”.

Of course the state, many police officers are threatening to quit rather than submit to these mandates.

On the other hand, as one person put it, “The lawsuit reflects the culture of the department.”

Indeed, officers have in previous months have been documented not wearing masks while on duty, even when indoors and in close proximity to members of the public.

According to LAPD, as of 3 September, 47% of LAPD staff were fully vaccinated, and 54% had received at least one dose. Those figures are significantly lower than the rates among the general population in LA county, where 76% of eligible residents have had at least one dose.

Nor is LAPD alone. In San Jose, police and firefighters are fighting the ban and some are threatening to quit. In San Diego, a recent survey found that 45 percent of employees would rather be fired than comply.

California prison guards – which have **some of the lowest law enforcement vaccination rates** in the state, despite their close contact with vulnerable residents – are also now **fighting** new strict vaccination requirements.

Despite claims of unconstitutionality, “Legal experts have said vaccine mandates are **generally lawful** as long as there are religious and medical exemptions, and the courts have recently **upheld policies.**”

Mike Feuer, LA’s City Attorney, said he was confident the city would win the legal battle, adding in a statement: “It cannot be the case that the health of anyone’s child, anyone’s grandma, anybody in our city could be put at risk because they come into contact with a first responder who hasn’t been vaccinated.”

As UCLA professor put it: “Are you really dedicated to protecting and serving, if science says [vaccination] would be a great way to serve ... but you’re determining you don’t want to do it?”

That’s my question as well - thanks for reading.

Criminal Justice News/ Commentary

Activists Push Back, Urge Governor to Veto AB 1542

AB 1542 sits on the Governor’s Desk with effectively no opposition in the state legislature. AB 1542 was authored by Assemblymember McCarty in partnership with Yolo County District Attorney Jeff Reisig.

[Read More](#)

Who is Bankrolling Orange County DA’s Re-Election Campaign?

Todd Spitzer, the current District Attorney of Orange County, has positioned himself as the stalwart defender of old-guard California prosecutors. Facing a progressive challenger in 2022, he has repeatedly taken to the media to bash

[Read More](#)

Chesa Boudin's Father Parole Hearing in October After Almost 40 Years of Incarceration

When outgoing New York Gov. Andrew Cuomo recently commuted the prison sentence of David Gilbert – who was involved in the robbery of a Brinks armored car in 1981 that killed two law enforcement

[Read More](#)

U.S. Dept. of Justice Leapfrogs Legislation, Bans Chokeholds, Carotid Restraints and Limits Use of 'No-Knock' Warrants

The U.S. Dept. of Justice Monday banned the use of the “chokehold” and “carotid restraint” and dramatically limited the use of “no-knock” warrants to reflect the deadly misuse of the

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Concord District Attorney Claims Police Acted Lawfully During Arrest of Unhoused Man

The Contra Costa County District Attorney's Office announced Tuesday that Concord Police Department officers and a Sheriff Dept. deputy acted lawfully in the 2019 in-custody death of a man after an

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COVID CDCR and Jail Dashboards

Over 600 Reinfections Were Previously Excluded From CDCR COVID-19 Tracker

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Santa Rita Jail Plunges Into Largest COVID-19 Outbreak Since February, 35+ Cases Emerge Overnight

Our daily run down on the COVID cases in selective County Jails

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Court Watch Coverage

Jury Finds Woman Not Guilty After Ex-Partner Lies About Existence of Restraining Order

A San Francisco jury late last week found a 28 year old woman not guilty of violating a civil restraining order because she believed her ex-partner told her the truth that the civil order was no longer in place.

[Read More](#)

Expert Witnesses Testify in Child Sexual Abuse Jury Trial

The jury trial for a man who allegedly sexually abused his younger sister for years continued Monday in Alameda County Superior Court with the testimonies of expert witnesses.

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Judge Hears Two Preliminary Hearings for One Unhoused Haight Man and Former Lawyer

Judge Christine Van Aken heard two preliminary hearings Tuesday in San Francisco Superior Court for David Sterkin, a former lawyer who is accused of assaulting multiple victims five months apart.

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Everyday Injustice - Podcast

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Everyday Injustice Podcast Episode 124: LA Sheriff's Candidate Eric Strong

Incumbent Alex Villanueva has become one of the most polarizing sheriff figures in the country. Now Eric Strong has emerged as a challenger to the incumbent.

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This week on Everyday Injustice featured women across the

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Subject: Re: Davis Vanguard covered Deshon's MIL --

Date: Tuesday, September 14, 2021 at 8:47:02 PM British Summer Time

From: Ibarra, Valerie (PDR)

To: Ward, Diamond (PDR)

There seem to be quite a few convoluted things in this article, your pronoun being one of them (probably a typo)...but they also skip from the 2011 incident into the current case as if it were the same. Very confusing. I can call the reporter with corrections, so if there are any other factual corrections that need to be made, please let me know and I'll address them.

From: Ward, Diamond (PDR) <diamond.ward@sfgov.org>

Sent: Tuesday, September 14, 2021 12:44 PM

To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

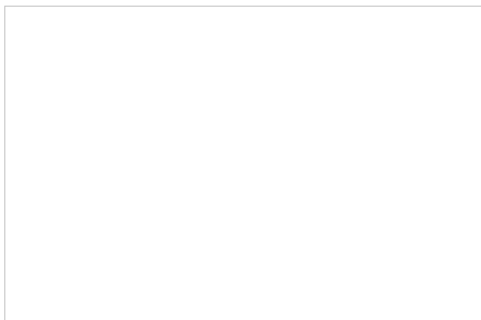
Subject: Re: Davis Vanguard covered Deshon's MIL --

They called me a "he" :(

Sent from my iPhone

On Sep 14, 2021, at 12:33 PM, Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org> wrote:

<https://www.davisvanguard.org/2021/09/eleven-years-later-deshon-marman-stays-stuck-in-system-unable-to-escape-after-questionable-airplane-pants-charge/>



Eleven Years Later, Deshon Marman Stays Stuck in System after Questionable Airplane Pants Charge | Davis Vanguard

SAN FRANCISCO, CA – Eleven years after apparently being racially profiled on an airplane for wearing baggy pants, Deshon Marman finds himself stuck in a never-ending cycle of incarceration. Thursday, the justice system's ability to create and

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Valerie Ibarra
Public Information Officer
San Francisco Public Defender's Office
Valerie.Ibarra@sfgov.org
(628)249-7946
SFPublicDefender.org/Media

Subject: Re: Davis Vanguard covered Deshon's MIL --

Date: Tuesday, September 14, 2021 at 8:44:31 PM British Summer Time

From: Ward, Diamond (PDR)

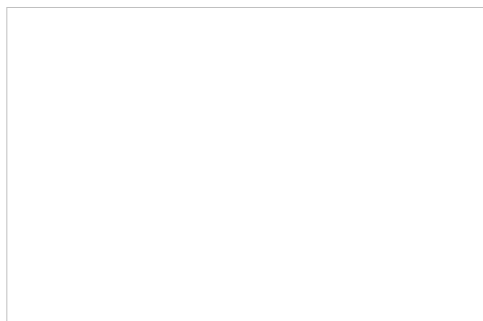
To: Ibarra, Valerie (PDR)

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Eleven Years Later, Deshon Marman Stays Stuck in System after Questionable Airplane Pants Charge | Davis Vanguard

SAN FRANCISCO, CA – Eleven years after apparently being racially profiled on an airplane for wearing baggy pants, Deshon Marman finds himself stuck in a never-ending cycle of incarceration. Thursday, the justice system's ability to create and

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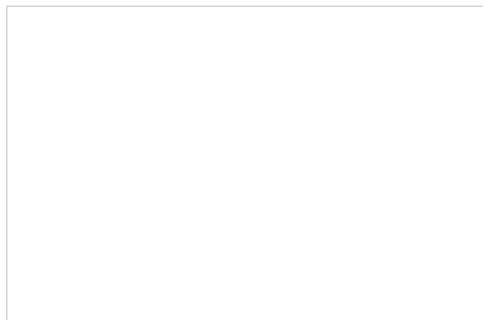
Subject: Davis Vanguard covered Deshon's MIL --

Date: Tuesday, September 14, 2021 at 8:33:59 PM British Summer Time

From: Ibarra, Valerie (PDR)

To: Ward, Diamond (PDR)

<https://www.davisvanguard.org/2021/09/eleven-years-later-deshon-marman-stays-stuck-in-system-unable-to-escape-after-questionable-airplane-pants-charge/>



Eleven Years Later, Deshon Marman Stays Stuck in System after Questionable Airplane Pants Charge | Davis Vanguard

SAN FRANCISCO, CA – Eleven years after apparently being racially profiled on an airplane for wearing baggy pants, Deshon Marman finds himself stuck in a never-ending cycle of incarceration. Thursday, the justice system's ability to create and maintain the criminality of Deshon Marman was on full ...

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San Francisco Public Defender's Office
Valerie.Ibarra@sfgov.org
(628)249-7946
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Subject: FOR IMMEDIATE RELEASE: SF Jury Acquits Woman Accused of Violating a Civil Restraining Order
Date: Tuesday, September 14, 2021 at 5:47:38 PM British Summer Time
From: Ibarra, Valerie (PDR)
To: PUBDEF-Media Relations, Ibarra, Valerie (PDR)
Attachments: PR - 09.14.2021 - SF Jury Acquits Woman Accused of Violating a Restraining Order .pdf

FOR IMMEDIATE RELEASE: September 14, 2021

CONTACT: SF Public Defender's Office - Valerie.Ibarra@sfgov.org - (628)249-7946

****PRESS RELEASE****

SF Jury Acquits Woman Accused of Violating a Restraining Order

Ex-partner lied and set her up to fail

SAN FRANCISCO - Last week, a San Francisco jury acquitted a 28 year old woman of violating a civil restraining order that her ex-partner had told her he had removed after they got back together last year. Deputy Public Defender Stephanie Tan represented the woman in trial. The jury deliberated for 3 hours and found the woman not guilty because she had no knowledge that the restraining order was still in place and thus could not have formed the intent to violate it.

The two were in a relationship for eight years, and in 2019, the man went to civil court to obtain a restraining order against the woman, which she observed. In 2020, when the two ran into each other and got back together, he told her that he had the restraining order removed.

In January 2021, after the two had spent the day together, the man called for a police escort to get some of his things out of the woman's car after a disagreement. When police ran her name, they found the active restraining order and arrested her. She spent four days in jail, was released initially on electronic monitoring, and has had to check in with Assertive Case Management and attend classes on a weekly basis since then.

"The law is supposed to act as a shield and not a sword, and her ex-partner used the law against her as a weapon to manipulate the situation to get what he wanted, leaving my client to suffer unnecessary consequences," said Ms. Tan. "My client and I fought this case all the way to trial because she had been lied to and set up by her ex-partner, and the jury vindicated her."

"Ms. Tan and her team skillfully presented the fuller context of this altercation. We are grateful that the jury understood that our client did not knowingly violate the restraining order," said San Francisco Public Defender Mano Raju.

The defense team was led by Deputy Public Defender Stephanie Tan, and assisted by Investigator

Danielle Thompson and Deputy Public Defender Eric Fleischaker.

##

To view this press release online, please visit SFPublicDefender.org/media.

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Valerie Ibarra
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SFPublicDefender.org/Media

Subject: Everyday Injustice - Creating a More Human Prison System; Attempts to Free Garcia Zarate
Date: Tuesday, September 14, 2021 at 5:01:07 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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Matt Gonzalez and Francisco Ugarte: "García Zárate is still in custody only because then-President Donald Trump and then-Attorney General Jeff Sessions were outraged by the verdicts. In the hours following news of the acquittal, politically motivated indictments were filed in federal court, in effect, reviving the same gun possession charge García Zárate had already faced in state court."

Everyday Injustice Newsletter - September 14, 2021

Riverside Sheriff Doesn't Get It on Forced Vaccinations

By David Greenwald

Yesterday, someone posted a press release from Sheriff Chad Bianco of Riverside County California. Riverside is not a small county, it is fourth in California behind LA, San Diego and Orange County in population at 2.4 million people.

In a statement he said, "Later today, a local newspaper will publish a story about our last podcast concerning forced vaccinations." He then claimed that the reporter would cherry pick statements from "supposed health experts" as an attempt "to paint me and the Sheriff's Department in a negative light."

Notice the use of language so far – supposed health experts.

For him, "This is nothing but sensationalism trying to gain readership and further divide us as Americans."

(I will just say I have never written an article or column with the intent to divide people as Americans. I may write however with the motivation of exposing official misconduct and ignorance of elected officials however).

The comments really get worse from here.

"There is absolutely nothing in my podcast that is incorrect or irresponsible. It is factual and common sense based," he continues. "To repeat the context of the podcast, I will not enforce the vaccine mandate on Sheriff's Department employees."

Which means that he is sending deputies into jails and to the public who are not vaccinated. He continued, "The information I have about Covid and the vaccine is easily found and available for anyone wanting to find it."

I can only imagine what he was saying and where he got that information from. He certainly is not pulling it from reputable scientific publications.

He then goes on to say that he "stood before God and swore an oath to the constitution..." And then he said, "The government has no ability and no authority to mandate your health choices. As your Sheriff I have an obligation to guard your liberty and freedom."

And then the kicker: "I am certainly not anti-vaccine. I am anti-vaccine for me."

Seems like a distinction without a difference.

There is a reason why we cannot get ourselves out of this pandemic, and this attitude by the elected sheriff of the fourth largest county in California embodies it perfectly. Thanks for reading.

Criminal Justice News/ Commentary

An Open Letter to the Biden Administration: It's Time to Drop Charges against José Ines García Zárate

After a unanimous jury exonerated José Ines García Zárate on all state charges for the shooting death of Kate Steinle, he remains incarcerated. It's been over six years since the tragedy, and nearly four years since his acquittal of murder

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ACLU Files Suit in Pittsburg, CA, Alleging Black, English Learners and Disabled Students Denied Constitutional Right to Public Education

The State of California and Pittsburg Unified School District have maintained a separate, unequal, and illegal educational system where Black students, children of color with disabilities and English learners have been segregated in substandard learning

[Read More](#)

Former CDCR Secretary Diaz Talks about

Creating a More Human Prison System, 'the California Way'

In late September of 2019, Ralph Diaz, who was then the secretary of the California Department of Corrections and Rehabilitation (CDCR), and Director of Adult Institutions Connie Gipson joined senior staff from the

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Request to Release Man Before Sentencing Denied; COVID-19 Places Hardship on His Family

A defense attorney argued here Monday in Yolo County Superior Court that his client should be released two weeks before he is sentenced to serve 22 years in state prison so he could resolve family finances, a

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COVID CDCR and Jail Dashboards

Over 600 Reinfections Were Previously Excluded From CDCR COVID-19 Tracker

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Santa Rita Jail Plunges Into Largest COVID-19 Outbreak Since February, 35+ Cases Emerge Overnight

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Court Watch Coverage

Jury Finds Unhoused Man Not Guilty in Arson Case Where Prosecutor Accused of Misconduct

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Everyday Injustice - Podcast

see our podcasts

Everyday Injustice Podcast Episode 124: LA Sheriff's Candidate Eric Strong

Incumbent Alex Villanueva has become one of the most polarizing sheriff figures in the country. Now Eric Strong has emerged as a challenger to the incumbent.

[Read More](#)

Everyday Injustice Podcast Episode 123: Voices of Victims of Police Violence

This week on Everyday Injustice featured women across the country whose loved ones were killed by police – whether it be sons, brothers, or partners.

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Subject: Everyday Injustice - Reflections on the 50th Anniversary of Attica; Unhoused Man Acquitted of Arson

Date: Monday, September 13, 2021 at 5:00:46 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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Avalos stated that "The aggressive prosecution of my client is another example of how incidents related to poverty and homelessness end up being treated as a problem to punish rather than a crisis to prevent."

Everyday Injustice Newsletter - September 13, 2021

50th Anniversary of the Attica Uprising

On September 9, 1971, thirteen hundred incarcerated people in Attica, a maximum-security prison located in western New York, rebelled against inhumane prison conditions, and took over the prison. The historic uprising ended on September 13, 1971, in the bloodiest attack by state authorities in United States history, where State police and guards slaughtered thirty-nine individuals, including ten hostages.

Both the rebellion and the brutal state response, including the attempts to cover-up human rights violations, exposed prison conditions in the United States and galvanized generations of prisoners' rights advocates.

"In D yard 50 years ago, Attica became all of us. We must never forget that our demands for better living conditions, adequate medical care and food have not been achieved today even though our prisons are worse than before. Attica means fight back. Our humanity demands it," said Tyrone Larkins, Attica Brother.

"We can't live in a free society if youngsters are taken from the families and put in jail based on poverty, poor housing and unequal educational opportunities. These are the basic human rights we asked for 50 years ago which now are even worse," said Sharif Alhajji, Attica Brother.

"The violence and hatred shown by the guards and state troopers shooting to kill both indiscriminately and at point blank range, and the subsequent brutal beatings and torture they inflicted on the men who had taken over D-yard in their demand to be treated as human beings, is a concrete example of the evil of white supremacy that has not yet been purged. Attica stands for the continued fight against racism. Attica means fight back," said Margaret Ratner Kunstler, lawyer indictment #1.

Back in August of 2019, I interviewed historian Heather Ann Thompson, who won a Pulitzer Prize for her account of the prison uprising, the brutal crackdown and the horrifying coverup by state officials, including then New York Governor Nelson Rockefeller.

From reading her account, I learned that while this started as a prison uprising, it ended up as a massacre and an epic seen of brutality and inhumanity. Worse yet was the cover up.

Listen to my interview here: [here](#).

Criminal Justice News/ Commentary

Everyday Injustice Episode 91: Flint Taylor on the Murder of Fred Hampton and Chicago Torture Cases

It started with the murder of Fred Hampton in 1969 but tracks the Chicago Police torture cases which started with Andrew Wilson, a death row prisoner who was tortured by officers including the infamous Area 2 Chicago Police

[Read More](#)

Guest Commentary: I'm Finally Coming Home. Will I Get a Second Chance?

I write this with tears streaming down my face, a contrite heart and a hopeful spirit. Divided from loved ones, devoid of freedoms, downgraded in the caste system of society. My actions — my own actions — put me in this position.

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Jury Finds Unhoused Man Not Guilty in Arson Case Where Prosecutor Accused of Misconduct

Defendant Erbert Mayek late last week here in San Francisco Superior Court was found not guilty by the jury of all charges from a 2019 arson case where Public Defender Martina Avalos accused Deputy

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Sunday Commentary: If Reisig Wants to Fix Racial Inequities Start with Gang Enhancements

Yolo County District Attorney Jeff Reisig understands that the ground has shifted on racial justice issues. It was just over a year ago that he was blasting the Public Defender for pointing out the discrepancies in the

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CA AG Asked to Investigate Alleged Illegal Campaign Activities by Alameda DA Office in 2022 District Attorney Race

The Pamela Price for Alameda County District Attorney Campaign 2022 has exposed and filed complaints against what it describes as illegal campaign activities of the Alameda County District Attorney's Office

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COVID CDCR and Jail Dashboards

New COVID-19 Cases Reported at Pelican Bay, Sierra Conservation Center and North Kern State Prison

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Santa Rita Jail Plunges Into Largest COVID-19 Outbreak Since February, 35+ Cases Emerge Overnight

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Misconduct

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[Read More](#)

SF District Attorney Announces Guilty Jury Verdict in 2014 Sexual Assault Case

The murder trial of Alexander Richard Aguayo, who is suspected of shooting and killing his neighbor, goes before the jury Monday in Riverside County Superior Court – on Friday, the court held final pretrial motions.

[Read More](#)

After Woman Allegedly Pulls Knife on BART Train, Judge and Prosecutor Have Doubt About Pretrial Release

Despite a suspect's clean criminal record, the prosecutor and judge here in Alameda County's Wiley W. Manuel Courthouse Friday said they were concerned about a woman who allegedly pulled a knife on a

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Everyday Injustice - Podcast

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Everyday Injustice Podcast Episode 124: LA Sheriff's Candidate Eric Strong

Incumbent Alex Villanueva has become one of the most polarizing sheriff figures in the country. Now Eric Strong has emerged as a challenger to the incumbent.

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Everyday Injustice Podcast Episode 123: Voices of Victims of Police Violence

This week on Everyday Injustice featured women across the country whose loved ones were killed by police – whether it be sons, brothers, or partners.

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Subject: Automatic reply: Jury Finds Unhoused Man Not Guilty in Arson Case Where Prosecutor Accused of Misconduct | Davis Vanguard

Date: Monday, September 13, 2021 at 4:43:37 PM British Summer Time

From: PUBDEF-FelonyLeads

To: Ibarra, Valerie (PDR)

Douglas.welch@sfgov.org is the on-call Felony Manager from 9/7/21 to 9/20/21. If you do not hear back from a Felony Manager within one business day, we apologize. Please reach out to Doug directly by email, phone, or text.

Subject: Jury Finds Unhoused Man Not Guilty in Arson Case Where Prosecutor Accused of Misconduct | Davis Vanguard

Date: Monday, September 13, 2021 at 4:43:35 PM British Summer Time

From: valerie.ibarra@sfgov.org

To: Martina Avalos, PUBDEF-FelonyLeads, Matt Gonzalez, Manohar Raju

<https://www.davisvanguard.org/2021/09/jury-finds-unhoused-man-not-guilty-in-arson-case-where-prosecutor-accused-of-misconduct/>

Subject: FOR IMMEDIATE RELEASE: SF Jury Acquits Homeless Man of Arson of Russian Hill Residence
Date: Friday, September 10, 2021 at 11:12:09 PM British Summer Time
From: Ibarra, Valerie (PDR)
To: PUBDEF-Media Relations, Ibarra, Valerie (PDR)
Attachments: PR - 09.10.2021 - SF Jury Acquits Homeless Man of Arson of Russian Hill Residence.pdf

FOR IMMEDIATE RELEASE: September 10, 2021

CONTACT: San Francisco Public Defender's Office – Valerie.Ibarra@sfgov.org – (628)249-7946

**** PRESS RELEASE ****

SF Jury Acquits Homeless Man of Arson of Russian Hill Residence

SAN FRANCISCO – This week, a San Francisco jury acquitted Erbert Mayek, 38, of numerous felony arson and arson-related charges stemming from a fire that started in a trash chute of a home in Russian Hill. Deputy Public Defender Martina Avalos argued that there was no evidence that the fire was intentional and the jury found Mr. Mayek not guilty.

On September 2, 2019, a fire in an unlocked trash chute spread causing structural damage to an unoccupied house, whose owner primarily resides in the South Bay. During the trial, it was revealed that many unhoused members of the community were familiar with this largely unoccupied property. Video surveillance showed Mr. Mayek in the side yard of the residence at the time that the fire began, but there was no evidence that proved it was started intentionally. No one was injured and the damage to the structure has been repaired.

“The aggressive prosecution of my client is another example of how incidents related to poverty and homelessness end up being treated as a problem to punish rather than a crisis to prevent,” said Deputy Public Defender Martina Avalos. “My client was innocent of these serious charges and I am relieved that the jury understood that this was an accidental and not an intentional fire.”

Mr. Mayek had been waiting anxiously for trial for nearly two years due to the COVID-19 trial backlog. During the trial, Mr. Mayek was forced to miss several days of work, and his employer warned him that he would lose his job if he kept missing work. In the end, his faith in the jury paid off, and now he can finally move on with his life.

“This case highlights the homelessness crisis in San Francisco where people, who already have so much stacked against them, are taking refuge wherever they can and are more susceptible to accusations,” said San Francisco Public Defender Mano Raju. “I am proud of Ms. Avalos and her team, and we are grateful that the jury focused on the evidence, scrutinized the prosecution’s expert, and came together to vindicate Mr. Mayek.”

The defense team included Deputy Public Defender Martina Avalos, Investigator James Faulkner, Paralegal Margaret So, and Law Clerk Mengyu Yang.

##

To view this press release online, please visit [SFPublicDefender.org/media](https://sfpublicdefender.org/media).

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Valerie Ibarra
Public Information Officer
San Francisco Public Defender's Office
Valerie.Ibarra@sfgov.org
(628)249-7946
[SFPublicDefender.org/Media](https://sfpublicdefender.org/Media)

Subject: Everyday Injustice - Critical Justice Reform Legislation Awaits Governor Signature
Date: Friday, September 10, 2021 at 5:00:34 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

"If sentence enhancements were applied fairly, this wouldn't be an issue. However, data shows that in California, you are much more likely to receive a sentence enhancement if you are Black," said Sen. Skinner, D-Berkeley.

Everyday Injustice Newsletter - September 10, 2021

Great Event on Wednesday!

It was a little too hot - in fact I get ill from the heat. But overall it was great. Curtis Briggs, pictured with me to the right, talked about the Chief Stankowitz case.

Some of my highlights were listening to Jamilia Land passionately discuss the system, Lizzie Dubose break down as she described what it was like to be confronted by bigotry as she fought to remove the Placerville noose, Desiree Rojas paying tribute to her father and launching into a passionate discussion about the mistreatment of workers.

It was great for me personally to meet some of our interns and staff for the first time. Yes, we have had people working for us for a year, who I have never met except over Zoom. That's crazy.

It was great to have four candidates for DA at the event: Pamela Price (Alameda), Sajid Khan (Santa Clara), Alana Mathews (Sacramento) and Cynthia Rodriguez (Yolo).

We also had DA Diana Becton of Contra Costa, Brendon Woods, the Alameda Public Defender and Tracie Olson, the Yolo County Public Defender.

Sorry that Senator Kamlager couldn't make it, but she was busy passing important legislation.

All in all a great night.

So let's talk October 28.

I set the guests and the theme back in January. I think it's more appropo. We are seeing a rising violent crime rate. A pushback against reform in places like LA and San Francisco, where three-fourths of the guests are located. Chesa Boudin himself is facing a recall.

I think the topic is more appropriate than ever.

Guests:

Dr. Melina Abdullah, Co-Founder Black Lives Matter LA
Chesa Boudin, SF District Attorney
Jonathan Rapping, Founder and President of Gideon's Promise
Jody Armour - Professor of Law at USC

Those who have sponsored the event today already have tickets to this event. Also we had an early bird offer of \$110 for both events. For those who haven't purchased yet - you can get them here -

<https://davisvanguard.networkforgood.com/events/34133-11th-annual-fundraiser-the-future-of-criminal-justice-reform-is-here>

This should be a fascinating discussion - so join us.

Criminal Justice News/ Commentary

Guest Commentary: The Watchlisting System Exemplifies the Government's Post-9/11 Embrace of Biased Profiling

As a Harvard graduate student and mother of three children, Zainab Merchant was accustomed to traveling frequently from her home in Orlando to Boston for her studies. In 2016, that all changed.

[Read More](#)

Legislation to Strengthen Hate Crime Protections Moves to Governor

After a year marked by a dramatic increase in hate-motivated violence in the U.S., which has prompted fear and concern in many vulnerable communities, including the Asian Pacific Islander (API) and Jewish

[Read More](#)

Legislation that Creates Judicial Guidance on Sentence Enhancements Goes to Governor for Signature

There are now more than 150 sentence enhancements in the California Penal Code. Sentence enhancements are not elements of a crime; rather, they are additional circumstances that increase the penalty, or time

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SF District Attorney Announces Guilty Jury Verdict in 2014 Sexual Assault Case

San Francisco District Attorney Chesa Boudin has announced that guilty verdicts for seven felony offenses in a rape and sexual assault had been returned by a San Francisco jury.

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COVID CDCR and Jail Dashboards

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New Arrest Leads to Heated Discussion with Judge over Relevance in Sentencing Hearing

Inoc Meneses Castano was here Thursday in Alameda County Superior Court for sentencing in a probation violation matter—but his recent unrelated arrest became the primary focus and the cause of a heated

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Everyday Injustice - Podcast

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Everyday Injustice Podcast Episode 124: LA Sheriff's Candidate Eric Strong

Incumbent Alex Villanueva has become one of the most polarizing sheriff figures in the country. Now Eric Strong has emerged as a challenger to the incumbent.

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Everyday Injustice Podcast Episode 123: Voices of Victims of Police Violence

This week on Everyday Injustice featured women across the country whose loved ones were killed by police – whether it be sons, brothers, or partners.

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Subject: Everyday Injustice - Emails Released by Alameda DA's Office Show Widespread Illegal Use of Government Email

Date: Thursday, September 9, 2021 at 5:01:13 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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James Sutton: "honestly, I don't think I've ever seen such a pervasive and longterm misuse of government emails for blatant political activities."

Everyday Injustice Newsletter - September 9, 2021

Alameda DA Commits a Big No-No

By David Greenwald

One of the first things you learn when you work in a legislature - the separation of church and state. In this realm, I mean separating campaign activities from government activities. I remember once a friend of mine who worked for a high profile congressman told me in the days before email and cellphones they would have to wait until after hours so they were not on a government dime, walk to the payphone down the street, and have a campaign discussion offsite.

So what happened in Alameda County is pretty stunning because we are not dealing with run of the mill government bureaucrats, civil service people who made a simple error. We are dealing with attorneys in a DA's office that is supposed to enforce the law, and their violation of the law is anything but inadvertent.

The telling line at Pamela Price's press conference came from James Sutton, their hired election law attorney.

"I've been practicing in this area of law for 30 years," he 30 years and said that "it's very common for a government employee to make a mistake and accidentally use his or her government email to work on a campaign."

But he said, "honestly, I don't think I've ever seen such a pervasive and longterm misuse of government emails for blatant political activities."

He added, “the violation of the penal code and the government code is unique. And it is noteworthy both because it is done by attorneys, by deputy district attorneys who should know the law. “

The office turned over 230 pages of emails. And that’s probably 20 percent of total. We are talking volumes.

This is not a little deal. Sutton and Price said some of these rise to the level of felony violations. We are talking about 31 people in the DA’s office who are potentially involved. That could have wide-reaching implications not just for the race, but for the office.

This will be an interesting test case for AG Rob Bonta. He has so far indicated that he is likely to want to crack down on the wrongdoing by police - here is another kind of law enforcement.

How big a deal is this? That’s a good question.

“When we were approached about looking at the emails, I expected to see a couple of people breaking the rules of conduct,” said Sutton, the principal attorney at the Sutton Law Firm. “I never thought that the misconduct would be so widespread within the office.”

But there is also this:

He noted the first email received was from Assistant DA Terry Wiley, who is now one of the three candidates including Price running to replace O’Malley who is retiring at the end of her term.

“We would like as many of you as possible to attend this candidates forum,” Assistant District Attorney Terry Wiley wrote in a May 2018 email. At the time, that was a month before the primary. Wiley was urging colleagues to show up to an event with Price and O’Malley “to show the people of Oakland the diversity of our office.”

Worth watching. Thanks for reading.

Criminal Justice News/ Commentary

Emails Released by Alameda DA’s Office Show Widespread Illegal Use of Government Email

It was a simple public records request from a campaign volunteer for Pamela Price, a civil rights attorney who ran for DA in 2018 and is running against for 2022, and it pulled up hundreds – potentially thousands of

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As Expected, Appellate Court Rejects Appeal by Marsh’s Attorneys To Be Re-Heard Under SB 1391

On technical grounds, the Third District Court of Appeals has dismissed the petition by Daniel March to have his case fall under the auspices of SB 1391 which would eliminate “the authority of a prosecutor to seek transfer to adult

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COVID-19 Outbreak in Yolo County Jail Impedes Defendant’s Right to Counsel,

Delays Speedy Trial

A reported outbreak of COVID-19 in the Yolo County Jail Wednesday caused major delays at Yolo County Superior Court, including for one man who was unable to speak with his attorney, and may be forced to waive

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Former Police Officer Pleads Guilty to Accepting Bribes from Drug Trafficker, Faces Minimum 10-Year Sentence

Rudolph Petersen, a former Montebello Police Officer, pleaded guilty Tuesday to a federal bribery charge related to his involvement in drug trafficking.

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COVID CDCR and Jail Dashboards

New COVID-19 Cases Reported at Pelican Bay, Sierra Conservation Center and North Kern State Prison

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Everyday Injustice Podcast Episode 124: LA Sheriff's Candidate Eric Strong

Incumbent Alex Villanueva has become one of the most polarizing sheriff figures in the country. Now Eric Strong has emerged as a challenger to the incumbent.

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Subject: The Future of Criminal Justice Reform is Here!

Date: Wednesday, September 8, 2021 at 9:00:13 PM British Summer Time

From: David Greenwald

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Image

Join the Vanguard's Virtual Annual Fundraiser!

*On **October 28, 2021, at 6 pm** the Vanguard will have a separate 11th Annual Fundraiser - The Future of Criminal Justice Reform is Here*

A webinar featuring:

Dr. Melina Abdullah, Co-Founder Black Lives Matter LA

Chesa Boudin, SF District Attorney

Jonathan Rapping, Founder and President of Gideon's Promise

Jody Armour - Professor of Law at USC

October 28, 2021

6:00pm -7:00PM

The webinar is online-only, \$25 for general admission

Buy tickets here

The Peoples Vanguard of Davis Inc

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Subject: Everyday Injustice - Restorative Justice a Viable Option for Those Who Are Incarcerated
Date: Wednesday, September 8, 2021 at 5:00:12 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
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"But, you killed somebody..."

Everyday Injustice Newsletter - September 8, 2021

Tonight is our Awards Gala

It's going to be hot in Sacramento with forecasts calling for 107 degrees this afternoon. But the exciting thing is that we have sold out our allotment of tickets and greatly surpassed our goals for the event. Now we can just relax and enjoy.

But that is not the end of our fundraisers this fall. On October 28 - just seven weeks or so away, we have our 11th Annual Fundraiser - The Future of Criminal Justice Reform is Here

This fall we decided to do two events but make so that they would not compete with each other.

So the Sacramento event is in person - the October 28 event is a webinar.

The Sacramento event is pricy by our standards at \$100 per person. The October event is only \$25.

The Sacramento event capacity is only 100 people. We can hold up to 1000 people in October.

The Sacramento event is more regionally focused. The October event is open to anyone in the world.

So let's talk October 28.

I set the guests and the theme back in January. I think it's more appropo. We are seeing a rising violent crime rate. A pushback against reform in places like LA and San Francisco, where three-fourths of the guests are located. Chesa Boudin himself is facing a recall.

I think the topic is more appropriate than ever.

Guests:

Dr. Melina Abdullah, Co-Founder Black Lives Matter LA
Chesa Boudin, SF District Attorney
Jonathan Rapping, Founder and President of Gideon's Promise
Jody Armour - Professor of Law at USC

Those who have sponsored the event today already have tickets to this event. Also we had an early bird offer of \$110 for both events. For those who haven't purchased yet - you can get them here - <https://davisvanguard.networkforgood.com/events/34133-11th-annual-fundraiser-the-future-of-criminal-justice-reform-is-here>

This should be a fascinating discussion - so join us.

Criminal Justice News/ Commentary

Guest Commentary: 10 Things to Know about Combating Violence in America

"With violent crime on the rise, we must invest in more police."
You've probably heard this recently from the media, elected officials, and some people directly impacted by gun violence. The pain of communities facing the threat of

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Guest Commentary: Restorative Justice a Viable Option for Those Who Are Incarcerated

Those words effectively shut me down whenever I get involved in discussions about prison reform for violent offenders. Met with that statement, I am stymied and silenced. This happens no matter how practicable my

[Read More](#)

Chesa Boudin's Office Backs AB 1452 to Hike Juror Pay for Low Income Citizens

The California Legislature has passed and sent to the governor AB 1452, which increases the payment fee for lower income jurors, paying a juror in a civil or criminal superior court case a daily rate of \$100 rather

[Read More](#)

Former Police Officer Pleads Guilty to Accepting Bribes from Drug Trafficker, Faces Minimum 10-Year Sentence

Rudolph Petersen, a former Montebello Police Officer, pleaded guilty Tuesday to a federal bribery charge related to his involvement in drug trafficking.

[Read More](#)

COVID CDCR and Jail Dashboards

CDCR Reports 40+ New COVID-19 Cases in 48 Hours; Vaccinations Remain Stagnant

Our daily run down on the COVID cases in the California Prison System (CDCR)

[Read More](#)

New COVID-19 Outbreaks Emerge Across Bay Area County Jails; Staff and Population Vaccinations Remain Low

Our daily run down on the COVID cases in selective County Jails

[Read More](#)

Court Watch Coverage

Victim Allegedly Sexually Abused for Years by Elder Brother Testifies in Jury Trial

A man is on trial here in Alameda County Superior Court for continuous sexual abuse of a minor, rape, incest and use of force, as testimony continued Tuesday with the that of the alleged victim—his sister.

[Read More](#)

Public Defender Accuses Prosecutor of Misconduct in Trial – Judge Moves On

As the last day of Erbert Mayek's three-month-long trial came to a close Tuesday, Assistant Public Defender Martina Avalos accused Assistant District Attorney Andrew Clark of prosecutorial misconduct by inducing a mistrial.

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Everyday Injustice - Podcast

see our podcasts

Everyday Injustice Podcast Episode 124: LA Sheriff's Candidate Eric Strong

Incumbent Alex Villanueva has become one of the most polarizing sheriff figures in the country. Now Eric Strong has emerged as a challenger to the incumbent.

[Read More](#)

Everyday Injustice Podcast Episode 123: Voices of Victims of Police Violence

This week on Everyday Injustice featured women across the country whose loved ones were killed by police – whether it be sons, brothers, or partners.

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"Most of us have heard the famous quotation that 'injustice anywhere is a threat to justice everywhere,'" he said. "Kevin Strickland stands as our own example of what happens when a system set to be just, just gets it terribly wrong."

Everyday Injustice Newsletter - September 7, 2021

**Left's Commitment to Criminal Justice Reform Rightly
Questioned in Sirhan Case**

By David Greenwald

While the left has been more likely to support many areas of criminal justice reform than the right - as many works have pointed out correctly, the left shares a good deal of complicity for Mass Incarceration.

Even today, in cities like San Francisco, it was Chesa Boudin taking on fellow Democrat Suzy Loftus supported by the mainstream leaders. In Los Angeles it was Democratic incumbent Jackie Lacey who took on George Gascon. Gascon ended up getting some of those mainstream Democrats, but it didn't start out that way.

On issues like rape, hate crimes and others, it is the left who often yells for tougher punishment.

Enter Sirhan Sirhan. On the surface, he would appear to be a good candidate for parole - and indeed a parole board agreed. But will he get past a Democratic Governor? Seems unlikely.

He's 77 years old. He's been in prison for 53 years. He's not a serious problem since the early 70s. It would seem reasonable to simply release him. I made that argument last weekend, but received a lot of pushback from normally progressive readers.

As Chris Geidner writes in an MSNBC op-ed this weekend, "After that recommendation, we quickly were reminded that the assassination from 53 years ago remains a present and painful memory to many Americans. It also became clear that some Democrats and progressives are willing to make exceptions to the criminal justice reforms they've claimed to support."

"I can't pretend to know what's going on in people's minds," Sirhan's lawyer, Angela Berry, told Geidner after the parole board's recommendation. "I think that wound is just so strong for people. They just can't see that the board followed the law."

Even Michael Moore.

He wrote: "This assassin must not be set free."

Laurence Tribe, a longtime prominent liberal at Harvard Law School would tweet: "I fail to see why Bobby Kennedy's assassin should ever be released from prison. Even at 77, he could be a threat. And the enduring harm he inflicted was incalculable. But for his vicious act, the rest of U.S. history would've been different."

He added, "The plea by two of RFK's sons to release Sirhan Sirhan should count for nothing. RFK's assassination was a crime against the people of California and America, not just against the Kennedy family. Justice and the safety of potential future victims aren't theirs to give away."

The Kennedy family for what it's worth is divided - two are in favor of parole, but six against.

Geidner points out: "Reformers in both parties have set goals to end over-sentencing, expand the use of clemency and parole and end overcriminalization. But when Tribe, and even the Kennedys, speak in opposition to Sirhan's parole, opponents of reform hear their "tough on crime" refrains being justified."

He adds most pointedly: "the longer you look at it, Democrats' opposition to Sirhan's release looks less and less different from the Republicans' "tough on crime" stance."

Criminal justice reform cannot happen only when its convenient. We have to trust science and the legal process to determine when people are safe to let out. We need to have fewer humans in cages - especially when those humans are no longer a threat to society.

Thanks for reading.

One last thing - we are pretty much sold out now for September 8 - if you need a ticket, you can probably get one ([here](#)), but we have far exceeded our expectations for fundraising on this - and we still have the October 28 web-based fundraiser with Chesa Boudin and others ([also here](#)).

Solano State Prison Inmate, and Wife, Go Public about Being Forced into 24-Hour Quarantine for 14 Days after Family Visit

In the California State Prison in Solano County, after visiting his family in-person for the first time in more than a year, an unvaccinated inmate recently was placed into a nearly 24-hour quarantine for 14-days.

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Prosecutor Motions for Convicted Murderer's Release – but Missouri AG Prevents It

Jean Peters Baker, prosecutor of Jackson County, MI, submitted a motion on Aug. 28 to overturn the conviction of Kevin Strickland, citing "clear and convincing evidence of Strickland's actual innocence."

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Everyday Injustice Podcast Episode 124: LA Sheriff's Candidate Eric Strong

Incumbent Alex Villanueva has become one of the most polarizing sheriff figures in the country. Now Eric Strong has emerged as a challenger to the incumbent.

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Commentary: California Should Follow Arizona's Lead, Ban Peremptory Jury Strikes

Some prosecutors are racist. That assertion is not worth challenging; there is a copious amount of anecdotal evidence to back it up. But it does not take personal bigotry for a prosecutor to want to strike people of color from juries,

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CDCR Excludes Reinfections in COVID-19 Data Tracker, San Quentin Outbreak Goes Unreported

In mid-august, San Quentin reported a new COVID-19 outbreak after four incarcerated men in a cell block tested positive, of which three are infected for the second time.

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Resentencing Schedule Set for Another

Convicted Murderer Seeking to Have Murder Conviction Vacated

Pao Thao – convicted of murder, torture, a couple counts of kidnapping, and intimidating a witness in 1998 – has been in Yolo County Superior Court since March in an effort to have his murder conviction overturned. He's one of several

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Charges of Grand Theft on Expensive Bike Deemed Adequate, Judge Sets Felony Trial

Benjamin Lee Howe is accused of stealing one expensive bicycle – one rich enough to change a misdemeanor bike theft into a full blown felony, according to a ruling last Friday by Judge Peter Williams in Yolo County Superior Court, Dept.

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Attorneys Argue Confidentiality Over Public's Right to Know in Brief Hearing

Does the public have the right to know about the “sausage making” in negotiations between public or even pseudo-public agencies? That the was essence of a hearing here last Friday in Sacramento County Superior Court.

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Subject: Davis Vanguard Coverage of Be The Jury

Date: Tuesday, September 7, 2021 at 12:56:47 AM British Summer Time

From: Rodarmel, Danica (PDR)

To: Goossen, Carolyn (PDR), Ibarra, Valerie (PDR)

<https://www.davisvanguard.org/2021/09/be-the-jury-bill-goes-to-the-governor/>

Subject: Time is running out...!

Date: Friday, September 3, 2021 at 9:00:10 PM British Summer Time

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To: valerie.ibarra@sfgov.org

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Subject: Everyday Injustice - Police Records Clean Up Bill Goes to CA Gov; SF Jury Bill Does As Well
Date: Friday, September 3, 2021 at 5:00:29 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"Frankly, the current fifteen dollars a day is insulting. It barely covers parking or transportation to the courthouse and lunch," said Ting. "We lose potential jurors because they can't afford to miss a paycheck. In order for justice to be administered fairly, juries must be reflective of the communities they serve."

Everyday Injustice Newsletter - September 2, 2021

Fixing California's Gang Laws...

It was an eye-opener, one of the first major things the Vanguard covered in 2010 when we launched the Court Watch Project was a six month gang injunction trial in Yolo County.

I learned a lot - but was very disturbed. The DA's office was able to show that a lot of people that they considered to be gang members committed crimes in West Sacramento, many of which were not clearly gang crimes, they could not show that they actually occurred at the behest of the gang or that there was any kind of gang structure or hierarchy, but that was enough for the judge to curtail people's civil liberties.

Gang laws in California are some of the most draconian anywhere. One problem is that there is not a clear cut definition of membership in a gang, it is not clear how or by what standard a prosecutor has to prove that crimes benefitted or were at the behest of the gang, and of course the two issues most cite - almost all gang crimes are charged against Black and brown people and the use of predicate offenses is far more prejudicial than probative - at least in my opinion.

Bottom line is that while Senator Kamlager's bill doesn't fix all of this - it does fix a lot of it.

AB 333 takes the first step toward addressing the pain caused by gang enhancements. It does so by reducing the list of crimes that allow gang enhancements to be charged, prohibiting the use of the current charge as proof of a "pattern" of criminal gang activity, and separating gang allegations from underlying charges at trial.

In her press conference, Kamlager pointed out, right now, you do not need to prove beyond a reasonable doubt whether or not someone is in a gang.

"So instead of relying on very arcane and lazy tools, let's ask prosecutors to prove the charges that they've levied against someone," the senator added.

One of the more amusing things I have seen - and not in a good way - is watching an older white prosecutor attempting to use gang lingo in court to describe activities.

But one thing that often struck me is that on the margins, gang membership might not have been as black and white as some were making it. If you live in a neighborhood, you might well have friends and associate with actual known gang members.

If you are into hip hop culture and live in urban areas, you may have things that look like gang paraphernalia and indicia. You may have tattoos that depict neighborhoods and resemble gang tattoos.

That is not to say that there aren't real gang members who commit real crimes. But those crimes are already punishable by statute.

Los Angeles DA George Gascón noted that, in Los Angeles, "we don't use gang enhancements anymore. We stopped using them."

He believes science tells them "that enhancements generally create more insecurity in our community."

Gascón said, "They over-criminalized people based on race, based on economic status. But just as importantly, they also create an environment where you increase criminality and insecurity, uh, by recidivism, by criminalizing young people that then are often placed in a situation where they cannot find employment. They cannot get housing."

Some of the compromises that they had to make were unfortunate. For example, Kamlager said, "We have removed a provision requiring the prosecution to prove that the alleged criminal activity gang, that the alleged criminal street gang must have established hierarchy."

That is too bad - because one of the big problems I saw in the gang injunction trial is they never established there was an organized gang. They never identified shotcallers and leaders. It was basically a loosely affiliated group of people who committed crimes.

Thanks for reading.

Be the Jury Bill Goes to the Governor

A pilot bill that impact just San Francisco, but could have future implications statewide passed the legislature this week and will head to the Governor's desk.

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Guest Commentary: ACLU Believes Vaccine Mandates Do Not Violate Civil Liberties

At the ACLU, we are not shy about defending civil liberties, even when they are very unpopular. But we see no civil liberties problem with requiring Covid-19 vaccines in most circumstances.

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SF District Attorney Partners with SFPD and SFSU on New Agreement on How to Handle Sex Assault, Violent Crimes and Hate Crimes

The San Francisco District Attorney's Office has announced a new partnership with the San Francisco Police Department, San Francisco Department of Public Health and the San Francisco State University

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Police Reform Bill Targeting Records of Bad Cops Clears CA Legislature, Heads to Gov's Desk

Legislation to make public more police misconduct records was OK'd by the State Senate Thursday—it's only one of several hot-button police reform measures in the State Legislature—and moved to the governor's desk for

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Court Watch Coverage

Judge Initially Hesitant to Release Woman from Custody and into Drug Treatment Program, Citing Concerns of Compliance

Alameda County Superior Court, Dept. 13, Wednesday appeared to have found a resolution to place an accused woman into a residential drug treatment program while her case is being resolved, rather than jail.

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This week on Everyday Injustice featured women across the country whose loved ones were killed by police – whether it be sons, brothers, or partners.

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Everyday Injustice Podcast Episode 121: Be the Jury – Pilot Would Pay Jurors \$100 a Day to Serve

One of the biggest problems in the criminal legal system is that the notion of being tried by a jury of one's peers has been discarded. A large number of people of color await trial in the system only to face a jury pool that is overly white,

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From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"The reality we live in now is we have biased prosecutorial overreach with these kinds of enhancements," Senator Kamlager said

Everyday Injustice Newsletter - September 2, 2021

Looks Like Santa Clara County DA's Race About to Heat Up

By David Greenwald

For most of his career, Jeff Rosen has attempted to pass himself off as a reformer. Maybe not in the light of George Gascon and Chesa Boudin, but his office, partnered with the Northern California Innocence Project on creating a Conviction Integrity Unit, at a time when many of those units were window dressing.

But we also saw a different side of Rosen last year when he went off then public defender Sajid Khan.

Khan is now his opponent for DA.

We see that side emerging again.

In a campaign letter, he writes: "I have worked hard to make our criminal justice system more humane and rehabilitative while strengthening public safety and providing justice, compassion, and concrete services to crime victims." He continues: "I am asking voters for four more years to continue proving that my progressive, balanced and measured approach to criminal justice reform is the right strategy for deep and long-lasting change."

He later continues this kind of middle ground approach to reform: "it's clear that a measured and balanced approach is the most effective way to promote justice, equity, and public safety."

But then the kicker: "the extremists are not interested in supporting any reforms that prove their highly partisan views wrong."

The word extremist is interesting particularly in light of Sajid Khan's Muslim heritage.

Remember last year's battle. It was a blog post published June 3 about the George Floyd protests.

"When police officers act flagrantly in violation of the constitution and our laws," Khan wrote, "when they illegally stop and frisk a black man walking on our city streets, when they racially profile and pull a car over driven by a black man without reasonable suspicion, when they beat, choke, punch, baton, tase, unleash dogs upon, shoot at and/or kill black men who pose no imminent threat—it is the DA's office that is responsible for prosecuting those police crimes or at the very least not endorsing that callous and illegal behavior by using the fruits of those unlawful police intrusions as part of their prosecutions." Rosen saw this as a threat. He filed a "whistleblower" complaint, demanding that the county investigate Khan because of his writing.

He wrote that his staff took "burn it down" language in the post literally and that "many feared they would be trapped in the building, unable to go home."

After receiving flap, Rosen withdrew the complaint.

But the message here is clear - Rosen is using heated language to describe his opponent and implant in the mind of voters a sort of danger. Not just the danger that perhaps Todd Spitzer sees in Pete Hardin in Orange County, but the danger of extremism and the threat perhaps of more than just dangerous ideas.

Thanks for reading.

Criminal Justice News/ Commentary

Kamlager's AB 333 Modifying the Charging of Gang Enhancements Approved by the Senate

One of the big complaints about gang enhancements is that they heavily target people of color while their provisions remain vague and poorly defined. Senator Sydney Kamlager's AB 333, the STEP Forward Act,

[Read More](#)

Commentary: The Death Decision: Coroner's Inquests and the Search for the Truth

In December of 2020, Bella Collins called the Antioch Police Department for help with her brother Angelo Quinto, who appeared to be having a mental health crisis. Quinto was a Navy veteran who had been struggling with anxiety and

[Read More](#)

Commentary: Criminal Justice Reform Is For Everyone, But We Have To Explain Why

Everywhere one looks, it seems another reform-minded law enforcement agency is getting hammered. Just this year, the president of the California Retailers Association blamed property crime rates on San Francisco District Attorney

[Read More](#)

New Assault Charges Approved Against Philly Police Officer Who Struck, Injured Black Lives Matter Protestor

During a Black Lives Matter Protest in June 2020, a protestor and student at Temple University was struck in the neck with a metal baton by Philadelphia Police Officer Joseph Bologna, Jr. that resulted in to the

[Read More](#)

As Schools Reopen, Report Highlights Opportunities to Promote Student Success and End School-to-Prison Pipeline

Following school closures because of the COVID-19 pandemic, The Sentencing Project has released a new report documenting the potential opportunities and pitfalls that the U.S. education system faces as schools reopen.

[Read More](#)

Rolling Out the Sponsors For the Vanguard Awards Gala

The Vanguard rolls out its 28 sponsors for the September 8 Gala - Tickets are still available [here](#). Sponsorships are still available [here](#).

[Read More](#)

COVID CDCR and Jail Dashboards

CDCR Reports 40+ New COVID-19 Cases in 48 Hours; Vaccinations Remain Stagnant

Our daily run down on the COVID cases in the California Prison System (CDCR)

[Read More](#)

New COVID-19 Outbreaks Emerge Across Bay Area County Jails; Staff and Population Vaccinations Remain Low

Our daily run down on the COVID cases in selective County Jails

[Read More](#)

Court Watch Coverage

San Francisco Man Gets 3 Years in Prison, But SF DA Plan Helped to Limit Term

John Gough was sentenced here this past week in federal court by U.S. District Judge Charles Breyer to three years in federal prison for a gun case out of store robbery, with a credit for 14 months spent in pretrial incarceration.

[Read More](#)

Unhouse Person Pleads with Judge to Appear Via Zoom for Next Court Date

There was some heavy-duty negotiating here Wednesday in Santa Barbara County Superior Court – not about a super serious plea deal, but just how and when to get an unhoused man to court.

[Read More](#)

Everyday Injustice - Podcast

[see our podcasts](#)

Everyday Injustice Podcast Episode 123: Voices of Victims of Police Violence

This week on Everyday Injustice featured women across the country whose loved ones were killed by police – whether it be sons, brothers, or partners.

[Read More](#)

Everyday Injustice Podcast Episode 121: Be the Jury – Pilot Would Pay Jurors \$100

a Day to Serve

One of the biggest problems in the criminal legal system is that the notion of being tried by a jury of one's peers has been discarded. A large number of people of color await trial in the system only to face a jury pool that is overly white,

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Yolo County Court Watch: <https://avanan.url-protection.com/v1/url?o=https%3A//www.facebook.com/groups/yolojudicialwatch/&g=ZjE4YTl3MTBiNGRjMDU4OQ==&h=M2E3NjM4NzNmNGQ1Yzl1MmlxY2YyNTg4NTczMjBkYTVMWlNDZmZDkzNzBmMmRhNDIwY2I4NGM2NjI5MjdhdjE0NTljY2E2OnYx>

Sacramento Court Watch: <https://avanan.url-protection.com/v1/url?o=https%3A//www.facebook.com/Sacramento-Court-Watch-1432660796849531/&g=ZTg4ZWY2OTVIMmM5ZmZjYQ==&h=ZGRlOWFkYWI1MWVlNjNhYzA2NTI4YjIjYjI1OTM1M2I4OWQ0NjFIMjU3MWI0OWE5Yjc4MzNjY2JhNDk4ODM5Mw==&p=YXAzOnNmZHQyOmF2YW5hbJpvOmMwZjQ4N2EwOWJlYmFINGl0Mjk2ODBkMjE0NTljY2E2OnYx>

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YouTube: <https://avanan.url-protection.com/v1/url?o=http%3A//www.youtube.com/davisvanguard&g=OTM0MTY5MGRiZWQ0OTBiYw==&h=MTVhMjc0YTQzNDQxZGM5MWFkNTA3MmE4NGI2NmJiNzhmYmJiMzUyNGQ2N2Q4Y2EwMDY5ZDI2Y2U4NjcwMGMxOQ==&p=YXAzOnNmZHQyOmF2YW5hbJpvOmMwZjQ4N2EwOWJlYmFINGl0Mjk2ODBkMjE0NTljY2E2OnYx>

The People's Vanguard of Davis | P.O. Box 4715, Davis, CA 95617-4715

[Unsubscribe valerie.ibarra@sfgov.org](mailto:unsubscribe.valerie.ibarra@sfgov.org)

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Subject: One Week Left - Rolling Out Our Sponsors - Tickets Still Available

Date: Wednesday, September 1, 2021 at 9:00:22 PM British Summer Time

From: David Greenwald

To: valerie.ibarra@sfgov.org

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Image

Image

Rolling Out the Sponsors For the Vanguard Awards Gala

Valerie! Join us September 8 at 6 pm in Sacramento, CA.

Tickets are still available [here](#).

Sponsorships are still available [here](#).

The Vanguard would like to thank all of our amazing sponsors who have made this event possible!

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Subject: Re: AB 333 Media Advisory check-in
Date: Wednesday, September 1, 2021 at 8:15:49 PM British Summer Time
From: Celina Chapin
To: Ibarra, Valerie (PDR), Wells, Elizabeth, Rodarmel, Danica (PDR), Viviane Marie Henry, Laila Aziz
CC: Esteban Nunez, Awan, Balkis
Attachments: image001.png, image002.png, OutlookEmoji-california state senate seal1b258b54-4794-4fa4-be76-84b304714236.png

Thank you so much to everyone for your incredible work on the presser this morning!!

signature_1895128774



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www.arc-ca.org

Celina Chapin
Public Policy Associate
Anti-Recidivism Coalition
cchapin@arc-ca.org |
o: (213) 699-5042
c: (919) 760-0065
Pronouns: She/Her/Hers



From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Sent: Wednesday, September 1, 2021 11:41 AM
To: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>; Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>; Viviane Marie Henry <vhenry@antirecidivism.org>; Celina Chapin <cchapin@arc-ca.org>; Laila Aziz <laila@potcsd.org>
Cc: Esteban Nunez <enunez@antirecidivism.org>; Awan, Balkis <Balkis.Awan@sen.ca.gov>
Subject: Re: AB 333 Media Advisory check-in

Thank you so much. Looking forward to seeing stories come from this morning's press conference and, moreso, to seeing this bill pass!

Valerie

Public Information Officer
San Francisco Public Defender's Office
pubdef-mediarelations@sfgov.org
(628)249-7946

From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Wednesday, September 1, 2021 11:38 AM
To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>; Viviane Marie Henry <vhenry@antirecidivism.org>; Celina Chapin <cchapin@arc-ca.org>; Laila Aziz <laila@potcsd.org>
Cc: Esteban Nunez <enunez@antirecidivism.org>; Awan, Balkis <Balkis.Awan@sen.ca.gov>; Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: AB 333 Media Advisory check-in

Yes, thank you everyone for helping put off a successful press conference!!

Wanted to share that the following reporters joined:

- Erika Smith, LA Times
- KTLA 5
- Alexei Kosoff, SF Chronicle
- Aldon Thomas Stiles, California Black Media
- Eli Marcel Cahan, Investigative Journalist

Also, if you'd like to listen to the recording or share it with other reporters, the link is below. Please don't share it widely/publicly:

https://casen.zoom.us/rec/share/Ae2WMvDwgSfqxWz1TQalhYUprobXLhQPbliMBJHLzV8op9rUeGSOKJ96erBU3TU.W4q6mX_kOA8FzARB

Password: M%V&@0p?

Thank you!



Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Sent: Wednesday, September 1, 2021 11:09 AM
To: Viviane Marie Henry; Celina Chapin; Wells, Elizabeth; Laila Aziz
Cc: Esteban Nunez; Awan, Balkis; Ibarra, Valerie (PDR)
Subject: Re: AB 333 Media Advisory check-in

Good job everyone!

From: Viviane Marie Henry <vhenry@antirecidivism.org>
Date: Wednesday, September 1, 2021 at 9:23 AM
To: Celina Chapin <cchapin@arc-ca.org>, Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>, Laila Aziz <laila@potcsd.org>
Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>, Esteban Nunez <enunez@antirecidivism.org>, Awan, Balkis <Balkis.Awan@sen.ca.gov>, Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: AB 333 Media Advisory check-in
Celina,

Could you check in with his staff again on when he might be able to join? Happy to take over communication with them if need be!



1320 E. 7th Street, Suite 260
Los Angeles, CA 90021
www.arc-ca.org

Viviane Henry
Communications Associate
Anti-Recidivism Coalition (ARC)
vhenry@antirecidivism.org | 213 588 1720
Pronouns: she/her/hers

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From: Celina Chapin <cchapin@arc-ca.org>

Date: Wednesday, September 1, 2021 at 8:58 AM

To: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>, Laila Aziz <laila@potcsd.org>

Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>, Viviane Marie Henry <vhenry@antirecidivism.org>, Esteban Nunez <enunez@antirecidivism.org>, Awan, Balkis <Balkis.Awan@sen.ca.gov>, Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: Re: AB 333 Media Advisory check-in

Good morning all!

DA Gascon's staff just called to say that he'll be there at 9:10 and send his apologies.

Thanks!

Celina

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From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>

Sent: Tuesday, August 31, 2021 5:11:19 PM

To: Celina Chapin <cchapin@arc-ca.org>; Laila Aziz <laila@potcsd.org>

Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>; Viviane Marie Henry <vhenry@antirecidivism.org>; Esteban Nunez <enunez@antirecidivism.org>; Awan, Balkis <Balkis.Awan@sen.ca.gov>; Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: Re: AB 333 Media Advisory check-in

The Zoom link is the same for everyone because we want it to feel like a call.

Elizabeth

Error! Filename not specified.

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Celina Chapin <cchapin@arc-ca.org>

Sent: Tuesday, August 31, 2021 4:43:17 PM

To: Laila Aziz; Wells, Elizabeth

Cc: Rodarmel, Danica (PDR); Viviane Marie Henry; Esteban Nunez; Awan, Balkis; Ibarra, Valerie (PDR)

Subject: Re: AB 333 Media Advisory check-in

Hi again,

Elizabeth, Valerie was just wondering if the zoom link for the media was different from the zoom link for participants. If so, can you please send over the participant link?

Thanks!

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From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 3:54:21 PM
To: Laila Aziz <laila@potcsd.org>; Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>; Viviane Marie Henry <vhenry@antirecidivism.org>; Esteban Nunez <enunez@antirecidivism.org>; Awan, Balkis <Balkis.Awan@sen.ca.gov>; Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: AB 333 Media Advisory check-in

Looping in Valerie. Valerie, here is the draft run of show:

<https://docs.google.com/document/d/1Jn85zrySH7tQqIpYYR7esZkgJZZQ4vvsRDT9OzPASil/edit?usp=sharing>

Thanks for those updates, all! Elizabeth, do you have another assemblymember taking the place of RBK or should I just remove that part from the run of show?

Thanks all!
Celina

signature_1895128774



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c: (919) 760-0065
Pronouns: She/Her/Hers



From: Laila Aziz <laila@potcsd.org>
Sent: Tuesday, August 31, 2021 3:29 PM
To: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>; Celina Chapin <cchapin@arc-ca.org>; Viviane Marie Henry <vhenry@antirecidivism.org>; Esteban Nunez <enunez@antirecidivism.org>; Awan, Balkis <Balkis.Awan@sen.ca.gov>
Subject: Re: AB 333 Media Advisory check-in

Will do!
Sent from my iPhone

On Aug 31, 2021, at 3:26 PM, Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov> wrote:

Thank you. Will you be adding times to it?

I agree with Danica's comments about addressing misinformation in Laila's opening remarks. Laila, if you're able to touch on that the purpose of the presser is to address misinformation, think that would be a great way to open up the call. Can you please do it in a way that still provides an opportunity for Sen Kamlager to share additional information in her follow-up response. And then is it also possible to address misinformation in the questions to Yvette and Mano?

Also, (and apologies if this has already been relayed), can you please include in your remarks for reporters information that 1) it's being recorded but won't be publicly distributed 2) there will be a Q&A segment at the end but reporters should feel free to drop question in the chat throughout the program.

Also Assemblymember Bauer-Kahan is not able to attend.

Error! Filename not specified.

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Sent: Tuesday, August 31, 2021 3:18:48 PM
To: Celina Chapin; Wells, Elizabeth; Viviane Marie Henry
Cc: Esteban Nunez; laila@potcsd.org
Subject: Re: AB 333 Media Advisory check-in

This looks great.

One thought: should Laila include in her opening some real talk about misinformation on the bill and clarify some of what the bill doesn't do?

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Sent: Tuesday, August 31, 2021 3:16:18 PM
To: Celina Chapin <cchapin@arc-ca.org>; Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>; Viviane

Marie Henry <vhenry@antirecidivism.org>

Cc: Esteban Nunez <enunez@antirecidivism.org>; laila@potcsd.org <laila@potcsd.org>

Subject: Re: AB 333 Media Advisory check-in

Also looping in Laila here.

She and I talked yesterday— and she knows I'm here for more if she needs me!

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>

Sent: Tuesday, August 31, 2021 3:15:24 PM

To: Celina Chapin <cchapin@arc-ca.org>; Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>; Viviane Marie Henry <vhenry@antirecidivism.org>

Cc: Esteban Nunez <enunez@antirecidivism.org>

Subject: Re: AB 333 Media Advisory check-in

Our PIO can help with press too if someone can loop her into that convo.

Reviewing run of show now.

From: Celina Chapin <cchapin@arc-ca.org>

Sent: Tuesday, August 31, 2021 3:03:20 PM

To: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>; Viviane Marie Henry <vhenry@antirecidivism.org>

Cc: Esteban Nunez <enunez@antirecidivism.org>; Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>

Subject: Re: AB 333 Media Advisory check-in

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Sorry to miss your call-- I was in a meeting! Here is the draft of the run of show for the presser. Please give it a review. I can reach out to DA Gascon's folks. Danica, can you take a look at this run of show and help prep Laila to MC tomorrow?

<https://docs.google.com/document/d/1Jn85zrySH7tQqIpYYR7esZkgJZZQ4vvsRDT9OzPASil/edit?usp=sharing>

Run of show—Presser for AB 333

Run of show—Presser for AB 333
September 1st, 2021 at 9AM
WELCOME (LAILA) – 5 MINUTES
Welcome, introduction of the bill
and the event, and thank you
Participants each give a quick, 30

docs.google.com

Thanks!
Celina

signature_1895128774



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Celina Chapin
Public Policy Associate
Anti-Recidivism Coalition
cchapin@arc-ca.org |
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c: (919) 760-0065
Pronouns: She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 2:45 PM
To: Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Celina Chapin <cchapin@arc-ca.org>; Esteban Nunez <enunez@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Hi there, just gave you both a call...I was wondering if your contact in DA Gascon's office could help in recruiting more LA folks?

Also, can your contact with the OC Register or Southern California News Group reach out to folks? Could be interesting to have someone (who's relatively friendly) from OC register get on.

As you can likely tell, I'm getting a little nervous around attendance.

Thanks,
Elizabeth

Error! Filename not specified.

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Wells, Elizabeth
Sent: Tuesday, August 31, 2021 1:57:03 PM
To: Viviane Marie Henry
Cc: Celina Chapin; Esteban Nunez
Subject: Re: AB 333 Media Advisory check-in

Thanks. Can you also please include the name of the impacted individual (i think his name is Alex) in the spreadsheet?

Also, sorry to nag, but do you have a ROS yet? Even just a draft something so I can put it in front of the Senator and update it later today.

Elizabeth

Error! Filename not specified.

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Viviane Marie Henry <vhenry@antirecivism.org>
Sent: Tuesday, August 31, 2021 1:39:49 PM
To: Wells, Elizabeth
Cc: Celina Chapin; Esteban Nunez
Subject: Re: AB 333 Media Advisory check-in

None yet. Will update the doc if I do!

[<image001\[44\].png>](#)

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www.arc-ca.org

Viviane Henry
Communications Associate
Anti-Recidivism Coalition (ARC)
vhenry@antirecivism.org | 213 588 1720
Pronouns: she/her/hers

[<image002.png>](#)

From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Date: Tuesday, August 31, 2021 at 1:16 PM
To: Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Celina Chapin <cchapin@arc-ca.org>, Esteban Nunez <enunez@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in
Oh right, I'd forgotten about that.

Erika from LAT just confirmed FYI. Do you have any confirmations yet?

Elizabeth A. Wells, Communications Director

Cell: [\(661\) 917-5169](tel:6619175169)

Office of Senator Sydney Kamlager, 30th District

On Aug 31, 2021, at 1:08 PM, Viviane Marie Henry <vhenry@antirecidivism.org> wrote:

Elizabeth,

The Appeal isn't in operation at the moment, to the best of my knowledge. I think they're in the process of getting back up and running but pretty sure they aren't at the moment.

[<image001\[96\].png>](#)

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Viviane Henry

Communications Associate

Anti-Recidivism Coalition (ARC)

vhenry@antirecidivism.org | 213 588 1720

Pronouns: she/her/hers

[<image002.png>](#)

From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Date: Tuesday, August 31, 2021 at 12:48 PM
To: Celina Chapin <cchapin@arc-ca.org>
Cc: Viviane Marie Henry <vhenry@antirecidivism.org>, Esteban Nunez <enunez@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Yes! I will update in the doc--but here's what I have right now. Will do individual reach outs to Emily Galvin-Almanza (she did a piece about 333 in June), Jeremy White, and Erika from LAT. If folks have connections at the

Appeal, think that would be great to reach out to.

- Don Thompson, Kellyane Ronayne, AP
- Erika Smith, Anita Chabria, LA Times
- The Appeal--*do you have specific connections here?*
- Jeremy White, Politico
- Few folks at LA Sentinel
- David Greenwald, Davis Vanguard
- Eli Mcahan, he's an investigative journalist interested in doing a bigger piece around the bill
- Emily Galvin-Almanza, Partners for justice

<image003.png> Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 10:55 AM
To: Wells, Elizabeth
Cc: Viviane Marie Henry; Esteban Nunez
Subject: Re: AB 333 Media Advisory check-in

Great! Does your office has any media connections that you'll be reaching out to as well?

signature_1895128774



1320 E. 7th Street, Suite 260
Los Angeles, CA 90021
www.arc-ca.org

Celina Chapin
Public Policy Associate
Anti-Recidivism Coalition
cchapin@arc-ca.org |
o: (213) 699-5042
c: (919) 760-0065
Pronouns: She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 9:53 AM
To: Celina Chapin <cchapin@arc-ca.org>
Cc: Viviane Marie Henry <vhenry@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Great, thank you. I'm working on the Senator's materials right now, so if you're able to share a draft that has all the speakers and the Senators question, that would be helpful.

Thank you!
Elizabeth

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 9:06:18 AM
To: Wells, Elizabeth
Cc: Viviane Marie Henry
Subject: Re: AB 333 Media Advisory check-in

Perfect! Thanks. Hoping to have the ROS done by later this morning.

Celina

signature_1895128774



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o: (213) 699-5042
c: (919) 760-0065
Pronouns: She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 9:04 AM
To: Celina Chapin <cchapin@arc-ca.org>
Cc: Viviane Marie Henry <vhenry@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

I think just sending it with the login makes sense. There will be a waiting room so we can vet people. Vic, do you think you could join early and help in letting in folks?

Yes can start to fill in the spread sheet. Can you also add the speaker names and coalition folks who plan to join to that list?

Also do you know when you'll have the ROS with the questions ready?

Here's the Zoom info:

Please don't post it anywhere publicly.

You are invited to a scheduled Zoom meeting.

Topic: Senator Kamlager AB333 Press Conference
Time: Sep 1, 2021 09:00 AM Pacific Time (US and Canada)

Join Zoom Meeting

[https://avanan.url-protection.com/v1/url?
o=https%3A//casen.zoom.us/j/81722340779%3Fpwd%3DODNkSW5jSTAzZEI0NmZt
Snh6T051UT09&g=ZTc2MDgxY2UxNDhjODIxZg==&h=NzhmOTZmMDQ0ZjNINzY5Yj
cyYTcyM2M4MjJmYTRiZmVINjk5ZDU2YjgwYWl0YzE3OGlxYTQ3ZDU3NWM4YjU1Yg=
=&p=YXAzOnNmZHQyOmF2YW5hbGpvOmNkYWZmZDUzOTMwNDAMzUzZTU5MWNmN2E3MWQ0Nzc2OnYx](https://avanan.url-protection.com/v1/url?o=https%3A//casen.zoom.us/j/81722340779%3Fpwd%3DODNkSW5jSTAzZEI0NmZtSnh6T051UT09&g=ZTc2MDgxY2UxNDhjODIxZg==&h=NzhmOTZmMDQ0ZjNINzY5YjcyYTcyM2M4MjJmYTRiZmVINjk5ZDU2YjgwYWl0YzE3OGlxYTQ3ZDU3NWM4YjU1Yg==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmNkYWZmZDUzOTMwNDAMzUzZTU5MWNmN2E3MWQ0Nzc2OnYx)

Meeting ID: 817 2234 0779

Passcode: 150454

One tap mobile

[+16699006833](tel:+16699006833),[81722340779](tel:+181722340779)#,[*150454](tel:+1150454)# US (San Jose)

[+13462487799](tel:+13462487799),[81722340779](tel:+181722340779)#,[*150454](tel:+1150454)# US (Houston)

Thank you!!

Elizabeth A. Wells, Communications Director

Cell: [\(661\) 917-5169](tel:6619175169)

Office of Senator Sydney Kamlager, 30th District

On Aug 31, 2021, at 8:44 AM, Celina Chapin <cchapin@arc-ca.org> wrote:

Okay, great. I am downloading it into a pdf right now, and wondering if we should just include a zoom link afterall to make things easier? Or keep the RSVP system? Or set up some Zoom registration? Thoughts?

Celina



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Celina Chapin
Public Policy Associate
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cchapin@arc-ca.org |
o: (213) 699-5042
c: (919) 760-0065
Pronouns: She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 8:32 AM
To: Celina Chapin <cchapin@arc-ca.org>
Cc: Viviane Marie Henry <vhenry@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Oh I see what you mean. I think that's fine. Is the advisory in a final form? Thank you!

Elizabeth A. Wells, Communications Director

Cell: [\(661\) 917-5169](tel:6619175169)

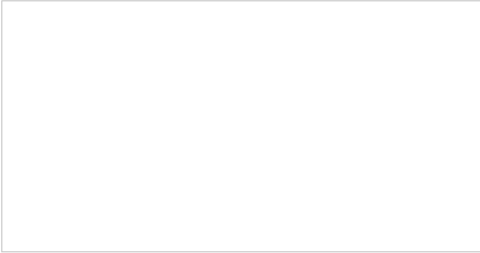
Office of Senator Sydney Kamlager, 30th District

On Aug 30, 2021, at 6:03 PM, Celina Chapin
<cchapin@arc-ca.org> wrote:

Hi Elizabeth!

I was under the impression that folks would be reaching out to their own contacts and then populating this blank spreadsheet with everyone they reached out to, so I don't have a list to send to you. Would you rather us put together a list and have your office to do the outreach?

https://docs.google.com/spreadsheets/d/1A7N3xyjJHrp5QC1Lr6ZXMg2grTuhVlwO--NJfL_yWrM/edit?usp=sharing



[Media list for Ab 333 Presser](#)

Sheet1 Media outlet ,Media Contact, Team-member making the ask ,Will they

docs.google.com

Celina

signature_1895128774



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Public Policy Associate

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c: (919) 760-0065

Pronouns:

She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Monday, August 30, 2021 5:53 PM
To: Celina Chapin <cchapin@arc-ca.org>; Viviane Marie Henry <vhenry@antirecidivism.org>
Subject: AB 333 Media Advisory check-in

Hi there,

Thanks for firming up that advisory! Just wanted to check-in to see if there was a press list you're able to share and what I can do to help finalize the advisory. Are we still thinking of sending it out first thing tomorrow, maybe again in the afternoon, and at 8:00 AM on Wednesday? I feel like if we can get 10 reporters to join on Wednesday, that would be amazing.

Thanks!
Elizabeth

<OutlookEmoji-california state senate seal d2ba21ea-22d6-4189-9343-35a1933e89f5.png>

Elizabeth A.
Wells,
Communications
Director
Office of Senator
Sydney
Kamlager |
30th District
phone: [\(916\) 651- 4571](tel:(916)651-4571)
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Subject: Re: AB 333 Media Advisory check-in
Date: Wednesday, September 1, 2021 at 7:41:34 PM British Summer Time
From: Ibarra, Valerie (PDR)
To: Wells, Elizabeth, Rodarmel, Danica (PDR), Viviane Marie Henry, Celina Chapin, Laila Aziz
CC: Esteban Nunez, Awan, Balkis
Attachments: image001.png, image002.png, OutlookEmoji-california state senate seal1b258b54-4794-4fa4-be76-84b304714236.png

Thank you so much. Looking forward to seeing stories come from this morning's press conference and, moreso, to seeing this bill pass!

Valerie

Public Information Officer
San Francisco Public Defender's Office
pubdef-mediarelations@sfgov.org
(628)249-7946

From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Wednesday, September 1, 2021 11:38 AM
To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>; Viviane Marie Henry <vherry@antirecidivism.org>; Celina Chapin <cchapin@arc-ca.org>; Laila Aziz <laila@potcsd.org>
Cc: Esteban Nunez <enunez@antirecidivism.org>; Awan, Balkis <Balkis.Awan@sen.ca.gov>; Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: AB 333 Media Advisory check-in

Yes, thank you everyone for helping put off a successful press conference!!

Wanted to share that the following reporters joined:

- Erika Smith, LA Times
- KTLA 5
- Alexei Kosoff, SF Chronicle
- Aldon Thomas Stiles, California Black Media
- Eli Marcel Cahan, Investigative Journalist

Also, if you'd like to listen to the recording or share it with other reporters, the link is below. Please don't share it widely/publicly:

https://casen.zoom.us/rec/share/Ae2WMvDwqSfqxWz1TQalhYUprobXLhQPbliMBJHLzV8op9rUeGS0KJ96erBU3TU.W4q6mX_kOA8FzARB

Password: M%V&@0p?

Thank you!



Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Sent: Wednesday, September 1, 2021 11:09 AM
To: Viviane Marie Henry; Celina Chapin; Wells, Elizabeth; Laila Aziz
Cc: Esteban Nunez; Awan, Balkis; Ibarra, Valerie (PDR)
Subject: Re: AB 333 Media Advisory check-in

Good job everyone!

From: Viviane Marie Henry <vhenry@antirecidivism.org>
Date: Wednesday, September 1, 2021 at 9:23 AM
To: Celina Chapin <cchapin@arc-ca.org>, Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>, Laila Aziz <laila@potcsd.org>
Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>, Esteban Nunez <enunez@antirecidivism.org>, Awan, Balkis <Balkis.Awan@sen.ca.gov>, Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: AB 333 Media Advisory check-in
Celina,

Could you check in with his staff again on when he might be able to join? Happy to take over communication with them if need be!



1320 E. 7th Street, Suite 260
Los Angeles, CA 90021
www.arc-ca.org

Viviane Henry
Communications Associate
Anti-Recidivism Coalition (ARC)
vhenry@antirecidivism.org | 213 588 1720
Pronouns: she/her/hers

[Donate Now](#)

From: Celina Chapin <cchapin@arc-ca.org>
Date: Wednesday, September 1, 2021 at 8:58 AM
To: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>, Laila Aziz <laila@potcsd.org>
Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>, Viviane Marie Henry <vhenry@antirecidivism.org>, Esteban Nunez <enunez@antirecidivism.org>, Awan, Balkis <Balkis.Awan@sen.ca.gov>, Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: AB 333 Media Advisory check-in

Good morning all!

DA Gascon's staff just called to say that he'll be there at 9:10 and send his apologies.

Thanks!
Celina

Get [Outlook for iOS](#)

From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 5:11:19 PM
To: Celina Chapin <cchapin@arc-ca.org>; Laila Aziz <laila@potcsd.org>
Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>; Viviane Marie Henry <vhenny@antirecidivism.org>; Esteban Nunez <enunez@antirecidivism.org>; Awan, Balkis <Balkis.Awan@sen.ca.gov>; Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: AB 333 Media Advisory check-in

The Zoom link is the same for everyone because we want it to feel like a call.

Elizabeth

Error! Filename not specified.

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 4:43:17 PM
To: Laila Aziz; Wells, Elizabeth
Cc: Rodarmel, Danica (PDR); Viviane Marie Henry; Esteban Nunez; Awan, Balkis; Ibarra, Valerie (PDR)
Subject: Re: AB 333 Media Advisory check-in

Hi again,

Elizabeth, Valerie was just wondering if the zoom link for the media was different from the zoom link for participants. If so, can you please send over the participant link?

Thanks!

Get [Outlook for iOS](#)

From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 3:54:21 PM
To: Laila Aziz <laila@potcsd.org>; Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>; Viviane Marie Henry

<vhenry@antirecidivism.org>; Esteban Nunez <enunez@antirecidivism.org>; Awan, Balkis
<Balkis.Awan@sen.ca.gov>; Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: AB 333 Media Advisory check-in

Looping in Valerie. Valerie, here is the draft run of show:

<https://docs.google.com/document/d/1Jn85zrySH7tQqIpYYR7esZkgJZZQ4vwsRDT9OzPASil/edit?usp=sharing>

Thanks for those updates, all! Elizabeth, do you have another assemblymember taking the place of RBK or should I just remove that part from the run of show?

Thanks all!
Celina

signature_1895128774



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Celina Chapin
Public Policy Associate
Anti-Recidivism Coalition
cchapin@arc-ca.org |
o: (213) 699-5042
c: (919) 760-0065
Pronouns: She/Her/Hers



From: Laila Aziz <laila@potcsd.org>
Sent: Tuesday, August 31, 2021 3:29 PM
To: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>; Celina Chapin <cchapin@arc-ca.org>; Viviane Marie Henry <vhenry@antirecidivism.org>; Esteban Nunez <enunez@antirecidivism.org>; Awan, Balkis <Balkis.Awan@sen.ca.gov>
Subject: Re: AB 333 Media Advisory check-in

Will do!
Sent from my iPhone

On Aug 31, 2021, at 3:26 PM, Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov> wrote:

Thank you. Will you be adding times to it?

I agree with Danica's comments about addressing misinformation in Laila's opening remarks. Laila, if you're able to touch on that the purpose of the presser is to address misinformation, think that would be a great way to open up the call. Can you please do it in a way that still provides an opportunity for Sen Kamlager to share additional information in her follow-up response. And then is it also possible to address misinformation in the questions to Yvette and Mano?

Also, (and apologies if this has already been relayed), can you please include in your remarks for reporters information that 1) it's being recorded but won't be publicly distributed 2) there will be a Q&A segment at the end but reporters should feel free to drop question in the chat throughout the program.

Also Assemblymember Bauer-Kahan is not able to attend.

Error! Filename not specified.

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Sent: Tuesday, August 31, 2021 3:18:48 PM
To: Celina Chapin; Wells, Elizabeth; Viviane Marie Henry
Cc: Esteban Nunez; laila@potcsd.org
Subject: Re: AB 333 Media Advisory check-in

This looks great.

One thought: should Laila include in her opening some real talk about misinformation on the bill and clarify some of what the bill doesn't do?

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Sent: Tuesday, August 31, 2021 3:16:18 PM
To: Celina Chapin <cchapin@arc-ca.org>; Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>; Viviane Marie Henry <vhenny@antirecidivism.org>
Cc: Esteban Nunez <enunez@antirecidivism.org>; laila@potcsd.org <laila@potcsd.org>
Subject: Re: AB 333 Media Advisory check-in

Also looping in Laila here.

She and I talked yesterday— and she knows I'm here for more if she needs me!

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Sent: Tuesday, August 31, 2021 3:15:24 PM
To: Celina Chapin <cchapin@arc-ca.org>; Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>; Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Esteban Nunez <enunez@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Our PIO can help with press too if someone can loop her into that convo.

Reviewing run of show now.

From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 3:03:20 PM
To: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>; Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Esteban Nunez <enunez@antirecidivism.org>; Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Subject: Re: AB 333 Media Advisory check-in

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Sorry to miss your call-- I was in a meeting! Here is the draft of the run of show for the presser. Please give it a review. I can reach out to DA Gascon's folks. Danica, can you take a look at this run of show and help prep Laila to MC tomorrow?

<https://docs.google.com/document/d/1Jn85zrySH7tQqIpYYR7esZkgJZZQ4vvsRDT9OzPASil/edit?usp=sharing>

[Run of show—Presser for AB 333](#)

Run of show—Presser for AB 333
September 1st, 2021 at 9AM
WELCOME (LAILA) – 5 MINUTES
Welcome, introduction of the bill
and the event, and thank you
Participants each give a quick, 30

docs.google.com

Thanks!
Celina

signature_1895128774



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Los Angeles, CA 90021
www.arc-ca.org

Celina Chapin
Public Policy Associate
Anti-Recidivism Coalition
cchapin@arc-ca.org |
o: (213) 699-5042
c: (919) 760-0065
Pronouns: She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 2:45 PM
To: Viviane Marie Henry <vhenny@antirecidivism.org>
Cc: Celina Chapin <cchapin@arc-ca.org>; Esteban Nunez <enunez@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Hi there, just gave you both a call...I was wondering if your contact in DA Gascon's office could help in recruiting more LA folks?

Also, can your contact with the OC Register or Southern California News Group reach out to folks? Could be interesting to have someone (who's relatively friendly) from OC register get on.

As you can likely tell, I'm getting a little nervous around attendance.

Thanks,
Elizabeth

Error! Filename not specified.

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | *cell:* (661) 917-5169

From: Wells, Elizabeth
Sent: Tuesday, August 31, 2021 1:57:03 PM

To: Viviane Marie Henry
Cc: Celina Chapin; Esteban Nunez
Subject: Re: AB 333 Media Advisory check-in

Thanks. Can you also please include the name of the impacted individual (i think his name is Alex) in the spreadsheet?

Also, sorry to nag, but do you have a ROS yet? Even just a draft something so I can put it in front of the Senator and update it later today.

Elizabeth

Error! Filename not specified. | Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Viviane Marie Henry <vhenry@antirecidivism.org>
Sent: Tuesday, August 31, 2021 1:39:49 PM
To: Wells, Elizabeth
Cc: Celina Chapin; Esteban Nunez
Subject: Re: AB 333 Media Advisory check-in

None yet. Will update the doc if I do!

[<image001\[44\].png>](#)

1320 E. 7th Street, Suite 260
Los Angeles, CA 90021
www.arc-ca.org

Viviane Henry
Communications Associate
Anti-Recidivism Coalition (ARC)
vhenry@antirecidivism.org | 213 588 1720
Pronouns: she/her/hers

[<image002.png>](#)

From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Date: Tuesday, August 31, 2021 at 1:16 PM
To: Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Celina Chapin <cchapin@arc-ca.org>, Esteban Nunez <enunez@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in
Oh right, I'd forgotten about that.

Erika from LAT just confirmed FYI. Do you have any confirmations yet?

Elizabeth A. Wells, Communications Director
Cell: [\(661\) 917-5169](tel:6619175169)
Office of Senator Sydney Kamlager, 30th District

On Aug 31, 2021, at 1:08 PM, Viviane Marie Henry <vhenry@antirecidivism.org> wrote:

Elizabeth,

The Appeal isn't in operation at the moment, to the best of my knowledge. I think they're in the process of getting back up and running but pretty sure they aren't at the moment.

<image001[96].png>

1320 E. 7th Street, Suite 260
Los Angeles, CA 90021
www.arc-ca.org

Viviane Henry

Communications Associate

Anti-Recidivism Coalition (ARC)

vhenry@antirecidivism.org | 213 588 1720

Pronouns: she/her/hers

<image002.png>

From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>

Date: Tuesday, August 31, 2021 at 12:48 PM

To: Celina Chapin <cchapin@arc-ca.org>

Cc: Viviane Marie Henry <vhenry@antirecidivism.org>, Esteban Nunez <enunez@antirecidivism.org>

Subject: Re: AB 333 Media Advisory check-in

Yes! I will update in the doc--but here's what I have right now. Will do individual reach outs to Emily Galvin-Almanza (she did a piece about 333 in June), Jeremy White, and Erika from LAT. If folks have connections at the Appeal, think that would be great to reach out to.

- Don Thompson, Kellyane Ronayne, AP
- Erika Smith, Anita Chabria, LA Times
- The Appeal--*do you have specific connections here?*
- Jeremy White, Politico
- Few folks at LA Sentinel
- David Greenwald, Davis Vanguard
- Eli Mcahan, he's an investigative journalist interested in doing a bigger piece around the bill
- Emily Galvin-Almanza, Partners for justice

<image003.png>

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 10:55 AM
To: Wells, Elizabeth
Cc: Viviane Marie Henry; Esteban Nunez
Subject: Re: AB 333 Media Advisory check-in

Great! Does your office has any media connections that you'll be reaching out to as well?

signature_1895128774



1320 E. 7th Street, Suite 260
Los Angeles, CA 90021
www.arc-ca.org

Celina Chapin
Public Policy Associate
Anti-Recidivism Coalition
cchapin@arc-ca.org |
o: (213) 699-5042
c: (919) 760-0065
Pronouns: She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 9:53 AM
To: Celina Chapin <cchapin@arc-ca.org>
Cc: Viviane Marie Henry <vhenry@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Great, thank you. I'm working on the Senator's materials right now, so if you're able to share a draft that has all the speakers and the Senators question, that would be helpful.

Thank you!
Elizabeth

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: [\(916\) 651- 4571](tel:(916)651-4571) | *cell:* [\(661\) 917-5169](tel:(661)917-5169)

From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 9:06:18 AM
To: Wells, Elizabeth
Cc: Viviane Marie Henry
Subject: Re: AB 333 Media Advisory check-in

Perfect! Thanks. Hoping to have the ROS done by later this morning.

Celina

signature_1895128774



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c: (919) 760-0065
Pronouns: She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 9:04 AM
To: Celina Chapin <cchapin@arc-ca.org>
Cc: Viviane Marie Henry <vhenny@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

I think just sending it with the login makes sense. There will be a waiting room so we can vet people. Vic, do you think you could join early and help in letting in folks?

Yes can start to fill in the spread sheet. Can you also add the speaker names and coalition folks who plan to join to that list?

Also do you know when you'll have the ROS with the questions ready?

Here's the Zoom info:

Please don't post it anywhere publicly.

You are invited to a scheduled Zoom meeting.

Topic: Senator Kamlager AB333 Press Conference

Time: Sep 1, 2021 09:00 AM Pacific Time (US and Canada)

Join Zoom Meeting

[https://avanan.url-protection.com/v1/url?
o=https%3A//casen.zoom.us/j/81722340779%3Fpwd%3DODNkSW5jSTAzZEI0NmZt
Snh6T051UT09&g=ZTc2MDgxY2UxNDhjODIxZg==&h=NzhmOTZmMDQ0ZjNINzY5Yj
cyYTcyM2M4MjMjYTRiZmVlNjk5ZDU2YjgwYWl0YzE3OGlxYTQ3ZDU3NWM4YjU1Yg=
=&p=YXAzOnNmZHQyOmF2YW5hbGpvOmNkYWZmZDUzOTMwNDAxMzUzZTU5M
WNmN2E3MWQ0Nzc2OnYx](https://avanan.url-protection.com/v1/url?o=https%3A//casen.zoom.us/j/81722340779%3Fpwd%3DODNkSW5jSTAzZEI0NmZtSnh6T051UT09&g=ZTc2MDgxY2UxNDhjODIxZg==&h=NzhmOTZmMDQ0ZjNINzY5YjcyYTcyM2M4MjMjYTRiZmVlNjk5ZDU2YjgwYWl0YzE3OGlxYTQ3ZDU3NWM4YjU1Yg==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmNkYWZmZDUzOTMwNDAxMzUzZTU5MWNmN2E3MWQ0Nzc2OnYx)

Meeting ID: 817 2234 0779

Passcode: 150454

One tap mobile

[+16699006833,,81722340779#,,,,*150454#](tel:+16699006833,,81722340779#,,,,*150454#) US (San Jose)

[+13462487799,,81722340779#,,,,*150454#](tel:+13462487799,,81722340779#,,,,*150454#) US (Houston)

Thank you!!

Elizabeth A. Wells, Communications Director

Cell: [\(661\) 917-5169](tel:(661)917-5169)

Office of Senator Sydney Kamlager, 30th District

On Aug 31, 2021, at 8:44 AM, Celina Chapin <cchapin@arc-ca.org> wrote:

Okay, great. I am downloading it into a pdf right now, and wondering if we should just include a zoom link afterall to make things easier? Or keep the RSVP system? Or set up some Zoom registration? Thoughts?

Celina

signature_1895128774



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c: (919) 760-0065
Pronouns: She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 8:32 AM
To: Celina Chapin <cchapin@arc-ca.org>
Cc: Viviane Marie Henry <vhenry@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Oh I see what you mean. I think that's fine. Is the advisory in a final form? Thank you!

Elizabeth A. Wells, Communications Director

Cell: [\(661\) 917-5169](tel:6619175169)

Office of Senator Sydney Kamlager, 30th District

On Aug 30, 2021, at 6:03 PM, Celina Chapin
<cchapin@arc-ca.org> wrote:

Hi Elizabeth!

I was under the impression that folks would be reaching out to their own contacts and then populating this blank spreadsheet with everyone they reached out to, so I don't have a list to send to you. Would you rather us put together a list and have your office to do the outreach?

https://docs.google.com/spreadsheets/d/1A7N3xyjJHrp5QC1Lr6ZXMg2grTuhVlwO--NJfL_yWrM/edit?usp=sharing


[Media list for Ab 333 Presser](#)

Sheet1 Media outlet ,Media Contact,Team-member making the ask ,Will they

docs.google.com


Celina

signature_1895128774



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o: (213) 699-5042
c: (919) 760-0065
Pronouns:
She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Monday, August 30, 2021 5:53 PM
To: Celina Chapin <cchapin@arc-ca.org>; Viviane Marie Henry <vhenny@antirecidivism.org>
Subject: AB 333 Media Advisory check-in

Hi there,

Thanks for firming up that advisory! Just wanted to check-in to see if there was a press list you're able to share and what I can do to help finalize the advisory. Are we still thinking of sending it out first thing tomorrow, maybe again in the afternoon, and at 8:00 AM on Wednesday? I feel like if we can get 10 reporters to join on Wednesday, that would be amazing.

Thanks!
Elizabeth

<OutlookEmoji-california state
senate seal2ba21ea-22d6-4189-
9343-35a1933e89f5.png>

Elizabeth A.
Wells,
Communications
Director
Office of Senator
Sydney
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30th District
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5169

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Subject: Re: AB 333 Media Advisory check-in
Date: Wednesday, September 1, 2021 at 7:38:08 PM British Summer Time
From: Wells, Elizabeth
To: Rodarmel, Danica (PDR), Viviane Marie Henry, Celina Chapin, Laila Aziz
CC: Esteban Nunez, Awan, Balkis, Ibarra, Valerie (PDR)
Attachments: image001.png, image002.png, OutlookEmoji-california state senate seal1b258b54-4794-4fa4-be76-84b304714236.png

Yes, thank you everyone for helping put off a successful press conference!!

Wanted to share that the following reporters joined:

- Erika Smith, LA Times
- KTLA 5
- Alexei Kosoff, SF Chronicle
- Aldon Thomas Stiles, California Black Media
- Eli Marcel Cahan, Investigative Journalist

Also, if you'd like to listen to the recording or share it with other reporters, the link is below. Please don't share it widely/publicly:

https://casen.zoom.us/rec/share/Ae2WMvDwqSfqxWz1TQalhYUprobXLhQPbliMBJHLzV8op9rUeGS0KJ96erBU3TU.W4q6mX_kOA8FzARB

Password: M%V&@0p?

Thank you!



Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Sent: Wednesday, September 1, 2021 11:09 AM
To: Viviane Marie Henry; Celina Chapin; Wells, Elizabeth; Laila Aziz
Cc: Esteban Nunez; Awan, Balkis; Ibarra, Valerie (PDR)
Subject: Re: AB 333 Media Advisory check-in

Good job everyone!

From: Viviane Marie Henry <vhenny@antirecidivism.org>

Date: Wednesday, September 1, 2021 at 9:23 AM

To: Celina Chapin <cchapin@arc-ca.org>, Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>, Laila Aziz <laila@potcsd.org>

Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>, Esteban Nunez <enunez@antirecidivism.org>, Awan, Balkis <Balkis.Awan@sen.ca.gov>, Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: Re: AB 333 Media Advisory check-in
Celina,

Could you check in with his staff again on when he might be able to join? Happy to take over communication with them if need be!



1320 E. 7th Street, Suite 260
Los Angeles, CA 90021
www.arc-ca.org

Viviane Henry

Communications Associate

Anti-Recidivism Coalition (ARC)

vhenry@antirecidivism.org | 213 588 1720

Pronouns: she/her/hers

[Donate Now](#)

From: Celina Chapin <cchapin@arc-ca.org>

Date: Wednesday, September 1, 2021 at 8:58 AM

To: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>, Laila Aziz <laila@potcsd.org>

Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>, Viviane Marie Henry <vhenry@antirecidivism.org>, Esteban Nunez <enunez@antirecidivism.org>, Awan, Balkis <Balkis.Awan@sen.ca.gov>, Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: Re: AB 333 Media Advisory check-in

Good morning all!

DA Gascon's staff just called to say that he'll be there at 9:10 and send his apologies.

Thanks!

Celina

Get [Outlook for iOS](#)

From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>

Sent: Tuesday, August 31, 2021 5:11:19 PM

To: Celina Chapin <cchapin@arc-ca.org>; Laila Aziz <laila@potcsd.org>

Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>; Viviane Marie Henry <vhenry@antirecidivism.org>; Esteban Nunez <enunez@antirecidivism.org>; Awan, Balkis <Balkis.Awan@sen.ca.gov>; Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: Re: AB 333 Media Advisory check-in

The Zoom link is the same for everyone because we want it to feel like a call.

Elizabeth

Error! Filename not specified.

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 4:43:17 PM
To: Laila Aziz; Wells, Elizabeth
Cc: Rodarmel, Danica (PDR); Viviane Marie Henry; Esteban Nunez; Awan, Balkis; Ibarra, Valerie (PDR)
Subject: Re: AB 333 Media Advisory check-in

Hi again,

Elizabeth, Valerie was just wondering if the zoom link for the media was different from the zoom link for participants. If so, can you please send over the participant link?

Thanks!

Get [Outlook for iOS](#)

From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 3:54:21 PM
To: Laila Aziz <laila@potcsd.org>; Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>; Viviane Marie Henry <vhenry@antirecidivism.org>; Esteban Nunez <enunez@antirecidivism.org>; Awan, Balkis <Balkis.Awan@sen.ca.gov>; Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: AB 333 Media Advisory check-in

Looping in Valerie. Valerie, here is the draft run of show:

<https://docs.google.com/document/d/1Jn85zrySH7tQqIpYYR7esZkgJZZQ4vvsRDT9OzPASil/edit?usp=sharing>

Thanks for those updates, all! Elizabeth, do you have another assemblymember taking the place of RBK or should I just remove that part from the run of show?

Thanks all!

Celina

signature_1895128774



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Pronouns: She/Her/Hers



From: Laila Aziz <laila@potcsd.org>
Sent: Tuesday, August 31, 2021 3:29 PM
To: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>; Celina Chapin <cchapin@arc-ca.org>; Viviane Marie Henry <vhenry@antirecidivism.org>; Esteban Nunez <enunez@antirecidivism.org>; Awan, Balkis <Balkis.Awan@sen.ca.gov>
Subject: Re: AB 333 Media Advisory check-in

Will do!
Sent from my iPhone

On Aug 31, 2021, at 3:26 PM, Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov> wrote:

Thank you. Will you be adding times to it?

I agree with Danica's comments about addressing misinformation in Laila's opening remarks. Laila, if you're able to touch on that the purpose of the presser is to address misinformation, think that would be a great way to open up the call. Can you please do it in a way that still provides an opportunity for Sen Kamlager to share additional information in her follow-up response. And then is it also possible to address misinformation in the questions to Yvette and Mano?

Also, (and apologies if this has already been relayed), can you please include in your remarks for reporters information that 1) it's being recorded but won't be publicly distributed 2) there will be a Q&A segment at the end but reporters should feel free to drop question in the chat throughout the program.

Also Assemblymember Bauer-Kahan is not able to attend.

Error! Filename not specified. | Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Sent: Tuesday, August 31, 2021 3:18:48 PM
To: Celina Chapin; Wells, Elizabeth; Viviane Marie Henry
Cc: Esteban Nunez; laila@potcsd.org
Subject: Re: AB 333 Media Advisory check-in

This looks great.

One thought: should Laila include in her opening some real talk about misinformation on the bill and clarify some of what the bill doesn't do?

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Sent: Tuesday, August 31, 2021 3:16:18 PM
To: Celina Chapin <cchapin@arc-ca.org>; Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>; Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Esteban Nunez <enunez@antirecidivism.org>; laila@potcsd.org <laila@potcsd.org>
Subject: Re: AB 333 Media Advisory check-in

Also looping in Laila here.

She and I talked yesterday— and she knows I'm here for more if she needs me!

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Sent: Tuesday, August 31, 2021 3:15:24 PM
To: Celina Chapin <cchapin@arc-ca.org>; Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>; Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Esteban Nunez <enunez@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Our PIO can help with press too if someone can loop her into that convo.

Reviewing run of show now.

From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 3:03:20 PM
To: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>; Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Esteban Nunez <enunez@antirecidivism.org>; Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Subject: Re: AB 333 Media Advisory check-in

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Sorry to miss your call-- I was in a meeting! Here is the draft of the run of show for the presser. Please give it a review. I can reach out to DA Gascon's folks. Danica, can you take a look at this run of show and help prep Laila to MC tomorrow?

<https://docs.google.com/document/d/1Jn85zrySH7tQqIpYYR7esZkgJZZQ4vvsRDT9OzPASil/edit?usp=sharing>

Run of show—Presser for AB 333

Run of show—Presser for AB 333
September 1st, 2021 at 9AM
WELCOME (LAILA) – 5 MINUTES
Welcome, introduction of the bill
and the event, and thank you
Participants each give a quick, 30

docs.google.com

Thanks!
Celina

signature_1895128774



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Los Angeles, CA 90021
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Celina Chapin
Public Policy Associate
Anti-Recidivism Coalition
cchapin@arc-ca.org |
o: (213) 699-5042
c: (919) 760-0065
Pronouns: She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 2:45 PM
To: Viviane Marie Henry <vhenny@antirecidivism.org>
Cc: Celina Chapin <cchapin@arc-ca.org>; Esteban Nunez <enunez@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Hi there, just gave you both a call...I was wondering if your contact in DA Gascon's office could help in recruiting more LA folks?

Also, can your contact with the OC Register or Southern California News Group reach out to folks? Could be interesting to have someone (who's relatively friendly) from OC register get on.

As you can likely tell, I'm getting a little nervous around attendance.

Thanks,
Elizabeth

Error! Filename not specified.

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Wells, Elizabeth
Sent: Tuesday, August 31, 2021 1:57:03 PM
To: Viviane Marie Henry
Cc: Celina Chapin; Esteban Nunez
Subject: Re: AB 333 Media Advisory check-in

Thanks. Can you also please include the name of the impacted individual (i think his name is Alex) in the spreadsheet?

Also, sorry to nag, but do you have a ROS yet? Even just a draft something so I can put it in front of the Senator and update it later today.

Elizabeth

Error! Filename not specified.

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Viviane Marie Henry <vhenry@antirecivism.org>
Sent: Tuesday, August 31, 2021 1:39:49 PM
To: Wells, Elizabeth
Cc: Celina Chapin; Esteban Nunez
Subject: Re: AB 333 Media Advisory check-in

None yet. Will update the doc if I do!

[<image001\[44\].png>](#)

1320 E. 7th Street, Suite 260
Los Angeles, CA 90021
www.arc-ca.org

Viviane Henry
Communications Associate
Anti-Recidivism Coalition (ARC)
vhenry@antirecivism.org | 213 588 1720
Pronouns: she/her/hers

[<image002.png>](#)

From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Date: Tuesday, August 31, 2021 at 1:16 PM
To: Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Celina Chapin <cchapin@arc-ca.org>, Esteban Nunez <enunez@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in
Oh right, I'd forgotten about that.

Erika from LAT just confirmed FYI. Do you have any confirmations yet?

Elizabeth A. Wells, Communications Director

Cell: [\(661\) 917-5169](tel:6619175169)

Office of Senator Sydney Kamlager, 30th District

On Aug 31, 2021, at 1:08 PM, Viviane Marie Henry <vhenry@antirecidivism.org> wrote:

Elizabeth,

The Appeal isn't in operation at the moment, to the best of my knowledge. I think they're in the process of getting back up and running but pretty sure they aren't at the moment.

[<image001\[96\].png>](#)

1320 E. 7th Street, Suite 260
Los Angeles, CA 90021
www.arc-ca.org

Viviane Henry

Communications Associate

Anti-Recidivism Coalition (ARC)

vhenry@antirecidivism.org | 213 588 1720

Pronouns: she/her/hers

[<image002.png>](#)

From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>

Date: Tuesday, August 31, 2021 at 12:48 PM

To: Celina Chapin <cchapin@arc-ca.org>

Cc: Viviane Marie Henry <vhenry@antirecidivism.org>, Esteban Nunez <enunez@antirecidivism.org>

Subject: Re: AB 333 Media Advisory check-in

Yes! I will update in the doc--but here's what I have right now. Will do individual reach outs to Emily Galvin-Almanza (she did a piece about 333 in June), Jeremy White, and Erika from LAT. If folks have connections at the

Appeal, think that would be great to reach out to.

- Don Thompson, Kellyane Ronayne, AP
- Erika Smith, Anita Chabria, LA Times
- The Appeal--*do you have specific connections here?*
- Jeremy White, Politico
- Few folks at LA Sentinel
- David Greenwald, Davis Vanguard
- Eli Mcahan, he's an investigative journalist interested in doing a bigger piece around the bill
- Emily Galvin-Almanza, Partners for justice

<image003.png> Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 10:55 AM
To: Wells, Elizabeth
Cc: Viviane Marie Henry; Esteban Nunez
Subject: Re: AB 333 Media Advisory check-in

Great! Does your office has any media connections that you'll be reaching out to as well?

signature_1895128774



1320 E. 7th Street, Suite 260
Los Angeles, CA 90021
www.arc-ca.org

Celina Chapin
Public Policy Associate
Anti-Recidivism Coalition
cchapin@arc-ca.org |
o: (213) 699-5042
c: (919) 760-0065
Pronouns: She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 9:53 AM
To: Celina Chapin <cchapin@arc-ca.org>
Cc: Viviane Marie Henry <vhenry@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Great, thank you. I'm working on the Senator's materials right now, so if you're able to share a draft that has all the speakers and the Senators question, that would be helpful.

Thank you!
Elizabeth

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 9:06:18 AM
To: Wells, Elizabeth
Cc: Viviane Marie Henry
Subject: Re: AB 333 Media Advisory check-in

Perfect! Thanks. Hoping to have the ROS done by later this morning.

Celina

signature_1895128774



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Celina Chapin
Public Policy Associate
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o: (213) 699-5042
c: (919) 760-0065
Pronouns: She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 9:04 AM
To: Celina Chapin <cchapin@arc-ca.org>
Cc: Viviane Marie Henry <vhenry@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

I think just sending it with the login makes sense. There will be a waiting room so we can vet people. Vic, do you think you could join early and help in letting in folks?

Yes can start to fill in the spread sheet. Can you also add the speaker names and coalition folks who plan to join to that list?

Also do you know when you'll have the ROS with the questions ready?

Here's the Zoom info:

Please don't post it anywhere publicly.

You are invited to a scheduled Zoom meeting.

Topic: Senator Kamlager AB333 Press Conference
Time: Sep 1, 2021 09:00 AM Pacific Time (US and Canada)

Join Zoom Meeting

[https://avanan.url-protection.com/v1/url?
o=https%3A//casen.zoom.us/j/81722340779%3Fpwd%3DODNkSW5jSTAzZEI0NmZt
Snh6T051UT09&g=ZTc2MDgxY2UxNDhjODIxZg==&h=NzhmOTZmMDQ0ZjNINzY5Yj
cyYTcyM2M4MjJmYTRiZmVINjk5ZDU2YjgwYWl0YzE3OGlxYTQ3ZDU3NWM4YjU1Yg=
=&p=YXAzOnNmZHQyOmF2YW5hbGpvOmNkYWZmZDUzOTMwNDAMzUzZTU5MWNmN2E3MWQ0Nzc2OnYx](https://avanan.url-protection.com/v1/url?o=https%3A//casen.zoom.us/j/81722340779%3Fpwd%3DODNkSW5jSTAzZEI0NmZtSnh6T051UT09&g=ZTc2MDgxY2UxNDhjODIxZg==&h=NzhmOTZmMDQ0ZjNINzY5YjcyYTcyM2M4MjJmYTRiZmVINjk5ZDU2YjgwYWl0YzE3OGlxYTQ3ZDU3NWM4YjU1Yg==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmNkYWZmZDUzOTMwNDAMzUzZTU5MWNmN2E3MWQ0Nzc2OnYx)

Meeting ID: 817 2234 0779

Passcode: 150454

One tap mobile

[+16699006833](tel:+16699006833),[81722340779](tel:+181722340779)#,[*150454](tel:+1150454)# US (San Jose)

[+13462487799](tel:+13462487799),[81722340779](tel:+181722340779)#,[*150454](tel:+1150454)# US (Houston)

Thank you!!

Elizabeth A. Wells, Communications Director

Cell: [\(661\) 917-5169](tel:6619175169)

Office of Senator Sydney Kamlager, 30th District

On Aug 31, 2021, at 8:44 AM, Celina Chapin <cchapin@arc-ca.org> wrote:

Okay, great. I am downloading it into a pdf right now, and wondering if we should just include a zoom link afterall to make things easier? Or keep the RSVP system? Or set up some Zoom registration? Thoughts?

Celina

signature_1895128774



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cchapin@arc-ca.org |
o: (213) 699-5042
c: (919) 760-0065
Pronouns: She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 8:32 AM
To: Celina Chapin <cchapin@arc-ca.org>
Cc: Viviane Marie Henry <vhenry@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Oh I see what you mean. I think that's fine. Is the advisory in a final form? Thank you!

Elizabeth A. Wells, Communications Director

Cell: [\(661\) 917-5169](tel:6619175169)

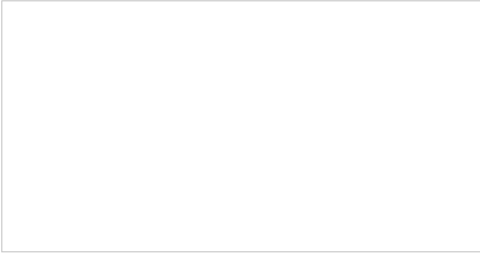
Office of Senator Sydney Kamlager, 30th District

On Aug 30, 2021, at 6:03 PM, Celina Chapin
<cchapin@arc-ca.org> wrote:

Hi Elizabeth!

I was under the impression that folks would be reaching out to their own contacts and then populating this blank spreadsheet with everyone they reached out to, so I don't have a list to send to you. Would you rather us put together a list and have your office to do the outreach?

https://docs.google.com/spreadsheets/d/1A7N3xyjJHrp5QC1Lr6ZXMg2grTuhVlwO--NJfL_yWrM/edit?usp=sharing



[Media list for Ab 333 Presser](#)

Sheet1 Media outlet ,Media Contact, Team-member making the ask ,Will they

docs.google.com

Celina

signature_1895128774



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Public Policy
Associate

Anti-Recidivism
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o: (213) 699-5042

c: (919) 760-0065

Pronouns:

She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Monday, August 30, 2021 5:53 PM
To: Celina Chapin <cchapin@arc-ca.org>; Viviane Marie Henry <vhenry@antirecidivism.org>
Subject: AB 333 Media Advisory check-in

Hi there,

Thanks for firming up that advisory! Just wanted to check-in to see if there was a press list you're able to share and what I can do to help finalize the advisory. Are we still thinking of sending it out first thing tomorrow, maybe again in the afternoon, and at 8:00 AM on Wednesday? I feel like if we can get 10 reporters to join on Wednesday, that would be amazing.

Thanks!
Elizabeth

<OutlookEmoji-california state
senate seal d2ba21ea-22d6-4189-
9343-35a1933e89f5.png>

Elizabeth A.
Wells,
Communications
Director
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Sydney
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Subject: Re: AB 333 Media Advisory check-in
Date: Wednesday, September 1, 2021 at 7:09:54 PM British Summer Time
From: Rodarmel, Danica (PDR)
To: Viviane Marie Henry, Celina Chapin, Wells, Elizabeth, Laila Aziz
CC: Esteban Nunez, Awan, Balkis, Ibarra, Valerie (PDR)
Attachments: image001.png, image002.png

Good job everyone!

From: Viviane Marie Henry <vhenry@antirecidivism.org>
Date: Wednesday, September 1, 2021 at 9:23 AM
To: Celina Chapin <cchapin@arc-ca.org>, Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>, Laila Aziz <laila@potcsd.org>
Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>, Esteban Nunez <enunez@antirecidivism.org>, Awan, Balkis <Balkis.Awan@sen.ca.gov>, Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: AB 333 Media Advisory check-in

Celina,

Could you check in with his staff again on when he might be able to join? Happy to take over communication with them if need be!



1320 E. 7th Street, Suite 260
Los Angeles, CA 90021
www.arc-ca.org

Viviane Henry
Communications Associate
Anti-Recidivism Coalition (ARC)
vhenry@antirecidivism.org | 213 588 1720
Pronouns: she/her/hers

[Donate Now](#)

From: Celina Chapin <cchapin@arc-ca.org>
Date: Wednesday, September 1, 2021 at 8:58 AM
To: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>, Laila Aziz <laila@potcsd.org>
Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>, Viviane Marie Henry <vhenry@antirecidivism.org>, Esteban Nunez <enunez@antirecidivism.org>, Awan, Balkis <Balkis.Awan@sen.ca.gov>, Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: AB 333 Media Advisory check-in

Good morning all!

DA Gascon's staff just called to say that he'll be there at 9:10 and send his apologies.

Thanks!
Celina

Get [Outlook for iOS](#)

From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 5:11:19 PM
To: Celina Chapin <cchapin@arc-ca.org>; Laila Aziz <laila@potcsd.org>
Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>; Viviane Marie Henry <vhenry@antirecidivism.org>; Esteban Nunez <enunez@antirecidivism.org>; Awan, Balkis <Balkis.Awan@sen.ca.gov>; Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: AB 333 Media Advisory check-in

The Zoom link is the same for everyone because we want it to feel like a call.

Elizabeth

Error! Filename not specified.

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 4:43:17 PM
To: Laila Aziz; Wells, Elizabeth
Cc: Rodarmel, Danica (PDR); Viviane Marie Henry; Esteban Nunez; Awan, Balkis; Ibarra, Valerie (PDR)
Subject: Re: AB 333 Media Advisory check-in

Hi again,

Elizabeth, Valerie was just wondering if the zoom link for the media was different from the zoom link for participants. If so, can you please send over the participant link?

Thanks!

Get [Outlook for iOS](#)

From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 3:54:21 PM
To: Laila Aziz <laila@potcsd.org>; Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>; Viviane Marie Henry <vhenry@antirecidivism.org>; Esteban Nunez <enunez@antirecidivism.org>; Awan, Balkis

<Balkis.Awan@sen.ca.gov>; Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: Re: AB 333 Media Advisory check-in

Looping in Valerie. Valerie, here is the draft run of show:

<https://docs.google.com/document/d/1Jn85zrySH7tQqIpYYR7esZkgJZZQ4vvsRDT9OzPASil/edit?usp=sharing>

Thanks for those updates, all! Elizabeth, do you have another assemblymember taking the place of RBK or should I just remove that part from the run of show?

Thanks all!

Celina

signature_1895128774



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Public Policy Associate
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cchapin@arc-ca.org |
o: (213) 699-5042
c: (919) 760-0065
Pronouns: She/Her/Hers



From: Laila Aziz <laila@potcsd.org>

Sent: Tuesday, August 31, 2021 3:29 PM

To: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>

Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>; Celina Chapin <cchapin@arc-ca.org>; Viviane Marie Henry <vhenry@antirecidivism.org>; Esteban Nunez <enunez@antirecidivism.org>; Awan, Balkis <Balkis.Awan@sen.ca.gov>

Subject: Re: AB 333 Media Advisory check-in

Will do!

Sent from my iPhone

On Aug 31, 2021, at 3:26 PM, Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov> wrote:

Thank you. Will you be adding times to it?

I agree with Danica's comments about addressing misinformation in Laila's opening remarks. Laila, if you're able to touch on that the purpose of the presser is to address misinformation, think that would be a great way to open up the call. Can you please do it in a way that still provides an opportunity for Sen Kamlager to share additional information in her follow-up response. And then is it also possible to address misinformation in the questions to Yvette and Mano?

Also, (and apologies if this has already been relayed), can you please include in your remarks for reporters information that 1) it's being recorded but won't be publicly distributed 2) there will be a Q&A segment at the end but reporters should feel free to drop question in the chat throughout the program.

Also Assemblymember Bauer-Kahan is not able to attend.

Error! Filename not specified.

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>

Sent: Tuesday, August 31, 2021 3:18:48 PM

To: Celina Chapin; Wells, Elizabeth; Viviane Marie Henry

Cc: Esteban Nunez; laila@potcsd.org

Subject: Re: AB 333 Media Advisory check-in

This looks great.

One thought: should Laila include in her opening some real talk about misinformation on the bill and clarify some of what the bill doesn't do?

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>

Sent: Tuesday, August 31, 2021 3:16:18 PM

To: Celina Chapin <cchapin@arc-ca.org>; Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>; Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Esteban Nunez <enunez@antirecidivism.org>; laila@potcsd.org <laila@potcsd.org>
Subject: Re: AB 333 Media Advisory check-in

Also looping in Laila here.

She and I talked yesterday— and she knows I'm here for more if she needs me!

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Sent: Tuesday, August 31, 2021 3:15:24 PM
To: Celina Chapin <cchapin@arc-ca.org>; Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>; Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Esteban Nunez <enunez@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Our PIO can help with press too if someone can loop her into that convo.

Reviewing run of show now.

From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 3:03:20 PM
To: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>; Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Esteban Nunez <enunez@antirecidivism.org>; Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Subject: Re: AB 333 Media Advisory check-in

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Sorry to miss your call-- I was in a meeting! Here is the draft of the run of show for the presser. Please give it a review. I can reach out to DA Gascon's folks. Danica, can you take a look at this run of show and help prep Laila to MC tomorrow?

<https://docs.google.com/document/d/1Jn85zrySH7tQqIpYYR7esZkgJZZQ4vvsRDT9OzPASil/edit?usp=sharing>

Run of show—Presser for AB 333

Run of show—Presser for AB 333
September 1st, 2021 at 9AM
WELCOME (LAILA) – 5 MINUTES
Welcome, introduction of the bill
and the event, and thank you
Participants each give a quick, 30

docs.google.com

Thanks!
Celina

signature_1895128774



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Public Policy Associate
Anti-Recidivism Coalition
cchapin@arc-ca.org |
o: (213) 699-5042
c: (919) 760-0065
Pronouns: She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 2:45 PM
To: Viviane Marie Henry <vhenny@antirecidivism.org>
Cc: Celina Chapin <cchapin@arc-ca.org>; Esteban Nunez <enunez@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Hi there, just gave you both a call...I was wondering if your contact in DA Gascon's office could help in recruiting more LA folks?

Also, can your contact with the OC Register or Southern California News Group reach out to folks? Could be interesting to have someone (who's relatively friendly) from OC register get on.

As you can likely tell, I'm getting a little nervous around attendance.

Thanks,

Elizabeth

Error! Filename not specified. | Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: [\(916\) 651- 4571](tel:(916)651-4571) | cell: [\(661\) 917-5169](tel:(661)917-5169)

From: Wells, Elizabeth
Sent: Tuesday, August 31, 2021 1:57:03 PM
To: Viviane Marie Henry
Cc: Celina Chapin; Esteban Nunez
Subject: Re: AB 333 Media Advisory check-in

Thanks. Can you also please include the name of the impacted individual (i think his name is Alex) in the spreadsheet?

Also, sorry to nag, but do you have a ROS yet? Even just a draft something so I can put it in front of the Senator and update it later today.

Elizabeth

Error! Filename not specified. | Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: [\(916\) 651- 4571](tel:(916)651-4571) | cell: [\(661\) 917-5169](tel:(661)917-5169)

From: Viviane Marie Henry <vhenry@antirecidivism.org>
Sent: Tuesday, August 31, 2021 1:39:49 PM

To: Wells, Elizabeth
Cc: Celina Chapin; Esteban Nunez
Subject: Re: AB 333 Media Advisory check-in

None yet. Will update the doc if I do!

[<image001\[44\].png>](#)

1320 E. 7th Street, Suite 260
Los Angeles, CA 90021
www.arc-ca.org

Viviane Henry
Communications Associate
Anti-Recidivism Coalition (ARC)
vhenry@antirecidivism.org | 213 588 1720
Pronouns: she/her/hers

[<image002.png>](#)

From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Date: Tuesday, August 31, 2021 at 1:16 PM
To: Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Celina Chapin <cchapin@arc-ca.org>, Esteban Nunez <enunez@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Oh right, I'd forgotten about that.

Erika from LAT just confirmed FYI. Do you have any confirmations yet?

Elizabeth A. Wells, Communications Director
Cell: [\(661\) 917-5169](tel:6619175169)
Office of Senator Sydney Kamlager, 30th District

On Aug 31, 2021, at 1:08 PM, Viviane Marie Henry <vhenry@antirecidivism.org> wrote:

Elizabeth,

The Appeal isn't in operation at the moment, to the best of my knowledge. I think they're in the process of getting back up and running but pretty sure they aren't at the moment.

[<image001\[96\].png>](#)

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Viviane Henry
Communications Associate
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vhenry@antirecidivism.org | 213 588 1720
Pronouns: she/her/hers

[<image002.png>](#)

From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Date: Tuesday, August 31, 2021 at 12:48 PM
To: Celina Chapin <cchapin@arc-ca.org>
Cc: Viviane Marie Henry <vherry@antirecidivism.org>, Esteban Nunez <enunez@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Yes! I will update in the doc--but here's what I have right now. Will do individual reach outs to Emily Galvin-Almanza (she did a piece about 333 in June), Jeremy White, and Erika from LAT. If folks have connections at the Appeal, think that would be great to reach out to.

- Don Thompson, Kellyane Ronayne, AP
- Erika Smith, Anita Chabria, LA Times
- The Appeal--*do you have specific connections here?*
- Jeremy White, Politico
- Few folks at LA Sentinel
- David Greenwald, Davis Vanguard
- Eli Mcahan, he's an investigative journalist interested in doing a bigger piece around the bill
- Emily Galvin-Almanza, Partners for justice

<image003.png>

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 10:55 AM
To: Wells, Elizabeth
Cc: Viviane Marie Henry; Esteban Nunez
Subject: Re: AB 333 Media Advisory check-in

Great! Does your office has any media connections that you'll be reaching out to as well?

signature_1895128774



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Celina Chapin
Public Policy Associate
Anti-Recidivism Coalition
cchapin@arc-ca.org |
o: (213) 699-5042
c: (919) 760-0065
Pronouns: She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 9:53 AM
To: Celina Chapin <cchapin@arc-ca.org>
Cc: Viviane Marie Henry <vhenry@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Great, thank you. I'm working on the Senator's materials right now, so if you're able to share a draft that has all the speakers and the Senators question, that would be helpful.

Thank you!

Elizabeth

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: [\(916\) 651- 4571](tel:(916)651-4571) | *cell:* [\(661\) 917-5169](tel:(661)917-5169)

From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 9:06:18 AM
To: Wells, Elizabeth
Cc: Viviane Marie Henry
Subject: Re: AB 333 Media Advisory check-in

Perfect! Thanks. Hoping to have the ROS done by later this morning.

Celina

signature_1895128774



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Pronouns: She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>

Sent: Tuesday, August 31, 2021 9:04 AM

To: Celina Chapin <cchapin@arc-ca.org>

Cc: Viviane Marie Henry <vhenny@antirecidivism.org>

Subject: Re: AB 333 Media Advisory check-in

I think just sending it with the login makes sense. There will be a waiting room so we can vet people. Vic, do you think you could join early and help in letting in folks?

Yes can start to fill in the spread sheet. Can you also add the speaker names and coalition folks who plan to join to that list?

Also do you know when you'll have the ROS with the questions ready?

Here's the Zoom info:

Please don't post it anywhere publicly.

You are invited to a scheduled Zoom meeting.

Topic: Senator Kamlager AB333 Press Conference

Time: Sep 1, 2021 09:00 AM Pacific Time (US and Canada)

Join Zoom Meeting

<https://avanan.url-protection.com/v1/url?>

[o=https%3A//casen.zoom.us/j/81722340779%3Fpwd%3DODNkSW5jSTAzZEI0NmZt](https://casen.zoom.us/j/81722340779%3Fpwd%3DODNkSW5jSTAzZEI0NmZt)

<https://www.zoom.us/j/9175169?pwd=Snh6T051UT09&g=ZTc2MDgxY2UxNDhjODIxZg==&h=NzhmOTZmMDQ0ZjNINzY5YjcyYTcyM2M4MjlmYTRiZmVINjk5ZDU2YjgwYWl0YzE3OGlxYTQ3ZDU3NWM4YjU1Yg==&p=YXAzOnNmZHQyOmF2YW5hbGpvcOmNkYWZmZDUzOTMwNDAxMzUzZTU5MWNmN2E3MWQ0Nzc2OnYx>

Meeting ID: 817 2234 0779

Passcode: 150454

One tap mobile

[+16699006833](tel:+16699006833),[+181722340779](tel:+181722340779)#,*,[150454](tel:+1150454)# US (San Jose)

[+13462487799](tel:+13462487799),[+181722340779](tel:+181722340779)#,*,[150454](tel:+1150454)# US (Houston)

Thank you!!

Elizabeth A. Wells, Communications Director

Cell: [\(661\) 917-5169](tel:(661)917-5169)

Office of Senator Sydney Kamlager, 30th District

On Aug 31, 2021, at 8:44 AM, Celina Chapin <cchapin@arc-ca.org> wrote:

Okay, great. I am downloading it into a pdf right now, and wondering if we should just include a zoom link afterall to make things easier? Or keep the RSVP system? Or set up some Zoom registration? Thoughts?

Celina

signature_1895128774



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Pronouns: She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 8:32 AM
To: Celina Chapin <cchapin@arc-ca.org>
Cc: Viviane Marie Henry <vhenry@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Oh I see what you mean. I think that's fine. Is the advisory in a final form? Thank you!

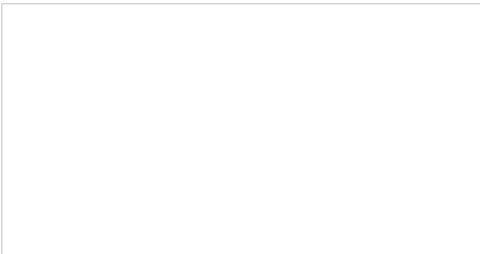
Elizabeth A. Wells, Communications Director
Cell: [\(661\) 917-5169](tel:6619175169)
Office of Senator Sydney Kamlager, 30th District

On Aug 30, 2021, at 6:03 PM, Celina Chapin
<cchapin@arc-ca.org> wrote:

Hi Elizabeth!

I was under the impression that folks would be reaching out to their own contacts and then populating this blank spreadsheet with everyone they reached out to, so I don't have a list to send to you. Would you rather us put together a list and have your office to do the outreach?

https://docs.google.com/spreadsheets/d/1A7N3xyjIHrp5QC1Lr6ZXMg2grTuhVIwO--NJfL_yWrM/edit?usp=sharing

	<p><u>Media list for Ab 333 Presser</u></p>
<p>Sheet1 Media outlet ,Media Contact, Team- member making the ask ,Will they ... docs.google.com</p>	

Celina

signature_1895128774



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Pronouns:
She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Monday, August 30, 2021 5:53 PM
To: Celina Chapin <cchapin@arc-ca.org>; Viviane Marie Henry <vhenry@antirecidivism.org>
Subject: AB 333 Media Advisory check-in

Hi there,

Thanks for firming up that advisory! Just wanted to check-in to see if there was a press list you're able to share and what I can do to help finalize the advisory. Are we still thinking of sending it out first thing tomorrow, maybe again in the afternoon, and at 8:00 AM on Wednesday? I feel like if we can get 10 reporters to join on Wednesday, that would be amazing.

Thanks!

Elizabeth

<OutlookEmoji-california state
senate seal2ba21ea-22d6-4189-
9343-35a1933e89f5.png>

Elizabeth A.
Wells,
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Sydney
Kamlager |
30th District
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5169

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Subject: Re: AB 333 Media Advisory check-in
Date: Wednesday, September 1, 2021 at 5:17:00 PM British Summer Time
From: Viviane Marie Henry
To: Celina Chapin, Wells, Elizabeth, Laila Aziz
CC: Rodarmel, Danica (PDR), Esteban Nunez, Awan, Balkis, Ibarra, Valerie (PDR)
Attachments: image001[34].png, image002.png

Celina,

Could you check in with his staff again on when he might be able to join? Happy to take over communication with them if need be!



1320 E. 7th Street, Suite 260
Los Angeles, CA 90021
www.arc-ca.org

Viviane Henry
Communications Associate
Anti-Recidivism Coalition (ARC)
vhenry@antirecidivism.org | 213 588 1720
Pronouns: she/her/hers

[Donate Now](#)

From: Celina Chapin <cchapin@arc-ca.org>
Date: Wednesday, September 1, 2021 at 8:58 AM
To: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>, Laila Aziz <laila@potcsd.org>
Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>, Viviane Marie Henry <vhenry@antirecidivism.org>, Esteban Nunez <enunez@antirecidivism.org>, Awan, Balkis <Balkis.Awan@sen.ca.gov>, Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: AB 333 Media Advisory check-in

Good morning all!

DA Gascon's staff just called to say that he'll be there at 9:10 and send his apologies.

Thanks!

Celina

Get [Outlook for iOS](#)

From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>

Sent: Tuesday, August 31, 2021 5:11:19 PM

To: Celina Chapin <cchapin@arc-ca.org>; Laila Aziz <laila@potcsd.org>

Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>; Viviane Marie Henry <vhenry@antirecidivism.org>; Esteban Nunez <enunez@antirecidivism.org>; Awan, Balkis <Balkis.Awan@sen.ca.gov>; Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: Re: AB 333 Media Advisory check-in

The Zoom link is the same for everyone because we want it to feel like a call.

Elizabeth

Error! Filename not specified.

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Celina Chapin <cchapin@arc-ca.org>

Sent: Tuesday, August 31, 2021 4:43:17 PM

To: Laila Aziz; Wells, Elizabeth

Cc: Rodarmel, Danica (PDR); Viviane Marie Henry; Esteban Nunez; Awan, Balkis; Ibarra, Valerie (PDR)

Subject: Re: AB 333 Media Advisory check-in

Hi again,

Elizabeth, Valerie was just wondering if the zoom link for the media was different from the zoom link for participants. If so, can you please send over the participant link?

Thanks!

Get [Outlook for iOS](#)

From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 3:54:21 PM
To: Laila Aziz <laila@potcsd.org>; Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>; Viviane Marie Henry <vhenry@antirecidivism.org>; Esteban Nunez <enunez@antirecidivism.org>; Awan, Balkis <Balkis.Awan@sen.ca.gov>; Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: AB 333 Media Advisory check-in

Looping in Valerie. Valerie, here is the draft run of show:

<https://docs.google.com/document/d/1Jn85zrySH7tQqIpYYR7esZkgJZZQ4vvsRDT9OzPASil/edit?usp=sharing>

Thanks for those updates, all! Elizabeth, do you have another assemblymember taking the place of RBK or should I just remove that part from the run of show?

Thanks all!
Celina

signature_1895128774



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cchapin@arc-ca.org |
o: (213) 699-5042
c: (919) 760-0065
Pronouns: She/Her/Hers



From: Laila Aziz <laila@potcsd.org>
Sent: Tuesday, August 31, 2021 3:29 PM
To: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>; Celina Chapin <cchapin@arc-ca.org>; Viviane Marie Henry <vhenry@antirecidivism.org>; Esteban Nunez <enunez@antirecidivism.org>; Awan, Balkis <Balkis.Awan@sen.ca.gov>
Subject: Re: AB 333 Media Advisory check-in

Will do!

Sent from my iPhone

On Aug 31, 2021, at 3:26 PM, Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov> wrote:

Thank you. Will you be adding times to it?

I agree with Danica's comments about addressing misinformation in Laila's opening remarks. Laila, if you're able to touch on that the purpose of the presser is to address misinformation, think that would be a great way to open up the call. Can you please do it in a way that still provides an opportunity for Sen Kamlager to share additional information in her follow-up response. And then is it also possible to address misinformation in the questions to Yvette and Mano?

Also, (and apologies if this has already been relayed), can you please include in your remarks for reporters information that 1) it's being recorded but won't be publicly distributed 2) there will be a Q&A segment at the end but reporters should feel free to drop question in the chat throughout the program.

Also Assemblymember Bauer-Kahan is not able to attend.

Error! Filename not specified.

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>

Sent: Tuesday, August 31, 2021 3:18:48 PM

To: Celina Chapin; Wells, Elizabeth; Viviane Marie Henry

Cc: Esteban Nunez; laila@potcsd.org

Subject: Re: AB 333 Media Advisory check-in

This looks great.

One thought: should Laila include in her opening some real talk about misinformation on the bill and clarify some of what the bill doesn't do?

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>

Sent: Tuesday, August 31, 2021 3:16:18 PM

To: Celina Chapin <cchapin@arc-ca.org>; Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>; Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Esteban Nunez <enunez@antirecidivism.org>; laila@potcsd.org <laila@potcsd.org>
Subject: Re: AB 333 Media Advisory check-in

Also looping in Laila here.

She and I talked yesterday— and she knows I'm here for more if she needs me!

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Sent: Tuesday, August 31, 2021 3:15:24 PM
To: Celina Chapin <cchapin@arc-ca.org>; Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>; Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Esteban Nunez <enunez@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Our PIO can help with press too if someone can loop her into that convo.

Reviewing run of show now.

From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 3:03:20 PM
To: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>; Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Esteban Nunez <enunez@antirecidivism.org>; Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Subject: Re: AB 333 Media Advisory check-in

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Sorry to miss your call-- I was in a meeting! Here is the draft of the run of show for the presser. Please give it a review. I can reach out to DA Gascon's folks. Danica, can you take a look at this run of show and help prep Laila to MC tomorrow?

<https://docs.google.com/document/d/1Jn85zrySH7tQqIpYYR7esZkgJZZQ4vvsRDT9OzPASil/edit?usp=sharing>

Run of show—Presser for AB 333

Run of show—Presser for AB 333
September 1st, 2021 at 9AM
WELCOME (LAILA) – 5 MINUTES
Welcome, introduction of the bill
and the event, and thank you
Participants each give a quick, 30

docs.google.com

Thanks!
Celina

signature_1895128774



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Public Policy Associate
Anti-Recidivism Coalition
cchapin@arc-ca.org |
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c: (919) 760-0065
Pronouns: She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 2:45 PM
To: Viviane Marie Henry <vhenny@antirecidivism.org>
Cc: Celina Chapin <cchapin@arc-ca.org>; Esteban Nunez <enunez@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Hi there, just gave you both a call...I was wondering if your contact in DA Gascon's office could help in recruiting more LA folks?

Also, can your contact with the OC Register or Southern California News Group reach out to folks? Could be interesting to have someone (who's relatively friendly) from OC register get on.

As you can likely tell, I'm getting a little nervous around attendance.

Thanks,

Elizabeth

Error! Filename not specified. | Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Wells, Elizabeth
Sent: Tuesday, August 31, 2021 1:57:03 PM
To: Viviane Marie Henry
Cc: Celina Chapin; Esteban Nunez
Subject: Re: AB 333 Media Advisory check-in

Thanks. Can you also please include the name of the impacted individual (i think his name is Alex) in the spreadsheet?

Also, sorry to nag, but do you have a ROS yet? Even just a draft something so I can put it in front of the Senator and update it later today.

Elizabeth

Error! Filename not specified. | Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Viviane Marie Henry <vhenny@antirecidivism.org>
Sent: Tuesday, August 31, 2021 1:39:49 PM

To: Wells, Elizabeth
Cc: Celina Chapin; Esteban Nunez
Subject: Re: AB 333 Media Advisory check-in

None yet. Will update the doc if I do!

[<image001\[44\].png>](#)

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www.arc-ca.org

Viviane Henry
Communications Associate
Anti-Recidivism Coalition (ARC)
vhenry@antirecidivism.org | 213 588 1720
Pronouns: she/her/hers

[<image002.png>](#)

From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Date: Tuesday, August 31, 2021 at 1:16 PM
To: Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Celina Chapin <cchapin@arc-ca.org>, Esteban Nunez <enunez@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Oh right, I'd forgotten about that.

Erika from LAT just confirmed FYI. Do you have any confirmations yet?

Elizabeth A. Wells, Communications Director
Cell: [\(661\) 917-5169](tel:6619175169)
Office of Senator Sydney Kamlager, 30th District

On Aug 31, 2021, at 1:08 PM, Viviane Marie Henry <vhenry@antirecidivism.org> wrote:

Elizabeth,

The Appeal isn't in operation at the moment, to the best of my knowledge. I think they're in the process of getting back up and running but pretty sure they aren't at the moment.

[<image001\[96\].png>](#)

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Viviane Henry
Communications Associate
Anti-Recidivism Coalition (ARC)
vhenry@antirecidivism.org | 213 588 1720
Pronouns: she/her/hers

[<image002.png>](#)

From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Date: Tuesday, August 31, 2021 at 12:48 PM
To: Celina Chapin <cchapin@arc-ca.org>
Cc: Viviane Marie Henry <vherry@antirecidivism.org>, Esteban Nunez <enunez@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Yes! I will update in the doc--but here's what I have right now. Will do individual reach outs to Emily Galvin-Almanza (she did a piece about 333 in June), Jeremy White, and Erika from LAT. If folks have connections at the Appeal, think that would be great to reach out to.

- Don Thompson, Kellyane Ronayne, AP
- Erika Smith, Anita Chabria, LA Times
- The Appeal--*do you have specific connections here?*
- Jeremy White, Politico
- Few folks at LA Sentinel
- David Greenwald, Davis Vanguard
- Eli Mcahan, he's an investigative journalist interested in doing a bigger piece around the bill
- Emily Galvin-Almanza, Partners for justice

<image003.png>

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 10:55 AM
To: Wells, Elizabeth
Cc: Viviane Marie Henry; Esteban Nunez
Subject: Re: AB 333 Media Advisory check-in

Great! Does your office has any media connections that you'll be reaching out to as well?

signature_1895128774



1320 E. 7th Street, Suite 260
Los Angeles, CA 90021
www.arc-ca.org

Celina Chapin
Public Policy Associate
Anti-Recidivism Coalition
cchapin@arc-ca.org |
o: (213) 699-5042
c: (919) 760-0065
Pronouns: She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 9:53 AM
To: Celina Chapin <cchapin@arc-ca.org>
Cc: Viviane Marie Henry <vhenry@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Great, thank you. I'm working on the Senator's materials right now, so if you're able to share a draft that has all the speakers and the Senators question, that would be helpful.

Thank you!

Elizabeth

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: [\(916\) 651- 4571](tel:(916)651-4571) | *cell:* [\(661\) 917-5169](tel:(661)917-5169)

From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 9:06:18 AM
To: Wells, Elizabeth
Cc: Viviane Marie Henry
Subject: Re: AB 333 Media Advisory check-in

Perfect! Thanks. Hoping to have the ROS done by later this morning.

Celina

signature_1895128774



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Pronouns: She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>

Sent: Tuesday, August 31, 2021 9:04 AM

To: Celina Chapin <cchapin@arc-ca.org>

Cc: Viviane Marie Henry <vherry@antirecidivism.org>

Subject: Re: AB 333 Media Advisory check-in

I think just sending it with the login makes sense. There will be a waiting room so we can vet people. Vic, do you think you could join early and help in letting in folks?

Yes can start to fill in the spread sheet. Can you also add the speaker names and coalition folks who plan to join to that list?

Also do you know when you'll have the ROS with the questions ready?

Here's the Zoom info:

Please don't post it anywhere publicly.

You are invited to a scheduled Zoom meeting.

Topic: Senator Kamlager AB333 Press Conference

Time: Sep 1, 2021 09:00 AM Pacific Time (US and Canada)

Join Zoom Meeting

<https://avanan.url-protection.com/v1/url?>

[o=https%3A//casen.zoom.us/j/81722340779%3Fpwd%3DODNkSW5jSTAzZEI0NmZtSnh6T051UT09&g=ZTc2MDgxY2UxNDhjODIxZg==&h=NzhmOTZmMDQ0ZjNINzY5Yj](https%3A//casen.zoom.us/j/81722340779%3Fpwd%3DODNkSW5jSTAzZEI0NmZtSnh6T051UT09&g=ZTc2MDgxY2UxNDhjODIxZg==&h=NzhmOTZmMDQ0ZjNINzY5Yj)

[cyYTcyM2M4MjlmYTRiZmVINjk5ZDU2YjgwYWl0YzE3OGlxYTQ3ZDU3NWM4YjU1Yg==&p=YXAzOnNmZHQyOmF2YW5hbGpvcOmNkYWZmZDUzOTMwNDAxMzUzZTU5MWNmN2E3MWQ0Nzc2OnYx](https://us02zoom.us/j/81722340779?pwd=cyYTcyM2M4MjlmYTRiZmVINjk5ZDU2YjgwYWl0YzE3OGlxYTQ3ZDU3NWM4YjU1Yg==&p=YXAzOnNmZHQyOmF2YW5hbGpvcOmNkYWZmZDUzOTMwNDAxMzUzZTU5MWNmN2E3MWQ0Nzc2OnYx)

Meeting ID: 817 2234 0779

Passcode: 150454

One tap mobile

[+16699006833](tel:+16699006833),[81722340779](tel:+181722340779)#,*,[150454](tel:+1150454)# US (San Jose)

[+13462487799](tel:+13462487799),[81722340779](tel:+181722340779)#,*,[150454](tel:+1150454)# US (Houston)

Thank you!!

Elizabeth A. Wells, Communications Director

Cell: [\(661\) 917-5169](tel:(661)917-5169)

Office of Senator Sydney Kamlager, 30th District

On Aug 31, 2021, at 8:44 AM, Celina Chapin <cchapin@arc-ca.org> wrote:

Okay, great. I am downloading it into a pdf right now, and wondering if we should just include a zoom link afterall to make things easier? Or keep the RSVP system? Or set up some Zoom registration? Thoughts?

Celina

signature_1895128774



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Pronouns: She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 8:32 AM
To: Celina Chapin <cchapin@arc-ca.org>
Cc: Viviane Marie Henry <vhenry@antirecivism.org>
Subject: Re: AB 333 Media Advisory check-in

Oh I see what you mean. I think that's fine. Is the advisory in a final form? Thank you!

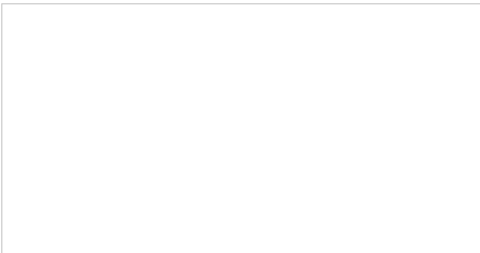
Elizabeth A. Wells, Communications Director
Cell: [\(661\) 917-5169](tel:6619175169)
Office of Senator Sydney Kamlager, 30th District

On Aug 30, 2021, at 6:03 PM, Celina Chapin
<cchapin@arc-ca.org> wrote:

Hi Elizabeth!

I was under the impression that folks would be reaching out to their own contacts and then populating this blank spreadsheet with everyone they reached out to, so I don't have a list to send to you. Would you rather us put together a list and have your office to do the outreach?

https://docs.google.com/spreadsheets/d/1A7N3xyjJHrp5QC1Lr6ZXMg2grTuhVlwO--NJfL_yWrM/edit?usp=sharing

	<p><u>Media list for Ab 333 Presser</u></p>
	<p>Sheet1 Media outlet ,Media Contact, Team- member making the ask ,Will they docs.google.com</p>

Celina

signature_1895128774



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o: (213) 699-5042

c: (919) 760-0065

Pronouns:

She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>

Sent: Monday, August 30, 2021 5:53 PM

To: Celina Chapin <cchapin@arc-ca.org>; Viviane Marie Henry <vhenry@antirecidivism.org>

Subject: AB 333 Media Advisory check-in

Hi there,

Thanks for firming up that advisory! Just wanted to check-in to see if there was a press list you're able to share and what I can do to help finalize the advisory. Are we still thinking of sending it out first thing tomorrow, maybe again in the afternoon, and at 8:00 AM on Wednesday? I feel like if we can get 10 reporters to join on Wednesday, that would be amazing.

Thanks!

Elizabeth

<OutlookEmoji-california state
senate seal2ba21ea-22d6-4189-
9343-35a1933e89f5.png>

Elizabeth A.
Wells,
Communications
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Subject: Everyday Injustice - More Trouble Brewing For OC DA; Sacramento Ordered to Provide Documents in Police Shooting Death of Darell Richards

Date: Wednesday, September 1, 2021 at 5:01:00 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

"He has a political and financial relationship with a corporation he is investigating, this is as clear and unsavory as any conflict I have ever seen," said former Marine Judge Advocate Pete Hardin.

Everyday Injustice Newsletter - September 1, 2021

Rolling Out the Sponsors For the Vanguard Awards Gala

The event will be held a week from today in Sacramento - September 8 at 6 pm.

Tickets are still available [here](#).

Sponsorships are still available [here](#).

Event Sponsors:

Paul Boylan, Esq.

Bendich Charitable Trust

Social Justice Champion:

Friends of Lionel Tholmer

Ruth Bader Ginsburg Sponsorship:

Tia Will and Robert Canning
Mark Reichel, Attorney at Law
Pamela Price For DA

Diana Becton, Contra Costa DA
Jean Miller
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Jeff Adachi Sponsorship:

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Joseph Tully, Attorney at Law
UC Davis
Holly Delaney Cole/ Orlando E. Smith
Lucas Frerichs, Davis Vice Mayor
Robb Davis
Evelyn and Harvey Greenwald.

Tickets are still available [here](#).

Sponsorships are still available [here](#).

Criminal Justice News/ Commentary

City of Sacramento Ordered to Provide Documents in Police Shooting Death of Darell Richards, as Family and Black Lives Matter Demanded in 2018

It took a lawsuit and nearly three years, but it appears the family of Darell Richards and the community may soon have many of the answers sought in the shooting by police of Richards on Sept. 6, 2018 – Black

[Read More](#)

Orange County DA Candidate Calls For AG To Investigation Toll Roads Scandal

Following a report from Politico that DA Todd Spitzer is investigating a consulting firm he also employs in connection with his reelection, his challenger, Pete Hardin, wrote a letter requesting the California Attorney General

[Read More](#)

Conditions at San Luis Obispo County Jail Violate Constitution, Charges U.S. Dept. of

Justice

The San Luis Obispo County Jail violated the rights of prisoners by “failing to provide adequate medical care and subjecting some prisoners to excessive uses of force,” according to a U.S. Justice

[Read More](#)

LA District Attorney Announces Man with Intellectual Disability Re-Sentenced from Death Penalty to Life without Parole

A man who was sentenced to death for a 1985 double murder was resentenced this week to life in prison without the possibility of parole after it was determined the defendant is ineligible for the death penalty

[Read More](#)

Public Defender Objects to Late Trial Video Evidence, Suggesting It Was Racist and Offensive

Deputy Public Defender Richard Addison Steele, II, vehemently objected last week here in Santa Barbara County Superior Court to the introduction of a video of his client in custody, arguing that it was

[Read More](#)

Vanguard Justice Award to Exoneree Jeffrey Deskovic

Jeffrey was just 16 when he was interrogated for the brutal rape and murder of a classmate. He falsely confessed, and was convicted of murder. He would remain in prison for 17 years before DNA exonerated him.

[Read More](#)

Announcing the 2021 Vanguard Justice Award Winners

The Vanguard is pleased to announce it is awarding 11 very worthy individuals and groups for their work in Criminal Justice Reform. GET YOUR TICKETS TODAY

[Read More](#)

COVID CDCR and Jail Dashboards

CDCR's Active COVID-19 Cases Surge to 170; Vaccinations for Staff Stagnant at 50%

Our daily run down on the COVID cases in the California Prison System (CDCR)

[Read More](#)

Sacramento Jails' Staff Vaccination Rate At 35%; New COVID-19 Cases at Santa Rita Jail Continue to Emerge

Our daily run down on the COVID cases in selective County Jails

[Read More](#)

Court Watch Coverage

Homicide Investigator, Technician Testify to Details in Carjacking/Murder Trial

Two witnesses took the stand in Alameda County Superior Court Tuesday in the ongoing trial of Damone Haynes, who has been charged with carjacking and committing murder in a 2019 shooting.

[Read More](#)

Public Defender Objects to Late Trial Video Evidence, Suggesting It Was Racist and Offensive

Deputy Public Defender Richard Addison Steele, II, vehemently objected last week here in Santa Barbara County Superior Court to the introduction of a video of his client in custody, arguing that it was

[Read More](#)

Erbert Mayek Jury Trial Ongoing, with Long Testimony of Fire Investigator in Arson Case

San Francisco County Superior Judge Stephen M. Murphy and the jury here heard the long, four-hour testimony Tuesday from a San Francisco fire investigator who witnessed and responded to the victim's home

[Read More](#)

Everyday Injustice - Podcast **see our podcasts**

Everyday Injustice Podcast Episode 123: Voices of Victims of Police Violence

This week on Everyday Injustice featured women across the country whose loved ones were killed by police – whether it be sons, brothers, or partners.

[Read More](#)

Everyday Injustice Podcast Episode 121: Be the Jury – Pilot Would Pay Jurors \$100 a Day to Serve

One of the biggest problems in the criminal legal system is that the notion of being tried by a jury of one's peers has been discarded. A large number of people of color await trial in the system only to face a jury pool that is overly white,

[Read More](#)

Davis Vanguard | 530-400-2512 | [Email](#) | [Website](#)

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Yolo County Court Watch: <https://avanan.url-protection.com/v1/url?o=https%3A/www.facebook.com/groups/yolojudicialwatch/&g=MDdkNjIwNGYyMWEwYjg2NA==&h=N2ZjYmE3Nzc0MzQ0ODAwZjVjMzNhN2ZhMzRmY2UxOWNjMjkyY2YwZjBkZTEwMjc5MGY2NjA0YjBhOTk1OTAwMQ==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmZhNzA0ODE1ZWE0MjJkNTIiY2Y2ZDFiZWxMGZkYzZiOnYx>

Sacramento Court Watch: <https://avanan.url-protection.com/v1/url?o=https%3A/www.facebook.com/Sacramento-Court-Watch-1432660796849531/&g=OTM0MzY3N2M1M2ExZDczNg==&h=NjZhYjQwYTMT5MDIwYTMTYTJkMTIyOTA0Y2EwNWRINDQyNmFjNGE1MzEyMWJkMmFhOWY0ODBiZGEyZWJlODUyOQ==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmZhNzA0ODE1ZWE0MjJkNTIiY2Y2ZDFiZWxMGZkYzZiOnYx>

Twitter: <https://avanan.url-protection.com/v1/url?o=https%3A/twitter.com/DavisVanguard&g=NjAxN2EzYjZjOWYyZGYyMA==&h=ZDkzNjdhYzZjNTM2MjU0ODc3ZmM4ZmZiYjcyZDAwOTJjNmNiYmZiOWZmNzU1ZDE2MjM1NWNkZTViYyY0ZTJiZA==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmZhNzA0ODE1ZWE0MjJkNTIiY2Y2ZDFiZWxMGZkYzZiOnYx>

YouTube: <https://avanan.url-protection.com/v1/url?o=http%3A/www.youtube.com/davisvanguard&g=NGI5MDFkMDQ0MWI5Yzc3NQ==&h=MjYwNDIzNDRjZTJjYjRkNjI2ZjIiNjRmNzFhMTJiZDYxM2ZjMDk5NDNjZDE1OTg5NzgwN2VjMDE0YzA1Y2QxZA==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmZhNzA0ODE1ZWE0MjJkNTIiY2Y2ZDFiZWxMGZkYzZiOnYx>

The People's Vanguard of Davis | P.O. Box 4715, Davis, CA 95617-4715

[Unsubscribe valerie.ibarra@sfgov.org](mailto:unsubscribe.valerie.ibarra@sfgov.org)

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Subject: Re: AB 333 Media Advisory check-in

Date: Wednesday, September 1, 2021 at 4:58:24 PM British Summer Time

From: Celina Chapin

To: Wells, Elizabeth, Laila Aziz

CC: Rodarmel, Danica (PDR), Viviane Marie Henry, Esteban Nunez, Awan, Balkis, Ibarra, Valerie (PDR)

Good morning all!

DA Gascon's staff just called to say that he'll be there at 9:10 and send his apologies.

Thanks!

Celina

Get [Outlook for iOS](#)

From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>

Sent: Tuesday, August 31, 2021 5:11:19 PM

To: Celina Chapin <cchapin@arc-ca.org>; Laila Aziz <laila@potcsd.org>

Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>; Viviane Marie Henry <vhenry@antirecidivism.org>; Esteban Nunez <enunez@antirecidivism.org>; Awan, Balkis <Balkis.Awan@sen.ca.gov>; Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: Re: AB 333 Media Advisory check-in

The Zoom link is the same for everyone because we want it to feel like a call.

Elizabeth

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Celina Chapin <cchapin@arc-ca.org>

Sent: Tuesday, August 31, 2021 4:43:17 PM

To: Laila Aziz; Wells, Elizabeth

Cc: Rodarmel, Danica (PDR); Viviane Marie Henry; Esteban Nunez; Awan, Balkis; Ibarra, Valerie (PDR)

Subject: Re: AB 333 Media Advisory check-in

Hi again,

Elizabeth, Valerie was just wondering if the zoom link for the media was different from the zoom link for participants. If so, can you please send over the participant link?

Thanks!

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From: Celina Chapin <cchapin@arc-ca.org>

Sent: Tuesday, August 31, 2021 3:54:21 PM

To: Laila Aziz <laila@potcsd.org>; Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>

Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>; Viviane Marie Henry

<vhenry@antirecidivism.org>; Esteban Nunez <enunez@antirecidivism.org>; Awan, Balkis
<Balkis.Awan@sen.ca.gov>; Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: AB 333 Media Advisory check-in

Looping in Valerie. Valerie, here is the draft run of show:

<https://docs.google.com/document/d/1Jn85zrySH7tQqIpYYR7esZkgJZZQ4vvsRDT9OzPASil/edit?usp=sharing>

Thanks for those updates, all! Elizabeth, do you have another assemblymember taking the place of RBK or should I just remove that part from the run of show?

Thanks all!

Celina

signature_1895128774



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Celina Chapin
Public Policy Associate
Anti-Recidivism Coalition
cchapin@arc-ca.org |
o: (213) 699-5042
c: (919) 760-0065
Pronouns: She/Her/Hers



From: Laila Aziz <laila@potcsd.org>

Sent: Tuesday, August 31, 2021 3:29 PM

To: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>

Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>; Celina Chapin <cchapin@arc-ca.org>; Viviane Marie Henry <vhenry@antirecidivism.org>; Esteban Nunez <enunez@antirecidivism.org>; Awan, Balkis <Balkis.Awan@sen.ca.gov>

Subject: Re: AB 333 Media Advisory check-in

Will do!

Sent from my iPhone

On Aug 31, 2021, at 3:26 PM, Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov> wrote:

Thank you. Will you be adding times to it?

I agree with Danica's comments about addressing misinformation in Laila's opening remarks. Laila, if you're able to touch on that the purpose of the presser is to address misinformation, think that would be a great way to open up the call. Can you please do it in a way that still provides an opportunity for Sen Kamlager to share additional information in her follow-up response. And then is it also possible to address misinformation in the questions to Yvette and Mano?

Also, (and apologies if this has already been relayed), can you please include in your remarks for reporters information that 1) it's being recorded but won't be publicly distributed 2) there will be a Q&A segment at the end but reporters should feel free to drop question in the chat throughout the program.

Also Assemblymember Bauer-Kahan is not able to attend.

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Sent: Tuesday, August 31, 2021 3:18:48 PM
To: Celina Chapin; Wells, Elizabeth; Viviane Marie Henry
Cc: Esteban Nunez; laila@potcsd.org
Subject: Re: AB 333 Media Advisory check-in

This looks great.

One thought: should Laila include in her opening some real talk about misinformation on the bill and clarify some of what the bill doesn't do?

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Sent: Tuesday, August 31, 2021 3:16:18 PM
To: Celina Chapin <cchapin@arc-ca.org>; Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>; Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Esteban Nunez <enunez@antirecidivism.org>; laila@potcsd.org <laila@potcsd.org>
Subject: Re: AB 333 Media Advisory check-in

Also looping in Laila here.

She and I talked yesterday— and she knows I'm here for more if she needs me!

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Sent: Tuesday, August 31, 2021 3:15:24 PM
To: Celina Chapin <cchapin@arc-ca.org>; Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>; Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Esteban Nunez <enunez@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Our PIO can help with press too if someone can loop her into that convo.

Reviewing run of show now.

From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 3:03:20 PM
To: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>; Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Esteban Nunez <enunez@antirecidivism.org>; Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Subject: Re: AB 333 Media Advisory check-in

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Sorry to miss your call-- I was in a meeting! Here is the draft of the run of show for the presser. Please give it a review. I can reach out to DA Gascon's folks. Danica, can you take a look at this run of show and help prep Laila to MC tomorrow?

<https://docs.google.com/document/d/1Jn85zrySH7tQqIpYYR7esZkgJZZQ4vvsRDT9OzPASil/edit?usp=sharing>

Run of show—Presser for AB 333

Run of show—Presser for AB 333
September 1st, 2021 at 9AM WELCOME
(LAILA) – 5 MINUTES Welcome,
introduction of the bill and the event, and
thank you Participants each give a quick,
30 second introduction of themselves

docs.google.com

Thanks!
Celina



1320 E. 7th Street, Suite 260
Los Angeles, CA 90021
www.arc-ca.org

Celina Chapin
Public Policy Associate
Anti-Recidivism Coalition
cchapin@arc-ca.org |
o: (213) 699-5042
c: (919) 760-0065
Pronouns: She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 2:45 PM
To: Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Celina Chapin <cchapin@arc-ca.org>; Esteban Nunez <enunez@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Hi there, just gave you both a call...I was wondering if your contact in DA Gascon's office could help in recruiting more LA folks?

Also, can your contact with the OC Register or Southern California News Group reach out to folks? Could be interesting to have someone (who's relatively friendly) from OC register get on.

As you can likely tell, I'm getting a little nervous around attendance.

Thanks,
Elizabeth

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Wells, Elizabeth
Sent: Tuesday, August 31, 2021 1:57:03 PM
To: Viviane Marie Henry
Cc: Celina Chapin; Esteban Nunez
Subject: Re: AB 333 Media Advisory check-in

Thanks. Can you also please include the name of the impacted individual (i think his name is Alex) in the spreadsheet?

Also, sorry to nag, but do you have a ROS yet? Even just a draft something so I can put it in front of the Senator and update it later today.

Elizabeth

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | *cell:* (661) 917-5169

From: Viviane Marie Henry <vhenry@antirecidivism.org>
Sent: Tuesday, August 31, 2021 1:39:49 PM
To: Wells, Elizabeth
Cc: Celina Chapin; Esteban Nunez
Subject: Re: AB 333 Media Advisory check-in

None yet. Will update the doc if I do!

[<image001\[44\].png>](#)

1320 E. 7th Street, Suite 260
Los Angeles, CA 90021
www.arc-ca.org

Viviane Henry
Communications Associate
Anti-Recidivism Coalition (ARC)
vhenry@antirecidivism.org | 213 588 1720
Pronouns: she/her/hers

[<image002.png>](#)

From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Date: Tuesday, August 31, 2021 at 1:16 PM
To: Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Celina Chapin <cchapin@arc-ca.org>, Esteban Nunez <enunez@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Oh right, I'd forgotten about that.

Erika from LAT just confirmed FYI. Do you have any confirmations yet?

Elizabeth A. Wells, Communications Director
Cell: [\(661\) 917-5169](tel:6619175169)
Office of Senator Sydney Kamlager, 30th District

On Aug 31, 2021, at 1:08 PM, Viviane Marie Henry <vhenry@antirecidivism.org> wrote:

Elizabeth,

The Appeal isn't in operation at the moment, to the best of my knowledge. I think they're in the process of getting back up and running but pretty sure they aren't at the moment.

<[image001\[96\].png](#)>

1320 E. 7th Street, Suite 260
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www.arc-ca.org

Viviane Henry
Communications Associate
Anti-Recidivism Coalition (ARC)
vhenry@antirecidivism.org | 213 588 1720
Pronouns: she/her/hers

<[image002.png](#)>

From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Date: Tuesday, August 31, 2021 at 12:48 PM
To: Celina Chapin <cchapin@arc-ca.org>
Cc: Viviane Marie Henry <vhenry@antirecidivism.org>, Esteban Nunez <enunez@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Yes! I will update in the doc--but here's what I have right now. Will do individual reach outs to Emily Galvin-Almanza (she did a piece about 333 in June), Jeremy White, and Erika from LAT. If folks have connections at the Appeal, think that would be great to reach out to.

- Don Thompson, Kellyane Ronayne, AP
- Erika Smith, Anita Chabria, LA Times
- The Appeal--*do you have specific connections here?*
- Jeremy White, Politico
- Few folks at LA Sentinel
- David Greenwald, Davis Vanguard
- Eli Mcahan, he's an investigative journalist interested in doing a bigger piece around the bill
- Emily Galvin-Almanza, Partners for justice

<image003.png>

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 10:55 AM
To: Wells, Elizabeth
Cc: Viviane Marie Henry; Esteban Nunez
Subject: Re: AB 333 Media Advisory check-in

Great! Does your office has any media connections that you'll be reaching out to as well?

signature_1895128774



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Celina Chapin
Public Policy Associate
Anti-Recidivism Coalition
cchapin@arc-ca.org |
o: (213) 699-5042
c: (919) 760-0065
Pronouns: She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 9:53 AM
To: Celina Chapin <cchapin@arc-ca.org>
Cc: Viviane Marie Henry <vhenny@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Great, thank you. I'm working on the Senator's materials right now, so if you're able to share a draft that has all the speakers and the Senators question, that would be helpful.

Thank you!
Elizabeth

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 9:06:18 AM
To: Wells, Elizabeth
Cc: Viviane Marie Henry
Subject: Re: AB 333 Media Advisory check-in

Perfect! Thanks. Hoping to have the ROS done by later this morning.

Celina

signature_1895128774



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o: (213) 699-5042
c: (919) 760-0065
Pronouns: She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 9:04 AM
To: Celina Chapin <cchapin@arc-ca.org>
Cc: Viviane Marie Henry <vhenny@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

I think just sending it with the login makes sense. There will be a waiting room so we can vet people. Vic, do you think you could join early and help in letting in folks?

Yes can start to fill in the spread sheet. Can you also add the speaker names and coalition folks who plan to join to that list?

Also do you know when you'll have the ROS with the questions ready?

Here's the Zoom info:

Please don't post it anywhere publicly.

You are invited to a scheduled Zoom meeting.

Topic: Senator Kamlager AB333 Press Conference

Time: Sep 1, 2021 09:00 AM Pacific Time (US and Canada)

Join Zoom Meeting

[https://avanan.url-protection.com/v1/url?
o=https%3A//casen.zoom.us/j/81722340779%3Fpwd%3DODNkSW5jSTAzZEI0NmZt
Snh6T051UT09&g=ZTc2MDgxY2UxNDhjODIxZg==&h=NzhmOTZmMDQ0ZjNINzY5Yj
cyYTcyM2M4MjJmYTRiZmVlNjk5ZDU2YjgwYWl0YzE3OGlxYTQ3ZDU3NWM4YjU1Yg=
=&p=YXAzOnNmZHQyOmF2YW5hbGpvOmNkYWZmZDUzOTMwNDAxMzUzZTU5M
WNmN2E3MWQ0Nzc2OnYx](https://avanan.url-protection.com/v1/url?o=https%3A//casen.zoom.us/j/81722340779%3Fpwd%3DODNkSW5jSTAzZEI0NmZtSnh6T051UT09&g=ZTc2MDgxY2UxNDhjODIxZg==&h=NzhmOTZmMDQ0ZjNINzY5YjcyYTcyM2M4MjJmYTRiZmVlNjk5ZDU2YjgwYWl0YzE3OGlxYTQ3ZDU3NWM4YjU1Yg==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmNkYWZmZDUzOTMwNDAxMzUzZTU5MWNmN2E3MWQ0Nzc2OnYx)

Meeting ID: 817 2234 0779

Passcode: 150454

One tap mobile

[+16699006833,,81722340779#,,,,*150454#](tel:+16699006833,,81722340779#,,,,*150454#) US (San Jose)

[+13462487799,,81722340779#,,,,*150454#](tel:+13462487799,,81722340779#,,,,*150454#) US (Houston)

Thank you!!

Elizabeth A. Wells, Communications Director

Cell: [\(661\) 917-5169](tel:(661)917-5169)

Office of Senator Sydney Kamlager, 30th District

On Aug 31, 2021, at 8:44 AM, Celina Chapin <cchapin@arc-ca.org> wrote:

Okay, great. I am downloading it into a pdf right now, and wondering if we should just include a zoom link afterall to make things easier? Or keep the RSVP system? Or set up some Zoom registration? Thoughts?

Celina

signature_1895128774



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Pronouns: She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 8:32 AM
To: Celina Chapin <cchapin@arc-ca.org>
Cc: Viviane Marie Henry <vhenry@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Oh I see what you mean. I think that's fine. Is the advisory in a final form? Thank you!

Elizabeth A. Wells, Communications Director
Cell: [\(661\) 917-5169](tel:6619175169)
Office of Senator Sydney Kamlager, 30th District

On Aug 30, 2021, at 6:03 PM, Celina Chapin
<cchapin@arc-ca.org> wrote:

Hi Elizabeth!

I was under the impression that folks would be reaching out to their own contacts and then populating this blank spreadsheet with everyone they reached out to, so I don't have a list to send to you. Would you rather us put together a list and have your office to do the outreach?

https://docs.google.com/spreadsheets/d/1A7N3xyjJHrp5QC1Lr6ZXMg2grTuhVlwO--NJfL_yWrM/edit?usp=sharing

[Media list
for Ab 333
Presser](#)

Sheet1 Media
outlet ,Media
Contact, Team-
member
making the ask
,Will they

docs.google.com

Celina

signature_1895128774



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c: (919) 760-0065

Pronouns:

She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>

Sent: Monday, August 30, 2021 5:53 PM

To: Celina Chapin <cchapin@arc-ca.org>; Viviane Marie
Henry <vhenry@antirecidivism.org>

Subject: AB 333 Media Advisory check-in

Hi there,

Thanks for firming up that advisory! Just wanted to check-in to see if there was a press list you're able to share and what I can do to help finalize the advisory. Are we still thinking of sending it out first thing tomorrow, maybe again in the afternoon, and at 8:00 AM on Wednesday? I feel like if we can get 10 reporters to join on Wednesday, that would be amazing.

Thanks!
Elizabeth

<OutlookEmoji-california state
senate seal2ba21ea-22d6-4189-
9343-35a1933e89f5.png>

Elizabeth A.
Wells,
Communications
Director
Office of Senator
Sydney
Kamlager |
30th District
phone: (916)
651- 4571
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5169

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Subject: Re: AB 333 Media Advisory check-in

Date: Wednesday, September 1, 2021 at 2:28:56 AM British Summer Time

From: Ibarra, Valerie (PDR)

To: Wells, Elizabeth

Thank you, Elizabeth. We're looking forward to it. Mano and I will both be logging on at 8:50am.

Valerie

From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>

Sent: Tuesday, August 31, 2021 5:11 PM

To: Celina Chapin <cchapin@arc-ca.org>; Laila Aziz <laila@potcsd.org>

Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>; Viviane Marie Henry <vhenry@antirecidivism.org>; Esteban Nunez <enunez@antirecidivism.org>; Awan, Balkis <Balkis.Awan@sen.ca.gov>; Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: Re: AB 333 Media Advisory check-in

The Zoom link is the same for everyone because we want it to feel like a call.

Elizabeth

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Celina Chapin <cchapin@arc-ca.org>

Sent: Tuesday, August 31, 2021 4:43:17 PM

To: Laila Aziz; Wells, Elizabeth

Cc: Rodarmel, Danica (PDR); Viviane Marie Henry; Esteban Nunez; Awan, Balkis; Ibarra, Valerie (PDR)

Subject: Re: AB 333 Media Advisory check-in

Hi again,

Elizabeth, Valerie was just wondering if the zoom link for the media was different from the zoom link for participants. If so, can you please send over the participant link?

Thanks!

Get [Outlook for iOS](#)

From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 3:54:21 PM
To: Laila Aziz <laila@potcsd.org>; Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>; Viviane Marie Henry <vhenry@antirecidivism.org>; Esteban Nunez <enunez@antirecidivism.org>; Awan, Balkis <Balkis.Awan@sen.ca.gov>; Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: AB 333 Media Advisory check-in

Looping in Valerie. Valerie, here is the draft run of show:

<https://docs.google.com/document/d/1Jn85zrySH7tQqIpYYR7esZkgJZZQ4vvsRDT9OzPASil/edit?usp=sharing>

Thanks for those updates, all! Elizabeth, do you have another assemblymember taking the place of RBK or should I just remove that part from the run of show?

Thanks all!
Celina

signature_1895128774



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o: (213) 699-5042
c: (919) 760-0065
Pronouns: She/Her/Hers



From: Laila Aziz <laila@potcsd.org>
Sent: Tuesday, August 31, 2021 3:29 PM
To: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>; Celina Chapin <cchapin@arc-ca.org>; Viviane Marie Henry <vhenry@antirecidivism.org>; Esteban Nunez <enunez@antirecidivism.org>; Awan, Balkis <Balkis.Awan@sen.ca.gov>
Subject: Re: AB 333 Media Advisory check-in

Will do!

Sent from my iPhone

On Aug 31, 2021, at 3:26 PM, Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov> wrote:

Thank you. Will you be adding times to it?

I agree with Danica's comments about addressing misinformation in Laila's opening remarks. Laila, if you're able to touch on that the purpose of the presser is to address misinformation, think that would be a great way to open up the call. Can you please do it in a way that still provides an opportunity for Sen Kamlager to share additional information in her follow-up response. And then is it also possible to address misinformation in the questions to Yvette and Mano?

Also, (and apologies if this has already been relayed), can you please include in your remarks for reporters information that 1) it's being recorded but won't be publicly distributed 2) there will be a Q&A segment at the end but reporters should feel free to drop question in the chat throughout the program.

Also Assemblymember Bauer-Kahan is not able to attend.

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Sent: Tuesday, August 31, 2021 3:18:48 PM
To: Celina Chapin; Wells, Elizabeth; Viviane Marie Henry
Cc: Esteban Nunez; laila@potcsd.org
Subject: Re: AB 333 Media Advisory check-in

This looks great.

One thought: should Laila include in her opening some real talk about misinformation on the bill and clarify some of what the bill doesn't do?

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Sent: Tuesday, August 31, 2021 3:16:18 PM
To: Celina Chapin <cchapin@arc-ca.org>; Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>; Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Esteban Nunez <enunez@antirecidivism.org>; laila@potcsd.org <laila@potcsd.org>
Subject: Re: AB 333 Media Advisory check-in

Also looping in Laila here.

She and I talked yesterday— and she knows I'm here for more if she needs me!

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Sent: Tuesday, August 31, 2021 3:15:24 PM
To: Celina Chapin <cchapin@arc-ca.org>; Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>; Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Esteban Nunez <enunez@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Our PIO can help with press too if someone can loop her into that convo.

Reviewing run of show now.

From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 3:03:20 PM
To: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>; Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Esteban Nunez <enunez@antirecidivism.org>; Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Subject: Re: AB 333 Media Advisory check-in

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Sorry to miss your call-- I was in a meeting! Here is the draft of the run of show for the presser. Please give it a review. I can reach out to DA Gascon's folks. Danica, can you take a look at this run of show and help prep Laila to MC tomorrow?

<https://docs.google.com/document/d/1Jn85zrySH7tQqIpYYR7esZkgJZZQ4vvsRDT9OzPASil/edit?usp=sharing>

Run of show—Presser for AB 333

Run of show—Presser for AB 333
September 1st, 2021 at 9AM WELCOME
(LAILA) – 5 MINUTES Welcome,
introduction of the bill and the event, and
thank you Participants each give a quick,
30 second introduction of themselves

docs.google.com

Thanks!
Celina



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o: (213) 699-5042
c: (919) 760-0065
Pronouns: She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 2:45 PM
To: Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Celina Chapin <cchapin@arc-ca.org>; Esteban Nunez <enunez@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Hi there, just gave you both a call...I was wondering if your contact in DA Gascon's office could help in recruiting more LA folks?

Also, can your contact with the OC Register or Southern California News Group reach out to folks? Could be interesting to have someone (who's relatively friendly) from OC register get on.

As you can likely tell, I'm getting a little nervous around attendance.

Thanks,
Elizabeth

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Wells, Elizabeth
Sent: Tuesday, August 31, 2021 1:57:03 PM
To: Viviane Marie Henry
Cc: Celina Chapin; Esteban Nunez
Subject: Re: AB 333 Media Advisory check-in

Thanks. Can you also please include the name of the impacted individual (i think his name is Alex) in the spreadsheet?

Also, sorry to nag, but do you have a ROS yet? Even just a draft something so I can put it in front of the Senator and update it later today.

Elizabeth

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Viviane Marie Henry <vhenry@antirecidivism.org>
Sent: Tuesday, August 31, 2021 1:39:49 PM
To: Wells, Elizabeth
Cc: Celina Chapin; Esteban Nunez
Subject: Re: AB 333 Media Advisory check-in

None yet. Will update the doc if I do!

[<image001\[44\].png>](#)

1320 E. 7th Street, Suite 260
Los Angeles, CA 90021
www.arc-ca.org

Viviane Henry
Communications Associate
Anti-Recidivism Coalition (ARC)
vhenry@antirecidivism.org | 213 588 1720
Pronouns: she/her/hers

[<image002.png>](#)

From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Date: Tuesday, August 31, 2021 at 1:16 PM
To: Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Celina Chapin <cchapin@arc-ca.org>, Esteban Nunez <enunez@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Oh right, I'd forgotten about that.

Erika from LAT just confirmed FYI. Do you have any confirmations yet?

Elizabeth A. Wells, Communications Director
Cell: [\(661\) 917-5169](tel:6619175169)
Office of Senator Sydney Kamlager, 30th District

On Aug 31, 2021, at 1:08 PM, Viviane Marie Henry <vhenry@antirecidivism.org> wrote:

Elizabeth,

The Appeal isn't in operation at the moment, to the best of my knowledge. I think they're in the process of getting back up and running but pretty sure they aren't at the moment.

<[image001\[96\].png](#)>

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Viviane Henry
Communications Associate
Anti-Recidivism Coalition (ARC)
vhenry@antirecidivism.org | 213 588 1720
Pronouns: she/her/hers

<[image002.png](#)>

From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Date: Tuesday, August 31, 2021 at 12:48 PM
To: Celina Chapin <cchapin@arc-ca.org>
Cc: Viviane Marie Henry <vhenry@antirecidivism.org>, Esteban Nunez <enunez@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Yes! I will update in the doc--but here's what I have right now. Will do individual reach outs to Emily Galvin-Almanza (she did a piece about 333 in June), Jeremy White, and Erika from LAT. If folks have connections at the Appeal, think that would be great to reach out to.

- Don Thompson, Kellyane Ronayne, AP
- Erika Smith, Anita Chabria, LA Times
- The Appeal--*do you have specific connections here?*
- Jeremy White, Politico
- Few folks at LA Sentinel
- David Greenwald, Davis Vanguard
- Eli Mcahan, he's an investigative journalist interested in doing a bigger piece around the bill
- Emily Galvin-Almanza, Partners for justice

<image003.png>

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 10:55 AM
To: Wells, Elizabeth
Cc: Viviane Marie Henry; Esteban Nunez
Subject: Re: AB 333 Media Advisory check-in

Great! Does your office has any media connections that you'll be reaching out to as well?

signature_1895128774



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Celina Chapin
Public Policy Associate
Anti-Recidivism Coalition
cchapin@arc-ca.org |
o: (213) 699-5042
c: (919) 760-0065
Pronouns: She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 9:53 AM
To: Celina Chapin <cchapin@arc-ca.org>
Cc: Viviane Marie Henry <vhenny@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Great, thank you. I'm working on the Senator's materials right now, so if you're able to share a draft that has all the speakers and the Senators question, that would be helpful.

Thank you!
Elizabeth

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 9:06:18 AM
To: Wells, Elizabeth
Cc: Viviane Marie Henry
Subject: Re: AB 333 Media Advisory check-in

Perfect! Thanks. Hoping to have the ROS done by later this morning.

Celina

signature_1895128774



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cchapin@arc-ca.org |
o: (213) 699-5042
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Pronouns: She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 9:04 AM
To: Celina Chapin <cchapin@arc-ca.org>
Cc: Viviane Marie Henry <vhenry@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

I think just sending it with the login makes sense. There will be a waiting room so we can vet people. Vic, do you think you could join early and help in letting in folks?

Yes can start to fill in the spread sheet. Can you also add the speaker names and coalition folks who plan to join to that list?

Also do you know when you'll have the ROS with the questions ready?

Here's the Zoom info:

Please don't post it anywhere publicly.

You are invited to a scheduled Zoom meeting.

Topic: Senator Kamlager AB333 Press Conference

Time: Sep 1, 2021 09:00 AM Pacific Time (US and Canada)

Join Zoom Meeting

[https://avanan.url-protection.com/v1/url?
o=https%3A//casen.zoom.us/j/81722340779%3Fpwd%3DODNkSW5jSTAzZEI0NmZt
Snh6T051UT09&g=ZTc2MDgxY2UxNDhjODIxZg==&h=NzhmOTZmMDQ0ZjNINzY5Yj
cyYTcyM2M4MjJmYTRiZmVlNjk5ZDU2YjgwYWl0YzE3OGlxYTQ3ZDU3NWM4YjU1Yg=
=&p=YXAzOnNmZHQyOmF2YW5hbGpvOmNkYWZmZDUzOTMwNDAxMzUzZTU5M
WNmN2E3MWQ0Nzc2OnYx](https://avanan.url-protection.com/v1/url?o=https%3A//casen.zoom.us/j/81722340779%3Fpwd%3DODNkSW5jSTAzZEI0NmZtSnh6T051UT09&g=ZTc2MDgxY2UxNDhjODIxZg==&h=NzhmOTZmMDQ0ZjNINzY5YjcyYTcyM2M4MjJmYTRiZmVlNjk5ZDU2YjgwYWl0YzE3OGlxYTQ3ZDU3NWM4YjU1Yg==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmNkYWZmZDUzOTMwNDAxMzUzZTU5MWNmN2E3MWQ0Nzc2OnYx)

Meeting ID: 817 2234 0779

Passcode: 150454

One tap mobile

[+16699006833,,81722340779#,,,,*150454#](tel:+16699006833,,81722340779#,,,,*150454#) US (San Jose)

[+13462487799,,81722340779#,,,,*150454#](tel:+13462487799,,81722340779#,,,,*150454#) US (Houston)

Thank you!!

Elizabeth A. Wells, Communications Director

Cell: [\(661\) 917-5169](tel:(661)917-5169)

Office of Senator Sydney Kamlager, 30th District

On Aug 31, 2021, at 8:44 AM, Celina Chapin <cchapin@arc-ca.org> wrote:

Okay, great. I am downloading it into a pdf right now, and wondering if we should just include a zoom link afterall to make things easier? Or keep the RSVP system? Or set up some Zoom registration? Thoughts?

Celina

signature_1895128774



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Anti-Recidivism Coalition
cchapin@arc-ca.org |
o: (213) 699-5042
c: (919) 760-0065
Pronouns: She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 8:32 AM
To: Celina Chapin <cchapin@arc-ca.org>
Cc: Viviane Marie Henry <vhenry@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Oh I see what you mean. I think that's fine. Is the advisory in a final form? Thank you!

Elizabeth A. Wells, Communications Director
Cell: [\(661\) 917-5169](tel:6619175169)
Office of Senator Sydney Kamlager, 30th District

On Aug 30, 2021, at 6:03 PM, Celina Chapin
<cchapin@arc-ca.org> wrote:

Hi Elizabeth!

I was under the impression that folks would be reaching out to their own contacts and then populating this blank spreadsheet with everyone they reached out to, so I don't have a list to send to you. Would you rather us put together a list and have your office to do the outreach?

https://docs.google.com/spreadsheets/d/1A7N3xyjJHrp5QC1Lr6ZXMg2grTuhVlwO--NJfL_yWrM/edit?usp=sharing

[Media list
for Ab 333
Presser](#)

Sheet1 Media
outlet ,Media
Contact, Team-
member
making the ask
,Will they

docs.google.com

Celina

signature_1895128774



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Celina Chapin
Public Policy
Associate

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o: (213) 699-5042

c: (919) 760-0065

Pronouns:

She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>

Sent: Monday, August 30, 2021 5:53 PM

To: Celina Chapin <cchapin@arc-ca.org>; Viviane Marie
Henry <vhenry@antirecidivism.org>

Subject: AB 333 Media Advisory check-in

Hi there,

Thanks for firming up that advisory! Just wanted to check-in to see if there was a press list you're able to share and what I can do to help finalize the advisory. Are we still thinking of sending it out first thing tomorrow, maybe again in the afternoon, and at 8:00 AM on Wednesday? I feel like if we can get 10 reporters to join on Wednesday, that would be amazing.

Thanks!
Elizabeth

<OutlookEmoji-california state
senate seal2ba21ea-22d6-4189-
9343-35a1933e89f5.png>

Elizabeth A.
Wells,
Communications
Director
Office of Senator
Sydney
Kamlager |
30th District
phone: (916)
651- 4571
| cell: (661) 917-
5169

This email and any files transmitted with it are intended solely for the use of the individual or entity to whom they are addressed and may contain confidential and/or privileged information from The Anti-Recidivism Coalition. If the reader of this email is not the intended recipient or the employee responsible for delivering the message to the intended recipient, you are hereby notified that any use, dissemination, forwarding, printing or copying of this email is strictly prohibited. If you have received this email in error, please email us at admin@antirecidivism.org or call 213-955-5885.

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intended recipient, you are hereby notified that any use, dissemination, forwarding, printing or copying of this email is strictly prohibited. If you have received this email in error, please email us at admin@antirecidivism.org or call 213-955-5885.

Subject: Re: AB 333 Media Advisory check-in

Date: Wednesday, September 1, 2021 at 1:11:19 AM British Summer Time

From: Wells, Elizabeth

To: Celina Chapin, Laila Aziz

CC: Rodarmel, Danica (PDR), Viviane Marie Henry, Esteban Nunez, Awan, Balkis, Ibarra, Valerie (PDR)

The Zoom link is the same for everyone because we want it to feel like a call.

Elizabeth

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Celina Chapin <cchapin@arc-ca.org>

Sent: Tuesday, August 31, 2021 4:43:17 PM

To: Laila Aziz; Wells, Elizabeth

Cc: Rodarmel, Danica (PDR); Viviane Marie Henry; Esteban Nunez; Awan, Balkis; Ibarra, Valerie (PDR)

Subject: Re: AB 333 Media Advisory check-in

Hi again,

Elizabeth, Valerie was just wondering if the zoom link for the media was different from the zoom link for participants. If so, can you please send over the participant link?

Thanks!

Get [Outlook for iOS](#)

From: Celina Chapin <cchapin@arc-ca.org>

Sent: Tuesday, August 31, 2021 3:54:21 PM

To: Laila Aziz <laila@potcsd.org>; Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>

Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>; Viviane Marie Henry <vhenry@antirecidivism.org>; Esteban Nunez <enunez@antirecidivism.org>; Awan, Balkis <Balkis.Awan@sen.ca.gov>; Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: Re: AB 333 Media Advisory check-in

Looping in Valerie. Valerie, here is the draft run of show:

<https://docs.google.com/document/d/1Jn85zrySH7tQqIpYYR7esZkgJZZQ4vvsRDT9OzPASil/edit?>

[usp=sharing](#)

Thanks for those updates, all! Elizabeth, do you have another assemblymember taking the place of RBK or should I just remove that part from the run of show?

Thanks all!
Celina

signature_1895128774



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Public Policy Associate
Anti-Recidivism Coalition
cchapin@arc-ca.org |
o: (213) 699-5042
c: (919) 760-0065
Pronouns: She/Her/Hers



From: Laila Aziz <laila@potcsd.org>
Sent: Tuesday, August 31, 2021 3:29 PM
To: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>; Celina Chapin <cchapin@arc-ca.org>; Viviane Marie Henry <vhenry@antirecidivism.org>; Esteban Nunez <enunez@antirecidivism.org>; Awan, Balkis <Balkis.Awan@sen.ca.gov>
Subject: Re: AB 333 Media Advisory check-in

Will do!

Sent from my iPhone

On Aug 31, 2021, at 3:26 PM, Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov> wrote:

Thank you. Will you be adding times to it?

I agree with Danica's comments about addressing misinformation in Laila's opening remarks. Laila, if you're able to touch on that the purpose of the presser is to address misinformation, think

that would be a great way to open up the call. Can you please do it in a way that still provides an opportunity for Sen Kamlager to share additional information in her follow-up response. And then is it also possible to address misinformation in the questions to Yvette and Mano?

Also, (and apologies if this has already been relayed), can you please include in your remarks for reporters information that 1) it's being recorded but won't be publicly distributed 2) there will be a Q&A segment at the end but reporters should feel free to drop question in the chat throughout the program.

Also Assemblymember Bauer-Kahan is not able to attend.

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Sent: Tuesday, August 31, 2021 3:18:48 PM
To: Celina Chapin; Wells, Elizabeth; Viviane Marie Henry
Cc: Esteban Nunez; laila@potcsd.org
Subject: Re: AB 333 Media Advisory check-in

This looks great.

One thought: should Laila include in her opening some real talk about misinformation on the bill and clarify some of what the bill doesn't do?

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Sent: Tuesday, August 31, 2021 3:16:18 PM
To: Celina Chapin <cchapin@arc-ca.org>; Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>; Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Esteban Nunez <enunez@antirecidivism.org>; laila@potcsd.org <laila@potcsd.org>
Subject: Re: AB 333 Media Advisory check-in

Also looping in Laila here.

She and I talked yesterday— and she knows I'm here for more if she needs me!

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Sent: Tuesday, August 31, 2021 3:15:24 PM
To: Celina Chapin <cchapin@arc-ca.org>; Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>; Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Esteban Nunez <enunez@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Our PIO can help with press too if someone can loop her into that convo.

Reviewing run of show now.

From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 3:03:20 PM
To: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>; Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Esteban Nunez <enunez@antirecidivism.org>; Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Subject: Re: AB 333 Media Advisory check-in

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Sorry to miss your call-- I was in a meeting! Here is the draft of the run of show for the presser. Please give it a review. I can reach out to DA Gascon's folks. Danica, can you take a look at this run of show and help prep Laila to MC tomorrow?

<https://docs.google.com/document/d/1Jn85zrySH7tQqIpYYR7esZkgJZZQ4vvsRDT9OzPASil/edit?usp=sharing>

Run of show—Presser for AB 333

Run of show—Presser for AB 333
September 1st, 2021 at 9AM WELCOME
(LAILA) – 5 MINUTES Welcome,
introduction of the bill and the event, and
thank you Participants each give a quick,
30 second introduction of themselves

docs.google.com

Thanks!
Celina



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From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 2:45 PM
To: Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Celina Chapin <cchapin@arc-ca.org>; Esteban Nunez <enunez@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Hi there, just gave you both a call...I was wondering if your contact in DA Gascon's office could help in recruiting more LA folks?

Also, can your contact with the OC Register or Southern California News Group reach out to folks? Could be interesting to have someone (who's relatively friendly) from OC register get on.

As you can likely tell, I'm getting a little nervous around attendance.

Thanks,
Elizabeth

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Wells, Elizabeth
Sent: Tuesday, August 31, 2021 1:57:03 PM
To: Viviane Marie Henry
Cc: Celina Chapin; Esteban Nunez
Subject: Re: AB 333 Media Advisory check-in

Thanks. Can you also please include the name of the impacted individual (i think his name is Alex) in the spreadsheet?

Also, sorry to nag, but do you have a ROS yet? Even just a draft something so I can put it in front of the Senator and update it later today.

Elizabeth

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Viviane Marie Henry <vhenry@antirecidivism.org>
Sent: Tuesday, August 31, 2021 1:39:49 PM
To: Wells, Elizabeth
Cc: Celina Chapin; Esteban Nunez
Subject: Re: AB 333 Media Advisory check-in

None yet. Will update the doc if I do!

[<image001\[44\].png>](#)

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Los Angeles, CA 90021
www.arc-ca.org

Viviane Henry
Communications Associate
Anti-Recidivism Coalition (ARC)
vhenry@antirecidivism.org | 213 588 1720
Pronouns: she/her/hers

[<image002.png>](#)

From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Date: Tuesday, August 31, 2021 at 1:16 PM
To: Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Celina Chapin <cchapin@arc-ca.org>, Esteban Nunez <enunez@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Oh right, I'd forgotten about that.

Erika from LAT just confirmed FYI. Do you have any confirmations yet?

Elizabeth A. Wells, Communications Director
Cell: [\(661\) 917-5169](tel:6619175169)
Office of Senator Sydney Kamlager, 30th District

On Aug 31, 2021, at 1:08 PM, Viviane Marie Henry <vhenry@antirecidivism.org> wrote:

Elizabeth,

The Appeal isn't in operation at the moment, to the best of my knowledge. I think they're in the process of getting back up and running but pretty sure they aren't at the moment.

<[image001\[96\].png](#)>

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Communications Associate
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vhenry@antirecidivism.org | 213 588 1720
Pronouns: she/her/hers

<[image002.png](#)>

From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Date: Tuesday, August 31, 2021 at 12:48 PM
To: Celina Chapin <cchapin@arc-ca.org>
Cc: Viviane Marie Henry <vhenry@antirecidivism.org>, Esteban Nunez <enunez@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Yes! I will update in the doc--but here's what I have right now. Will do individual reach outs to Emily Galvin-Almanza (she did a piece about 333 in June), Jeremy White, and Erika from LAT. If folks have connections at the Appeal, think that would be great to reach out to.

- Don Thompson, Kellyane Ronayne, AP
- Erika Smith, Anita Chabria, LA Times
- The Appeal--*do you have specific connections here?*
- Jeremy White, Politico
- Few folks at LA Sentinel
- David Greenwald, Davis Vanguard
- Eli Mcahan, he's an investigative journalist interested in doing a bigger piece around the bill
- Emily Galvin-Almanza, Partners for justice

<image003.png>

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 10:55 AM
To: Wells, Elizabeth
Cc: Viviane Marie Henry; Esteban Nunez
Subject: Re: AB 333 Media Advisory check-in

Great! Does your office has any media connections that you'll be reaching out to as well?

signature_1895128774



1320 E. 7th Street, Suite 260
Los Angeles, CA 90021
www.arc-ca.org

Celina Chapin
Public Policy Associate
Anti-Recidivism Coalition
cchapin@arc-ca.org |
o: (213) 699-5042
c: (919) 760-0065
Pronouns: She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 9:53 AM
To: Celina Chapin <cchapin@arc-ca.org>
Cc: Viviane Marie Henry <vhenny@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Great, thank you. I'm working on the Senator's materials right now, so if you're able to share a draft that has all the speakers and the Senators question, that would be helpful.

Thank you!
Elizabeth

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 9:06:18 AM
To: Wells, Elizabeth
Cc: Viviane Marie Henry
Subject: Re: AB 333 Media Advisory check-in

Perfect! Thanks. Hoping to have the ROS done by later this morning.

Celina

signature_1895128774



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Sent: Tuesday, August 31, 2021 9:04 AM
To: Celina Chapin <cchapin@arc-ca.org>
Cc: Viviane Marie Henry <vhenny@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

I think just sending it with the login makes sense. There will be a waiting room so we can vet people. Vic, do you think you could join early and help in letting in folks?

Yes can start to fill in the spread sheet. Can you also add the speaker names and coalition folks who plan to join to that list?

Also do you know when you'll have the ROS with the questions ready?

Here's the Zoom info:

Please don't post it anywhere publicly.

You are invited to a scheduled Zoom meeting.

Topic: Senator Kamlager AB333 Press Conference

Time: Sep 1, 2021 09:00 AM Pacific Time (US and Canada)

Join Zoom Meeting

[https://avanan.url-protection.com/v1/url?
o=https%3A//casen.zoom.us/j/81722340779%3Fpwd%3DODNkSW5jSTAzZEI0NmZt
Snh6T051UT09&g=ZTc2MDgxY2UxNDhjODIxZg==&h=NzhmOTZmMDQ0ZjNINzY5Yj
cyYTcyM2M4MjMjYTRiZmVlNjk5ZDU2YjgwYWl0YzE3OGlxYTQ3ZDU3NWM4YjU1Yg=
=&p=YXAzOnNmZHQyOmF2YW5hbGpvOmNkYWZmZDUzOTMwNDAxMzUzZTU5M
WNmN2E3MWQ0Nzc2OnYx](https://avanan.url-protection.com/v1/url?o=https%3A//casen.zoom.us/j/81722340779%3Fpwd%3DODNkSW5jSTAzZEI0NmZtSnh6T051UT09&g=ZTc2MDgxY2UxNDhjODIxZg==&h=NzhmOTZmMDQ0ZjNINzY5YjcyYTcyM2M4MjMjYTRiZmVlNjk5ZDU2YjgwYWl0YzE3OGlxYTQ3ZDU3NWM4YjU1Yg==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmNkYWZmZDUzOTMwNDAxMzUzZTU5MWNmN2E3MWQ0Nzc2OnYx)

Meeting ID: 817 2234 0779

Passcode: 150454

One tap mobile

[+16699006833,,81722340779#,,,,*150454#](tel:+16699006833,,81722340779#,,,,*150454#) US (San Jose)

[+13462487799,,81722340779#,,,,*150454#](tel:+13462487799,,81722340779#,,,,*150454#) US (Houston)

Thank you!!

Elizabeth A. Wells, Communications Director

Cell: [\(661\) 917-5169](tel:(661)917-5169)

Office of Senator Sydney Kamlager, 30th District

On Aug 31, 2021, at 8:44 AM, Celina Chapin <cchapin@arc-ca.org> wrote:

Okay, great. I am downloading it into a pdf right now, and wondering if we should just include a zoom link afterall to make things easier? Or keep the RSVP system? Or set up some Zoom registration? Thoughts?

Celina

signature_1895128774



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Pronouns: She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 8:32 AM
To: Celina Chapin <cchapin@arc-ca.org>
Cc: Viviane Marie Henry <vhenry@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Oh I see what you mean. I think that's fine. Is the advisory in a final form? Thank you!

Elizabeth A. Wells, Communications Director
Cell: [\(661\) 917-5169](tel:6619175169)
Office of Senator Sydney Kamlager, 30th District

On Aug 30, 2021, at 6:03 PM, Celina Chapin
<cchapin@arc-ca.org> wrote:

Hi Elizabeth!

I was under the impression that folks would be reaching out to their own contacts and then populating this blank spreadsheet with everyone they reached out to, so I don't have a list to send to you. Would you rather us put together a list and have your office to do the outreach?

https://docs.google.com/spreadsheets/d/1A7N3xyjJHrp5QC1Lr6ZXMg2grTuhVlwO--NJfL_yWrM/edit?usp=sharing

[Media list
for Ab 333
Presser](#)

Sheet1 Media
outlet ,Media
Contact, Team-
member
making the ask
,Will they

docs.google.com

Celina

signature_1895128774



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Pronouns:
She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Monday, August 30, 2021 5:53 PM
To: Celina Chapin <cchapin@arc-ca.org>; Viviane Marie
Henry <vhenry@antirecidivism.org>
Subject: AB 333 Media Advisory check-in

Hi there,

Thanks for firming up that advisory! Just wanted to check-in to see if there was a press list you're able to share and what I can do to help finalize the advisory. Are we still thinking of sending it out first thing tomorrow, maybe again in the afternoon, and at 8:00 AM on Wednesday? I feel like if we can get 10 reporters to join on Wednesday, that would be amazing.

Thanks!
Elizabeth

<OutlookEmoji-california state
senate seal2ba21ea-22d6-4189-
9343-35a1933e89f5.png>

Elizabeth A.
Wells,
Communications
Director
Office of Senator
Sydney
Kamlager |
30th District
phone: (916)
651- 4571
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5169

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intended recipient, you are hereby notified that any use, dissemination, forwarding, printing or copying of this email is strictly prohibited. If you have received this email in error, please email us at admin@antirecidivism.org or call 213-955-5885.

Subject: Re: AB 333 Media Advisory check-in

Date: Wednesday, September 1, 2021 at 12:43:17 AM British Summer Time

From: Celina Chapin

To: Laila Aziz, Wells, Elizabeth

CC: Rodarmel, Danica (PDR), Viviane Marie Henry, Esteban Nunez, Awan, Balkis, Ibarra, Valerie (PDR)

Hi again,

Elizabeth, Valerie was just wondering if the zoom link for the media was different from the zoom link for participants. If so, can you please send over the participant link?

Thanks!

Get [Outlook for iOS](#)

From: Celina Chapin <cchapin@arc-ca.org>

Sent: Tuesday, August 31, 2021 3:54:21 PM

To: Laila Aziz <laila@potcsd.org>; Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>

Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>; Viviane Marie Henry <vhenry@antirecidivism.org>; Esteban Nunez <enunez@antirecidivism.org>; Awan, Balkis <Balkis.Awan@sen.ca.gov>; Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: Re: AB 333 Media Advisory check-in

Looping in Valerie. Valerie, here is the draft run of show:

<https://docs.google.com/document/d/1Jn85zrySH7tQqIpYYR7esZkgJZZQ4vwsRDT9OzPASil/edit?usp=sharing>

Thanks for those updates, all! Elizabeth, do you have another assemblymember taking the place of RBK or should I just remove that part from the run of show?

Thanks all!

Celina

signature_1895128774



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Pronouns: She/Her/Hers



From: Laila Aziz <laila@potcsd.org>

Sent: Tuesday, August 31, 2021 3:29 PM

To: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>

Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>; Celina Chapin <cchapin@arc-ca.org>; Viviane Marie Henry <vhenry@antirecidivism.org>; Esteban Nunez <enunez@antirecidivism.org>; Awan, Balkis <Balkis.Awan@sen.ca.gov>

Subject: Re: AB 333 Media Advisory check-in

Will do!

Sent from my iPhone

On Aug 31, 2021, at 3:26 PM, Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov> wrote:

Thank you. Will you be adding times to it?

I agree with Danica's comments about addressing misinformation in Laila's opening remarks. Laila, if you're able to touch on that the purpose of the presser is to address misinformation, think that would be a great way to open up the call. Can you please do it in a way that still provides an opportunity for Sen Kamlager to share additional information in her follow-up response. And then is it also possible to address misinformation in the questions to Yvette and Mano?

Also, (and apologies if this has already been relayed), can you please include in your remarks for reporters information that 1) it's being recorded but won't be publicly distributed 2) there will be a Q&A segment at the end but reporters should feel free to drop question in the chat throughout the program.

Also Assemblymember Bauer-Kahan is not able to attend.

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Sent: Tuesday, August 31, 2021 3:18:48 PM
To: Celina Chapin; Wells, Elizabeth; Viviane Marie Henry
Cc: Esteban Nunez; laila@potcsd.org
Subject: Re: AB 333 Media Advisory check-in

This looks great.

One thought: should Laila include in her opening some real talk about misinformation on the bill and clarify some of what the bill doesn't do?

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Sent: Tuesday, August 31, 2021 3:16:18 PM
To: Celina Chapin <cchapin@arc-ca.org>; Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>; Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Esteban Nunez <enunez@antirecidivism.org>; laila@potcsd.org <laila@potcsd.org>
Subject: Re: AB 333 Media Advisory check-in

Also looping in Laila here.

She and I talked yesterday— and she knows I'm here for more if she needs me!

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Sent: Tuesday, August 31, 2021 3:15:24 PM
To: Celina Chapin <cchapin@arc-ca.org>; Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>; Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Esteban Nunez <enunez@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Our PIO can help with press too if someone can loop her into that convo.

Reviewing run of show now.

From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 3:03:20 PM
To: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>; Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Esteban Nunez <enunez@antirecidivism.org>; Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Subject: Re: AB 333 Media Advisory check-in

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Sorry to miss your call-- I was in a meeting! Here is the draft of the run of show for the presser. Please give it a review. I can reach out to DA Gascon's folks. Danica, can you take a look at this run of show and help prep Laila to MC tomorrow?

<https://docs.google.com/document/d/1Jn85zrySH7tQqIpYYR7esZkgJZZQ4vvsRDT9OzPASil/edit?usp=sharing>

Run of show—Presser for AB 333

Run of show—Presser for AB 333
September 1st, 2021 at 9AM WELCOME
(LAILA) – 5 MINUTES Welcome,
introduction of the bill and the event, and
thank you Participants each give a quick,
30 second introduction of themselves

docs.google.com

Thanks!
Celina

signature_1895128774



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Pronouns: She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 2:45 PM
To: Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Celina Chapin <cchapin@arc-ca.org>; Esteban Nunez <enunez@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Hi there, just gave you both a call...I was wondering if your contact in DA Gascon's office could help in recruiting more LA folks?

Also, can your contact with the OC Register or Southern California News Group reach out to folks? Could be interesting to have someone (who's relatively friendly) from OC register get on.

As you can likely tell, I'm getting a little nervous around attendance.

Thanks,
Elizabeth

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Wells, Elizabeth
Sent: Tuesday, August 31, 2021 1:57:03 PM
To: Viviane Marie Henry
Cc: Celina Chapin; Esteban Nunez
Subject: Re: AB 333 Media Advisory check-in

Thanks. Can you also please include the name of the impacted individual (i think his name is Alex) in the spreadsheet?

Also, sorry to nag, but do you have a ROS yet? Even just a draft something so I can put it in front of the Senator and update it later today.

Elizabeth

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Viviane Marie Henry <vhenry@antirecidivism.org>
Sent: Tuesday, August 31, 2021 1:39:49 PM
To: Wells, Elizabeth
Cc: Celina Chapin; Esteban Nunez
Subject: Re: AB 333 Media Advisory check-in

None yet. Will update the doc if I do!

[<image001\[44\].png>](#)

1320 E. 7th Street, Suite 260
Los Angeles, CA 90021
www.arc-ca.org

Viviane Henry
Communications Associate
Anti-Recidivism Coalition (ARC)
vhenry@antirecidivism.org | 213 588 1720
Pronouns: she/her/hers

[<image002.png>](#)

From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Date: Tuesday, August 31, 2021 at 1:16 PM
To: Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Celina Chapin <cchapin@arc-ca.org>, Esteban Nunez <enunez@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Oh right, I'd forgotten about that.

Erika from LAT just confirmed FYI. Do you have any confirmations yet?

Elizabeth A. Wells, Communications Director
Cell: [\(661\) 917-5169](tel:6619175169)
Office of Senator Sydney Kamlager, 30th District

On Aug 31, 2021, at 1:08 PM, Viviane Marie Henry <vhenry@antirecidivism.org> wrote:

Elizabeth,

The Appeal isn't in operation at the moment, to the best of my knowledge. I think they're in the process of getting back up and running but pretty sure they aren't at the moment.

<image001[96].png>

1320 E. 7th Street, Suite 260
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www.arc-ca.org

Viviane Henry

Communications Associate

Anti-Recidivism Coalition (ARC)

vhenry@antirecidivism.org | 213 588 1720

Pronouns: she/her/hers

<image002.png>

From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>

Date: Tuesday, August 31, 2021 at 12:48 PM

To: Celina Chapin <cchapin@arc-ca.org>

Cc: Viviane Marie Henry <vhenry@antirecidivism.org>, Esteban Nunez
<enunez@antirecidivism.org>

Subject: Re: AB 333 Media Advisory check-in

Yes! I will update in the doc--but here's what I have right now. Will do individual reach outs to Emily Galvin-Almanza (she did a piece about 333 in June), Jeremy White, and Erika from LAT. If folks have connections at the Appeal, think that would be great to reach out to.

- Don Thompson, Kellyane Ronayne, AP
- Erika Smith, Anita Chabria, LA Times
- The Appeal--*do you have specific connections here?*
- Jeremy White, Politico
- Few folks at LA Sentinel
- David Greenwald, Davis Vanguard
- Eli Mcahan, he's an investigative journalist interested in doing a bigger piece around the bill
- Emily Galvin-Almanza, Partners for justice

<image003.png>

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 10:55 AM
To: Wells, Elizabeth
Cc: Viviane Marie Henry; Esteban Nunez
Subject: Re: AB 333 Media Advisory check-in

Great! Does your office has any media connections that you'll be reaching out to as well?

signature_1895128774



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From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 9:53 AM
To: Celina Chapin <cchapin@arc-ca.org>
Cc: Viviane Marie Henry <vhenry@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Great, thank you. I'm working on the Senator's materials right now, so if you're able to share a draft that has all the speakers and the Senators question, that would be helpful.

Thank you!
Elizabeth

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | *cell:* (661) 917-5169

From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 9:06:18 AM
To: Wells, Elizabeth
Cc: Viviane Marie Henry
Subject: Re: AB 333 Media Advisory check-in

Perfect! Thanks. Hoping to have the ROS done by later this morning.

Celina

signature_1895128774



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c: (919) 760-0065
Pronouns: She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 9:04 AM
To: Celina Chapin <cchapin@arc-ca.org>
Cc: Viviane Marie Henry <vhenry@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

I think just sending it with the login makes sense. There will be a waiting room so we can vet people. Vic, do you think you could join early and help in letting in folks?

Yes can start to fill in the spread sheet. Can you also add the speaker names and coalition folks who plan to join to that list?

Also do you know when you'll have the ROS with the questions ready?

Here's the Zoom info:

Please don't post it anywhere publicly.

You are invited to a scheduled Zoom meeting.

Topic: Senator Kamlager AB333 Press Conference

Time: Sep 1, 2021 09:00 AM Pacific Time (US and Canada)

Join Zoom Meeting

[https://avanan.url-protection.com/v1/url?
o=https%3A//casen.zoom.us/j/81722340779%3Fpwd%3DODNkSW5jSTAzZEI0NmZt
Snh6T051UT09&g=ZTc2MDgxY2UxNDhjODIxZg==&h=NzhmOTZmMDQ0ZjNINzY5Yj
cyYTcyM2M4MjJmYTRiZmVlNjk5ZDU2YjgwYWl0YzE3OGlxYTQ3ZDU3NWM4YjU1Yg=
=&p=YXAzOnNmZHQyOmF2YW5hbGpvOmNkYWZmZDUzOTMwNDAxMzUzZTU5M
WNmN2E3MWQ0Nzc2OnYx](https://avanan.url-protection.com/v1/url?o=https%3A//casen.zoom.us/j/81722340779%3Fpwd%3DODNkSW5jSTAzZEI0NmZtSnh6T051UT09&g=ZTc2MDgxY2UxNDhjODIxZg==&h=NzhmOTZmMDQ0ZjNINzY5YjcyYTcyM2M4MjJmYTRiZmVlNjk5ZDU2YjgwYWl0YzE3OGlxYTQ3ZDU3NWM4YjU1Yg==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmNkYWZmZDUzOTMwNDAxMzUzZTU5MWNmN2E3MWQ0Nzc2OnYx)

Meeting ID: 817 2234 0779

Passcode: 150454

One tap mobile

[+16699006833,,81722340779#,,,,*150454#](tel:+16699006833,,81722340779#,,,,*150454#) US (San Jose)

[+13462487799,,81722340779#,,,,*150454#](tel:+13462487799,,81722340779#,,,,*150454#) US (Houston)

Thank you!!

Elizabeth A. Wells, Communications Director

Cell: [\(661\) 917-5169](tel:(661)917-5169)

Office of Senator Sydney Kamlager, 30th District

On Aug 31, 2021, at 8:44 AM, Celina Chapin <cchapin@arc-ca.org> wrote:

Okay, great. I am downloading it into a pdf right now, and wondering if we should just include a zoom link afterall to make things easier? Or keep the RSVP system? Or set up some Zoom registration? Thoughts?

Celina

signature_1895128774



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Los Angeles, CA 90021
www.arc-ca.org

Celina Chapin
Public Policy Associate
Anti-Recidivism Coalition
cchapin@arc-ca.org |
o: (213) 699-5042
c: (919) 760-0065
Pronouns: She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 8:32 AM
To: Celina Chapin <cchapin@arc-ca.org>
Cc: Viviane Marie Henry <vhenry@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Oh I see what you mean. I think that's fine. Is the advisory in a final form? Thank you!

Elizabeth A. Wells, Communications Director
Cell: [\(661\) 917-5169](tel:6619175169)
Office of Senator Sydney Kamlager, 30th District

On Aug 30, 2021, at 6:03 PM, Celina Chapin
<cchapin@arc-ca.org> wrote:

Hi Elizabeth!

I was under the impression that folks would be reaching out to their own contacts and then populating this blank spreadsheet with everyone they reached out to, so I don't have a list to send to you. Would you rather us put together a list and have your office to do the outreach?

https://docs.google.com/spreadsheets/d/1A7N3xyjJHrp5QC1Lr6ZXMg2grTuhVlwO--NJfL_yWrM/edit?usp=sharing

[Media list
for Ab 333
Presser](#)

Sheet1 Media
outlet ,Media
Contact, Team-
member
making the ask
,Will they

docs.google.com

Celina

signature_1895128774



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c: (919) 760-0065

Pronouns:

She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>

Sent: Monday, August 30, 2021 5:53 PM

To: Celina Chapin <cchapin@arc-ca.org>; Viviane Marie
Henry <vhenry@antirecidivism.org>

Subject: AB 333 Media Advisory check-in

Hi there,

Thanks for firming up that advisory! Just wanted to check-in to see if there was a press list you're able to share and what I can do to help finalize the advisory. Are we still thinking of sending it out first thing tomorrow, maybe again in the afternoon, and at 8:00 AM on Wednesday? I feel like if we can get 10 reporters to join on Wednesday, that would be amazing.

Thanks!
Elizabeth

<OutlookEmoji-california state
senate seal2ba21ea-22d6-4189-
9343-35a1933e89f5.png>

Elizabeth A.
Wells,
Communications
Director
Office of Senator
Sydney
Kamlager |
30th District
phone: (916)
651- 4571
| cell: (661) 917-
5169

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Subject: Re: AB 333 Media Advisory check-in

Date: Tuesday, August 31, 2021 at 11:54:21 PM British Summer Time

From: Celina Chapin

To: Laila Aziz, Wells, Elizabeth

CC: Rodarmel, Danica (PDR), Viviane Marie Henry, Esteban Nunez, Awan, Balkis, Ibarra, Valerie (PDR)

Looping in Valerie. Valerie, here is the draft run of show:

<https://docs.google.com/document/d/1Jn85zrySH7tQqIpYYR7esZkgJZZQ4vvsRDT9OzPASil/edit?usp=sharing>

Thanks for those updates, all! Elizabeth, do you have another assemblymember taking the place of RBK or should I just remove that part from the run of show?

Thanks all!

Celina

signature_1895128774



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From: Laila Aziz <laila@potcsd.org>

Sent: Tuesday, August 31, 2021 3:29 PM

To: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>

Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>; Celina Chapin <cchapin@arc-ca.org>; Viviane Marie Henry <vhenry@antirecidivism.org>; Esteban Nunez <enunez@antirecidivism.org>; Awan, Balkis <Balkis.Awan@sen.ca.gov>

Subject: Re: AB 333 Media Advisory check-in

Will do!

Sent from my iPhone

On Aug 31, 2021, at 3:26 PM, Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov> wrote:

Thank you. Will you be adding times to it?

I agree with Danica's comments about addressing misinformation in Laila's opening remarks. Laila, if you're able to touch on that the purpose of the presser is to address misinformation, think that would be a great way to open up the call. Can you please do it in a way that still provides an opportunity for Sen Kamlager to share additional information in her follow-up response. And then is it also possible to address misinformation in the questions to Yvette and Mano?

Also, (and apologies if this has already been relayed), can you please include in your remarks for reporters information that 1) it's being recorded but won't be publicly distributed 2) there will be a Q&A segment at the end but reporters should feel free to drop question in the chat throughout the program.

Also Assemblymember Bauer-Kahan is not able to attend.

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>

Sent: Tuesday, August 31, 2021 3:18:48 PM

To: Celina Chapin; Wells, Elizabeth; Viviane Marie Henry

Cc: Esteban Nunez; laila@potcsd.org

Subject: Re: AB 333 Media Advisory check-in

This looks great.

One thought: should Laila include in her opening some real talk about misinformation on the bill and clarify some of what the bill doesn't do?

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Sent: Tuesday, August 31, 2021 3:16:18 PM
To: Celina Chapin <cchapin@arc-ca.org>; Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>; Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Esteban Nunez <enunez@antirecidivism.org>; laila@potcsd.org <laila@potcsd.org>
Subject: Re: AB 333 Media Advisory check-in

Also looping in Laila here.

She and I talked yesterday— and she knows I'm here for more if she needs me!

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Sent: Tuesday, August 31, 2021 3:15:24 PM
To: Celina Chapin <cchapin@arc-ca.org>; Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>; Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Esteban Nunez <enunez@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Our PIO can help with press too if someone can loop her into that convo.

Reviewing run of show now.

From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 3:03:20 PM
To: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>; Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Esteban Nunez <enunez@antirecidivism.org>; Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Subject: Re: AB 333 Media Advisory check-in

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Sorry to miss your call-- I was in a meeting! Here is the draft of the run of show for the presser. Please give it a review. I can reach out to DA Gascon's folks. Danica, can you take a look at this run of show and help prep Laila to MC tomorrow?

<https://docs.google.com/document/d/1Jn85zrySH7tQqIpYYR7esZkgJZZQ4vvsRDT9OzPASil/edit?usp=sharing>

Run of show—Presser for AB 333

Run of show—Presser for AB 333
September 1st, 2021 at 9AM WELCOME
(LAILA) – 5 MINUTES Welcome,
introduction of the bill and the event, and
thank you Participants each give a quick,
30 second introduction of themselves

docs.google.com

Thanks!
Celina

signature_1895128774



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Pronouns: She/Her/Hers



From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 2:45 PM
To: Viviane Marie Henry <vhenny@antirecidivism.org>
Cc: Celina Chapin <cchapin@arc-ca.org>; Esteban Nunez <enunez@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Hi there, just gave you both a call...I was wondering if your contact in DA Gascon's office could help in recruiting more LA folks?

Also, can your contact with the OC Register or Southern California News Group reach out to folks? Could be interesting to have someone (who's relatively friendly) from OC register get on.

As you can likely tell, I'm getting a little nervous around attendance.

Thanks,
Elizabeth

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Wells, Elizabeth
Sent: Tuesday, August 31, 2021 1:57:03 PM
To: Viviane Marie Henry
Cc: Celina Chapin; Esteban Nunez
Subject: Re: AB 333 Media Advisory check-in

Thanks. Can you also please include the name of the impacted individual (i think his name is Alex) in the spreadsheet?

Also, sorry to nag, but do you have a ROS yet? Even just a draft something so I can put it in front of the Senator and update it later today.

Elizabeth

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Viviane Marie Henry <vhenry@antirecidivism.org>
Sent: Tuesday, August 31, 2021 1:39:49 PM
To: Wells, Elizabeth
Cc: Celina Chapin; Esteban Nunez
Subject: Re: AB 333 Media Advisory check-in

None yet. Will update the doc if I do!

[<image001\[44\].png>](#)

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www.arc-ca.org

Viviane Henry
Communications Associate
Anti-Recidivism Coalition (ARC)
vhenry@antirecidivism.org | 213 588 1720
Pronouns: she/her/hers

[<image002.png>](#)

From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Date: Tuesday, August 31, 2021 at 1:16 PM
To: Viviane Marie Henry <vhenry@antirecidivism.org>
Cc: Celina Chapin <cchapin@arc-ca.org>, Esteban Nunez <enunez@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Oh right, I'd forgotten about that.

Erika from LAT just confirmed FYI. Do you have any confirmations yet?

Elizabeth A. Wells, Communications Director
Cell: [\(661\) 917-5169](tel:6619175169)
Office of Senator Sydney Kamlager, 30th District

On Aug 31, 2021, at 1:08 PM, Viviane Marie Henry <vhenry@antirecidivism.org> wrote:

Elizabeth,

The Appeal isn't in operation at the moment, to the best of my knowledge. I think they're in the process of getting back up and running but pretty sure they aren't at the moment.

[<image001\[96\].png>](#)

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Viviane Henry
Communications Associate
Anti-Recidivism Coalition (ARC)
vhenry@antirecidivism.org | 213 588 1720
Pronouns: she/her/hers

[<image002.png>](#)

From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Date: Tuesday, August 31, 2021 at 12:48 PM
To: Celina Chapin <cchapin@arc-ca.org>
Cc: Viviane Marie Henry <vhenry@antirecidivism.org>, Esteban Nunez <enunez@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Yes! I will update in the doc--but here's what I have right now. Will do individual reach outs to Emily Galvin-Almanza (she did a piece about 333 in June), Jeremy White, and Erika from LAT. If folks have connections at the Appeal, think that would be great to reach out to.

- Don Thompson, Kellyane Ronayne, AP
- Erika Smith, Anita Chabria, LA Times
- The Appeal--*do you have specific connections here?*
- Jeremy White, Politico
- Few folks at LA Sentinel
- David Greenwald, Davis Vanguard
- Eli Mcahan, he's an investigative journalist interested in doing a bigger piece around the bill
- Emily Galvin-Almanza, Partners for justice

<image003.png>

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 10:55 AM
To: Wells, Elizabeth
Cc: Viviane Marie Henry; Esteban Nunez
Subject: Re: AB 333 Media Advisory check-in

Great! Does your office has any media connections that you'll be reaching out to as well?

signature_1895128774



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From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 9:53 AM
To: Celina Chapin <cchapin@arc-ca.org>
Cc: Viviane Marie Henry <vhenny@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

Great, thank you. I'm working on the Senator's materials right now, so if you're able to share a draft that has all the speakers and the Senators question, that would be helpful.

Thank you!
Elizabeth

Elizabeth A. Wells, Communications Director
Office of Senator Sydney Kamlager | 30th District
phone: (916) 651- 4571 | cell: (661) 917-5169

From: Celina Chapin <cchapin@arc-ca.org>
Sent: Tuesday, August 31, 2021 9:06:18 AM
To: Wells, Elizabeth
Cc: Viviane Marie Henry
Subject: Re: AB 333 Media Advisory check-in

Perfect! Thanks. Hoping to have the ROS done by later this morning.

Celina

signature_1895128774



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From: Wells, Elizabeth <Elizabeth.Wells@sen.ca.gov>
Sent: Tuesday, August 31, 2021 9:04 AM
To: Celina Chapin <cchapin@arc-ca.org>
Cc: Viviane Marie Henry <vhenny@antirecidivism.org>
Subject: Re: AB 333 Media Advisory check-in

I think just sending it with the login makes sense. There will be a waiting room so we can vet people. Vic, do you think you could join early and help in letting in folks?

Yes can start to fill in the spread sheet. Can you also add the speaker names and coalition folks who plan to join to that list?

Also do you know when you'll have the ROS with the questions ready?

Here's the Zoom info:

Please don't post it anywhere publicly.

You are invited to a scheduled Zoom meeting.

Topic: Senator Kamlager AB333 Press Conference

Time: Sep 1, 2021 09:00 AM Pacific Time (US and Canada)

Join Zoom Meeting

[https://avanan.url-protection.com/v1/url?
o=https%3A//casen.zoom.us/j/81722340779%3Fpwd%3DODNkSW5jSTAzZEI0NmZt
Snh6T051UT09&g=ZTc2MDgxY2UxNDhjODIxZg==&h=NzhmOTZmMDQ0ZjNINzY5Yj
cyYTcyM2M4MjMjYTRiZmVlNjk5ZDU2YjgwYWl0YzE3OGlxYTQ3ZDU3NWM4YjU1Yg=
=&p=YXAzOnNmZHQyOmF2YW5hbGpvOmNkYWZmZDUzOTMwNDAXMzUzZTU5M
WNmN2E3MWQ0Nzc2OnYx](https://avanan.url-protection.com/v1/url?o=https%3A//casen.zoom.us/j/81722340779%3Fpwd%3DODNkSW5jSTAzZEI0NmZtSnh6T051UT09&g=ZTc2MDgxY2UxNDhjODIxZg==&h=NzhmOTZmMDQ0ZjNINzY5YjcyYTcyM2M4MjMjYTRiZmVlNjk5ZDU2YjgwYWl0YzE3OGlxYTQ3ZDU3NWM4YjU1Yg==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmNkYWZmZDUzOTMwNDAXMzUzZTU5MWNmN2E3MWQ0Nzc2OnYx)

Meeting ID: 817 2234 0779

Passcode: 150454

One tap mobile

[+16699006833,,81722340779#,,,,*150454#](tel:+16699006833,,81722340779#,,,,*150454#) US (San Jose)

[+13462487799,,81722340779#,,,,*150454#](tel:+13462487799,,81722340779#,,,,*150454#) US (Houston)

Thank you!!

Elizabeth A. Wells, Communications Director

Cell: [\(661\) 917-5169](tel:(661)917-5169)

Office of Senator Sydney Kamlager, 30th District

On Aug 31, 2021, at 8:44 AM, Celina Chapin <cchapin@arc-ca.org> wrote:

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Subject: Re: AB 333 Media Advisory check-in

Oh I see what you mean. I think that's fine. Is the advisory in a final form? Thank you!

Elizabeth A. Wells, Communications Director
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[Media list
for Ab 333
Presser](#)

Sheet1 Media
outlet ,Media
Contact, Team-
member
making the ask
,Will they

docs.google.com

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Sent: Monday, August 30, 2021 5:53 PM
To: Celina Chapin <cchapin@arc-ca.org>; Viviane Marie
Henry <vhenry@antirecidivism.org>
Subject: AB 333 Media Advisory check-in

Hi there,

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Thanks!
Elizabeth

<OutlookEmoji-california state
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Subject: Everyday Injustice - Corruption and Cover Up Exposed in OC; Judge Ends Unreasonable Pursuit by Parole in Riverside Case

Date: Tuesday, August 31, 2021 at 5:00:48 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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Judge Hernandez: "(Parole) didn't follow the rules and regulations that govern P.V.D.M.I. It did not do what they were supposed to do."

Everyday Injustice Newsletter - August 31, 2021

Jackson County Prosecutor Again Tries to Free Strickland

By David Greenwald

This weekend Jackson County Prosecutor Jean Peters Baker today took legal action to free Kevin Strickland from a Missouri prison, "citing clear and convincing evidence that he is actually innocent."

A motion to set aside Strickland's 1979 conviction was filed in Jackson County Circuit Court on Saturday at 12:01 am according to a press release.

Give Baker credit - not only is he attempting to do justice in this case, he is going above and beyond what we would expect most prosecutors to do in a similar circumstance.

"Most of us have heard the famous quotation that 'injustice anywhere is a threat to justice everywhere,'" he said. "Kevin Strickland stands as our own example of what happens when a system set to be just, just gets it terribly wrong."

While the Governor and Attorney General have generally stood in the way here, Baker did state, "The Missouri General Assembly and Gov. Parson deserve credit for creating a new legal avenue for a local prosecutor to seek relief. Making it possible for an officer of the court to stand before a judge and argue to correct a grave wrong is a system of justice we can all stand behind."

In the filing itself, Baker argues three critical points.

First, that the only real eyewitness to the 1979 murders repeatedly recanted her testimony prior to dying.

Second, that there is no physical evidence linking Strickland to the crime.

Finally, the prosecutors at the time deliberately excluded Black jurors from a second trial after the first one ended in a mistrial.

The eyewitness, Cynthia Douglas died in 2015. She was wounded in the attack.

The motion notes, "Within a year of Strickland's conviction, Douglas realized that she was mistaken in her identification and informed her family members. In the following decades, she spoke about the error with friends and family and sought advice on how to remedy it."

In 2009, Douglas made a formal request to the Midwest Innocence Project stating that she had made a mistake and asking for help.

The problem they may face here is that while she made statements and there is an affidavit from her husband, she never got the opportunity to recant on the stand.

Nevertheless, Baker concludes: "Taken individually, the problems with the initial identification, the corroborating co-defendant statements, and the recantation are troubling. Considered in their totality and balanced against the lack of any direct evidence of Strickland's guilt, they constitute clear and convincing evidence that Kevin Strickland is actually innocent."

Remember, this isn't the Innocence Project or the defense arguing this, this is a prosecutor.

Thanks for reading.

Criminal Justice News/ Commentary

Commentary: Spitzer Has Failed To Clean House in Orange County and His Cover-Up Is Leaking

It is perhaps easy to miss the importance of the OIR report that came out last week that calls out the conduct and especially the practices of the Orange County Sheriff's Department.

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Judge Ends Attempts by Parole Agents to Unreasonably Pursue Perrotte

In an unusually pointed ruling Riverside County Judge Jorge Hernandez shut down pursuit of Jeff Perrotte on parole violation, dismissing the action against him with prejudice and warning parole not to further pursue the matter.

[Read More](#)

Guest Commentary: Black Lives Matter in Prison, Too

The George Floyd protests shone a spotlight on racial disparities in the criminal justice system as calls rang out across the nation for police reform. While I wholeheartedly support these efforts, there should also be more attention

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Vanguard Justice Award to Exoneree Jeffrey Deskovic

Jeffrey was just 16 when he was interrogated for the brutal rape and murder of a classmate. He falsely confessed, and was convicted of murder. He would remain in prison for 17 years before DNA exonerated him.

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Our daily run down on the COVID cases in the California Prison System (CDCR)

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Sacramento Jails' Staff Vaccination Rate At 35%; New COVID-19 Cases at Santa Rita Jail Continue to Emerge

Our daily run down on the COVID cases in selective County Jails

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Court Watch Coverage

Request to Release Woman Charged with Having Sex with Minor Debated and Denied

A woman, charged with engaging in a sexual relationship with a minor, pleaded no contest in a plea bargain here in Yolo County Superior Court Monday—but the judge refused to release her from jail pending

[Read More](#)

Man Charged with Being Felon in Possession of Firearm and Body Armor – Denies He Owns Either

Jahwan Sanders appeared in Sacramento County Superior Court Monday, charged with being illegally, as a felon, in possession of a firearm and body armor on Dec 8, 2020—he insisted he didn't own either item.

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Everyday Injustice - Podcast

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Everyday Injustice Podcast Episode 123: Voices of Victims of Police Violence

This week on Everyday Injustice featured women across the country whose loved ones were killed by police – whether it be sons, brothers, or partners.

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Subject: Everyday Injustice - Voices of Women Who Lost Loved Ones to Police Violence; San Diego trying to lead the Re-Imagining Police Convo
Date: Monday, August 30, 2021 at 5:00:36 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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California's 23 Republican-voting counties have higher rates of violent crime, and Democratic-voting counties have had the biggest decrease in violent crime, according to report released by the Center on Juvenile and Criminal Justice this week.

Everyday Injustice Newsletter - August 30, 2021

San Diego's Re-Imagining Police Proposal Worth Watching

By David Greenwald

Last week I caught the Transformational Tuesday discussion hosted by Geneviève Jones-Wright, the

Vanguard's newest board member and her organization MoGo (Community Advocates for Just and Moral Government).

They were discussing policing in San Diego - except they actually were describing policing everywhere - it's just in this context it was San Diego.

A study published by Campaign Zero found: "San Diego Police Department stopped black people at 219% higher rate per population than white people." Moreover, "Once stopped black people were more likely to be searched, arrested, and to have force used against them."

I have seen higher numbers. I have seen lower numbers. But the story I have seen in every community is almost identical and almost identical to the emerging national studies.

The community in San Diego is working on passing the PrOTECT Ordinance (protect stands for Preventing Over-Policing Through Equitable Community Treatment).
Under PrOTECT:

- Require police officers to have probable cause to stop or search anyone, including Fourth waivers—people on probation or parole who have waived some of their Fourth Amendment rights
- Require probable cause for searches
- Prohibit officers from questioning people about any offenses beyond the offense for which they were stopped unless the officers have probable cause
- Hold officers accountable if they violate the ordinance

This is probably the most far-reaching proposal I have seen so far.

In July the Vanguard published the San Francisco Public Defender recommendations—eliminating quality of car stops, eliminating jaywalking and loitering detention and baseless searches.

In June, Oakland voted to cut \$18.4 million from the mayor's proposed police budget and move it toward violence prevention measures and social services.

Earlier this year, Berkeley voted to limit low-level traffic stops to reduce the need for policing communities of color.

One thing that came to mind as I listened to the discussion last week in San Diego is how many other communities are having similar discussions, and have similar disproportionate stop data for Black and brown people. And yet there will likely be a variety of different approaches by the local communities—some will take stronger measures, some more limited measures, and some will take no measures.

It leads me to wonder—should local communities continue to lead the way or should the state start attempting implementation of some of the measures that have broader support?

Take a look at today's article - [link](#).

Criminal Justice News/ Commentary

Monday Morning Thoughts – A Familiar Re-Imagining Police Discussion but This Time in San Diego

Communities across the state are slowly, quietly and a bit below the overall radar looking at ways to reimagine policing. On the Vanguard, we have covered a few including the discussion in Davis, where I live, but also

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Everyday Injustice Podcast Episode 123: Voices of Victims of Police Violence

This week on Everyday Injustice featured women across the country whose loved ones were killed by police – whether it be sons, brothers, or partners.

[Read More](#)

Guest Commentary: We Need Better Mental Health Services in Prison

My name is Jamar Glenn, a 40-year-old father, son, sibling and activist in my community. I was incarcerated at 16 years old, and I served an 18½-year sentence for second degree murder. I was 36 years old when I was released from prison

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ACLU, FMM Sponsor TV Commercial Reminding President Biden to Make Good on Campaign Promise to Reduce Incarceration

A television commercial reminding President Joe Biden to honor his commitment to “significant decarceration” by immediately using his clemency power to prevent thousands of people from being sent back to

[Read More](#)

Sunday Commentary: I'm For Releasing Sirhan Sirhan

On Friday, the parole board, after the prosecutor's in Los Angeles did not oppose parole, recommended parole after 15 previous decisions to deny release for the famed Robert F. Kennedy Assassination.

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New Report Reveals Decrease in Crime in Democratic Voting Counties, Increase in Republican Voting Counties

California's 23 Republican-voting counties have higher rates of violent crime, and Democratic voting counties have had the biggest decrease in violent crime, according to report released by the Center on Juvenile

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Sacramento Jails' Staff Vaccination Rate At 35%; New COVID-19 Cases at Santa Rita Jail Continue to Emerge

Our daily run down on the COVID cases in selective County Jails

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Court Watch Coverage

'I Don't Recall' Was Initial Response of Accused's Father in Murder Trial

A trial continues this week here in Riverside County Superior Court in the long-delayed murder trial of Raul Alcantar Sanchez Jr., who is suspected of killing 34-year-old Thermal resident Carolina Vargas in November 2012.

[Read More](#)

Domestic Violence Victim Testifies to Recorded Phone Calls in Trial, Illustrating Alleged Threats; Defense Pushes Back

The trial of Joe Ortega continued late last week here in Riverside County Superior Court with the victim testifying to the jury about alleged acts of violence – from assaults to threats – she suffered at the hands of Joe Ortega.

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Balancing Act: Providing Man Substance Abuse Treatment, and Ensuring Public Safety

Factoring in an accused's long standing criminal history of substance abuse, the courts have a balancing act – how to proceed in the interest of public safety and providing adequate support for those facing criminal

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Everyday Injustice - Podcast

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Subject: Everyday Injustice - Coalition Calls Out For Transformational Change to Juvenile Justice; PD's office Demands Release of ICE Detainee
Date: Friday, August 27, 2021 at 5:01:41 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"Ricardo has been detained by ICE unnecessarily for over three years...in light of the new risk to his health posed by the COVID outbreak in his jail, we...call on ICE to immediately release Ricardo to his family where he can properly care for his health and can continue to fight for his legal right to remain in the U.S., his home for the past 22 years. Enough is enough," said Deputy Public Defender Jennifer Friedman

Everyday Injustice Newsletter - August 27, 2021

Join Us in Less Than Two Weeks For This Amazing Gala

In just two weeks, we will be at the Darling Aviary in Sacramento. This event should well be worth the price of admission.

Lara Bazelon will be honored along with the USF Racial Justice Clinic Law School Award. Not only will she be on hand to accept the award but she is bringing 15 of her law students.

Senator Kamlager will be on hand to personally accept her award as Elected Official

Keynote speaker will be Curtis Briggs, who will talk about Chief Stankewitz and his 43 years of wrongful incarceration at San Quentin.

Our full list of awardees:

Alec Karakatsanic - Civil Rights Award
Senator Sydney Kamalager - Elected Official Award
Aminah Elster - Formerly Incarcerated
USF Racial Justice Clinic - Law School Award
Jeffrey Deskovic - Wrongful Conviction
Lizzie Dubose - Youth Social Justice
Mark Merin - Distinguished Attorney
Josh Kazuka - Distinguished Attorney
Jamilia Land and Samuel Brown - Social Justice Organizers
Cruz Reynoso - Lifetime Achievement
Al Rojas - Lifetime Achievement

Tickets are still available for September 8 - \$100 - [click here](#)

Tickets are available for October 28 - \$25 - [click here](#)

You can still attend both for a discounted price of \$110 - [click here](#).

And finally sponsorships are still available - [click here](#).

Criminal Justice News/ Commentary

Youth and Justice Coalition Rally to Reimagine Youth Justice

About 70 people—youth and members of the Free Our Children Coalition—gathered on Thursday in front of the Alameda County Probation Department to press for community inclusion in plans to reform juvenile justice.

[Read More](#)

Guest Commentary: Clemency for Ex-Weather Underground Member Who Is DA Chesa Boudin's Dad

The 1981 Brink's armored truck heist in Nanuet, New York is notorious. The botched robbery left two police officers and a security guard murdered in a shootout. But that doesn't explain why non-impacted people still talk about it 40

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One of Last Remaining ICE Detainees at Yuba County Jail Should be Released Now as New COVID Outbreak Hits Facility, Urge SF Public Defenders

ICE (U.S. Immigration and Customs Enforcement) should immediately release health-challenged Ricardo Vasquez Cruz – one of three remaining civil immigration detainees in Yuba County Jail – as a new

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CA Police Reform Bill Would Provide Representation for Civilians in the Decertification of Law Enforcement Officers

California is considering passing the “SB #2” law to prevent law enforcement officers fired for misconduct from being rehired by another agency, and also eliminate absolute immunity for officers who wrongfully

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CA Supreme Court Reverses Edward Wycoff’s Double Murder Conviction

The California Supreme Court reversed defendant Edward Wycoff’s conviction of double murders this week after the district court failed to commence the competency procedures necessary under law.

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Vanguard Justice Award to Exoneree Jeffrey Deskovic

Jeffrey was just 16 when he was interrogated for the brutal rape and murder of a classmate. He falsely confessed, and was convicted of murder. He would remain in prison for 17 years before DNA exonerated him.

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Sacramento Jails' Staff Vaccination Rate At 35%; New COVID-19 Cases at Santa Rita Jail Continue to Emerge

Our daily run down on the COVID cases in selective County Jails

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Court Watch Coverage

Trial Set for Man Suffering from Mental Health Problems in Killing of Woman Said to Be Girlfriend and Social Worker

A man—described as suffering from mental health disorders—was found likely to have killed a woman said to be both his social worker and girlfriend, and is now expected to face a jury trial after his preliminary

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LA County Deputies Charged with Lying in Police Report to Cover Up Use of Excessive Force

Two Los Angeles County Sheriff Dept. deputies were arraigned Thursday here in Foltz Criminal Justice Center, Dept. 30, on felony charges for filing a false report to cover up the alleged use of excessive force in an arrest they made

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PD Hope Dashed – Judge Denies Request for Pretrial Release, Citing Public Safety Concerns over Unlawful Possession of a High Capacity Magazine

In the arraignment hearing Wednesday here in Alameda County Superior Court for Adonai Ogbe, Assistant Public Defender Eric Mizaian suggested to the court that Ogbe be released pretrial because of a favorable

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Judge Compliments 'Compelling' Defense Argument, Approves Motions to Dismiss and Reduce Felony Charge in Probation Violation Case

Judge Tom M. Dyer granted Joseph Lanoue's petition for dismissal and a motion to reduce a felony case to a misdemeanor in Yolo County Superior Court, Dept. 1 Wednesday, following a "compelling" argument from

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One of the biggest problems in the criminal legal system is that the notion of being tried by a jury of one's peers has been discarded. A large number of people of color await trial in the system only to face a jury pool that is overly white,

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Everyday Injustice Podcast Episode 120: Cesar McDowell Turns His Life Around at San Quentin

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Subject: FOR IMMEDIATE RELEASE: 16 Public Defender Clients Graduate Behavioral Health Court Amidst Pandemic
Date: Friday, August 27, 2021 at 1:35:00 AM British Summer Time
From: Ibarra, Valerie (PDR)
To: PUBDEF-Media Relations, Ibarra, Valerie (PDR)
Attachments: PR - 08.26.2021 - 16 Public Defender Clients Graduate Behavioral Health Court Amidst Pandemic.pdf

FOR IMMEDIATE RELEASE: August 26, 2021

CONTACT: SF Public Defender's Office - Valerie.Ibarra@sfgov.org - (628)249-7946

****PRESS RELEASE****

16 Public Defender Clients Graduate Behavioral Health Court

First Virtual Graduation Celebrates Participants as they Strive to Heal Amidst Pandemic

SAN FRANCISCO - Today, in a ceremony held on zoom and presided over by Superior Court Judge Charles Crompton, sixteen clients of the San Francisco Public Defender's Office graduated from Behavioral Health Court, a diversion program in San Francisco Superior Court that gives people who are diagnosed with mental illness a chance to heal and excel rather than suffer prolonged incarceration and a criminal record that would otherwise inhibit their future prospects.

"BHC is a true collaboration of justice partners and the participants, and the more people we can help heal rather than incarcerate, the healthier and safer our communities will be," said **Vilaska Nguyen**, Managing Attorney of Collaborative Courts for the San Francisco Public Defender's Office. "Like the individuals who participate in BHC, the program itself deserves a chance to grow because it allows people to get the support they need in order to make positive transformations."

Behavioral Health Court is a robust collaboration between the participants and various justice partners where individuals who were initially facing misdemeanor or felony charges have the opportunity to resolve their cases through individualized treatment plans and case management. Resources can include

therapy and health care, residential and outpatient addiction treatment, housing assistance, job training and educational opportunities. By completing the program, participants could have their cases dismissed, probation terminated early, or felony charges reduced to misdemeanors.

BHC attempts to tackle some of the most entrenched problems of mental illness, substance abuse, and homelessness in San Francisco. Partners in the BHC program include the Public Defender, District Attorney, Adult Probation, Jail Health, Citywide, Golden Gate Regional Center, Sheriff, Superior Court and independent service providers. Graduations are held twice a year, and Mayor London Breed spoke at today's ceremony recognizing the hard work of all the participants, especially in the face of a global pandemic.

At today's graduation ceremony, BHC graduate **Leticia Flores** mentioned that she had not only made "emotional breakthroughs" but also had rediscovered her leadership abilities. Ms. Flores was involved in student government and was class president in the 5th grade, but that had been derailed by her mental illness and dual-diagnosis. While participating in BHC, she became the dorm leader at Harbor Lights, and is hopeful for the future. She thanked everyone in the program for "believing I can win over my addiction."

"I am so proud of our clients who graduated from BHC. Today, there are 16 fewer people who, a year ago, were suffering with mental illness, many of them homeless and self-medicating, and now they are healthier, more stable and on track to future success," said Deputy Public Defender **Prithika Balakrishnan**, who works with clients in BHC. "These are the stories you don't hear in the press -- the stories of people who face tremendous challenges due to mental illness and poverty, and even in the midst of this pandemic, are doing their very best to improve their lives and heal."

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To view this press release online, please visit [SFPublicDefender.org/media](https://sfpublicdefender.org/media).

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[SFPublicDefender.org/Media](https://sfpublicdefender.org/Media)

Subject: Everyday Injustice - Family Speaks in Exclusive Interview on Excited Delirium Case; Bombshell Out of Orange County
Date: Thursday, August 26, 2021 at 5:01:29 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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Eric Siddall: Violence is now trending upwards. At the same time, Gascón and progressophobists are leading an uncritical retreat on many aspects of the criminal justice system that may have helped make us safer.

Everyday Injustice Newsletter - August 26, 2021

Lifting the Veil in Orange County

By David Greenwald

It took me a few go-rounds with the OIR report in Orange County before I finally got it.

Something to bear in mind - DA Todd Spitzer for months has been attacking challenger Pete Hardin as being a clone of Gascon. But the more I look at things, I think Spitzer ought to worry more about being seen as a clone of former DA Tony Rackaukas, whom Spitzer defeated in 2018 with the help of some of the very people he is now attacking.

The OIR report is subtle and needs to be unpacked a bit. The most troubling finding was a bit buried.

The OIR found that there were supervisory reviews "that determined a use of force was unauthorized or out-of-policy, but the supervisors did not refer them to Internal Affairs for investigation."

In particular, the report notes that such handling is problematic because "the S.A.F.E. Division categorizes all force incidents as 'in policy' if they are not referred to Internal Affairs."

"S.A.F.E. treats all force-related issues not referred to Internal Affairs as within policy, skewing its statistics and calling into question its conclusions," they write. "As a result, S.A.F.E. wrongly concluded that 98.1% of all use of force incidents were within Department policy, because it failed to include incidents in which supervisors found an out-of-policy use of force but which were not referred to Internal Affairs."

This is important for transparency purposes but there is another much more important layer here.

We see this come up in our coverage from the spring in the case of Mohamed Sayem, who was found by police slouched and asleep at the wheel of a vehicle, keys in the ignition.

A confrontation ensued and Sayem was "beaten to the ground and then terrorized," Public Defender Scott Sanders alleges in his motion to compel discovery.

The problem that Sanders identified is the same problem that the OIR found.

Namely that documents that should have been turned over to the defense weren't because they were improperly concealed. They were improperly concealed because unless there is a sustained complaint on a use of force case, the material is not deemed relevant.

And the problem, according to Sanders, "would have likely led the OCSD to automatically exclude as many as 98 percent of the eligible Supervisor Use of Force Reports from the court's in camera consideration."

Why? Because 98 percent of those reports are deemed unsustainable - we now know falsely so. Sanders argued that because we can't trust the process of evaluation, they all have to be turned over. The Judge disagreed and denied his motion, the DA's office fought it as well, but Sanders is right - how can you use a standard for disclosure when you know the determination of the use of force itself is fatally and now provably flawed?

To me this is a Brady issue now by default. Use of force problems are getting administratively buried in the system, exculpatory evidence that should be disclosed to the defense is being withheld and the DA is helping the OCSD not have to turn them over and expose the problems in the department.

Thanks for reading.

Criminal Justice News/ Commentary

Everyday Injustice Podcast Episode 122: The Death of Angelo Quinto – Excited Delirium or Murder?

Family Outraged by Excited Delirium Diagnosis in Police Killing in Contra Costa County, California
It may have been a scene reminiscent of George Floyd, but unless the California AG or Contra Costa DA step into this,

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OIR Comes Down Hard on Orange County Sheriff's Department Use of Force Practices

A report by a government watchdog agency found that the Orange County Sheriff's Department was out of compliance with numerous policies regarding the training and reporting of use of force practices—problems that

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County Prosecutor Sues Solano DA Over Age Discrimination, Retaliation

A high-ranking county prosecutor is suing the Solano County District Attorney's Office on allegations of discrimination stemming from the ongoing coronavirus health pandemic, Solano NewsNet has learned.

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Tens of Thousands of Bail Bond Contracts, Millions of \$\$ in Doubt in 'Bad Boys' Class Action, Supported by SF District Attorney Boudin

San Francisco District Attorney Chesa Boudin and the Prosecutors Alliance of California Wednesday jointly announced the filing of an amicus brief in a bail bonds corruption case that criticizes the unfair

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California's 'Incompetent to Stand Trial' Masses Must be Given Due Process, Treatment After CA Supreme Court Action

Thousands of people jammed into California's county jails every year because courts have declared them "incompetent" to stand trial—but yet are not provided help for their disabilities—received a reprieve of

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House Passes John R. Lewis Voting Rights Advancement Act – Moves to Senate

The U.S. House of Representatives passed the John R. Lewis Voting Rights Advancement Act, otherwise known as H.R. 4, Tuesday in an effort to restore defunct parts of the Voting Rights Act (VRA) of 1965.

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Vanguard Justice Award to Exoneree Jeffrey Deskovic

Jeffrey was just 16 when he was interrogated for the brutal rape and murder of a classmate. He falsely confessed, and was convicted of murder. He would remain in prison for 17 years before DNA exonerated him.

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Court Watch Coverage

Despite Hesitation to Admit to Crime, Accused Pleads No Contest to Get 'Outta Jail Today' – He Spent 622 Days Awaiting Trial

A man here this week in Santa Barbara Superior Court, Dept. 2 opted to take a deal and plead no contest to a felony count of threatening a crime with intent to terrorize, despite initially claiming that he "didn't threaten" the victim in the

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Date: Thursday, August 26, 2021 at 4:43:02 PM British Summer Time
From: Ibarra, Valerie (PDR)
To: PUBDEF-Media Relations, Ibarra, Valerie (PDR)
Attachments: PR - 08.26.2021 - San Francisco Public Defender calls for release of Ricardo Vasquez Cruz, one of only 3 remaining ICE detainees at Yuba County Jail amidst COVID outbreak.pdf

FOR IMMEDIATE RELEASE: August 26, 2021

CONTACT: SF Public Defender's Office - Valerie.Ibarra@sfgov.org - (628)249-7946

****PRESS RELEASE****

San Francisco Public Defender calls for release of Ricardo Vasquez Cruz, one of only 3 remaining ICE detainees at Yuba County Jail amidst COVID outbreak

SAN FRANCISCO - The San Francisco Public Defender is urgently calling for ICE to release its client Ricardo Vasquez Cruz from civil immigration detention at the Yuba County Jail in light of a recent COVID outbreak in the facility. Mr. Vasquez, 46, suffers from medical issues that render him particularly vulnerable to the virus.

Mr. Vasquez reports from inside Yuba County Jail: "They moved us to a tiny corner of the jail. It feels like a punishment being here. For the past year, I've been having health problems and asking for the doctors to figure out what's been going on. I feel like I could die in here and no one would notice. Now there is COVID all over the place in here. I'm just glad my family got to come and visit me before everything was locked down again. It's very frustrating."

Deputy Public Defender Jennifer Friedman, from the Immigration Defense Unit of the San Francisco Public Defender's Office, represents Mr. Vasquez in his deportation case. He is fighting to remain with his family in the U.S. after an alcohol-related arrest in 2017 jeopardized his immigration status. His deportation case is currently on appeal at the Board of Immigration Appeals (BIA) for a second time.

"Enough is enough! Ricardo has been detained by ICE unnecessarily for over three years. Today, in

light of the new risk to his health posed by the COVID outbreak in his jail, we cannot stand for one more day of detention! We call on ICE to immediately release Ricardo to his family where he can properly care for his health and can continue to fight for his legal right to remain in the U.S., his home for the past twenty-two years, and for the right to be reunited with his son and extended family," said Ms. Friedman.

Mr. Vasquez has been detained by ICE for over three years while he fights his deportation case. He is one of the three remaining people being held in the Yuba County Jail, which has a federal contract to hold immigrants who have been detained by ICE for civil immigration violations. Throughout the pandemic, the facility has suffered COVID outbreaks, and January alone, at least 70 detainees and 13 staff members fell ill. Since April 2020, the Public Defender's Office has been involved in litigation to protect the health and safety of immigrants detained at Yuba County Jail, leading to a significant depopulation of the facility. However, Mr. Vasquez remains inside.

Mr. Vasquez hopes to be released to his home with his aging mother, adolescent son, and siblings in the San Francisco Bay Area, where he can continue to participate in AA, return to his career, care for his health and his loved ones, and continue to fight his deportation case.

"After over three years, it is time to release Ricardo to his family instead of subjecting him to needless detention that threatens his health and well-being," said Francisco Ugarte, Managing Attorney of the Immigration Defense Unit.

Background

Mr. Vasquez has lived in the Bay Area since 1999 after fleeing El Salvador, where gangs had assaulted him and murdered his brother. He obtained temporary protected status in the U.S. and built a family and career as a sound communications engineer.

During a difficult period of his life, Mr. Vasquez was struggling with alcoholism, which led to alcohol-related arrests in 2016 and 2017, and he served six months in jail. Since then, he has turned his life around by engaging in extensive alcohol rehabilitation and adopting an unwavering commitment to his sobriety. A June 2021 evaluation by a licensed clinical psychologist concluded that Mr. Vasquez was at low risk for alcohol relapse and even lower risk of engaging in violent behavior. Despite his proven sobriety and extensive evidence of rehabilitation and community support, ICE continues to refuse to release him.

Mr. Vasquez is fighting against his deportation, not only to remain with his family, but also because his life is in danger if he is sent back to El Salvador.

###

To view this press release online, please visit [SFPublicDefender.org/media](https://sfpublicdefender.org/media).

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Subject: Valerie! Join Us in Two Weeks For This Amazing Gala
Date: Wednesday, August 25, 2021 at 9:00:10 PM British Summer Time
From: David Greenwald
To: valerie.ibarra@sfgov.org

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Image

Image

Valerie

In just **two weeks**, we will be at the Darling Aviary in Sacramento.

This event should well be worth the price of admission.

Lara Bazelon will be honored along with the USF Racial Justice Clinic Law School Award. Not only will she be on hand to accept the award but she is bringing 15 of her law students.

Senator Kamlager will be on hand to personally accept her award as Elected Official

Keynote speaker will be Curtis Briggs, who will talk about Chief Stankewitz and his 43 years of wrongful incarceration at San Quentin.

Our full list of awardees:

Alec Karakatsanic - Civil Rights Award
Senator Sydney Kamalager - Elected Official Award
Aminah Elster - Formerly Incarcerated
USF Racial Justice Clinic - Law School Award
Jeffrey Deskovic - Wrongful Conviction
Lizzie Dubose - Youth Social Justice
Mark Merin - Distinguished Attorney
Josh Kazuka - Distinguished Attorney
Jamilia Land and Samuel Brown - Social Justice Organizers
Cruz Reynoso - Lifetime Achievement
Al Rojas - Lifetime Achievement

TICKET PRICES

Tickets are still available for September 8 - \$100 - [click here](#)

Tickets are available for October 28 - \$25 - [click here](#)

You can still attend both for a discounted price of \$110 - [click here](#).

And finally sponsorships are still available - [click here](#).

(Please note, Chesa Boudin is a sponsor for the event, but will not be in attendance).

Interested in being a sponsor for this event?

You can purchase a sponsorship level ticket here: tiny.cc/gala_spons

Sponsorship tickets will grant you recognition at the event, on the program, and on the Vanguard website.

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Subject: Join Us in Two Weeks For This Amazing Gala

Date: Wednesday, August 25, 2021 at 6:38:07 PM British Summer Time

From: David M. Greenwald

To: undisclosed-recipients;;

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[click here](#).

And

finally sponsorships are still available -

[click here](#).

Also

these amazing progressive DAs and DA Candidates will be on hand:

(Please
note, Chesa Boudin is a sponsor for the event, but will not be in attendance).

Please
join us on September.

--

David M. Greenwald
Executive Director
[The People's Vanguard of Davis](#)

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"Journalism is printing what someone else does not want printed: everything else is public relations." — George Orwell

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Subject: Everyday Injustice - In LA and SF Critics Using Questionable Crime Data; New Outbreak at San Quentin

Date: Wednesday, August 25, 2021 at 1:32:02 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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Eric Siddall: Violence is now trending upwards. At the same time, Gascón and progressophobists are leading an uncritical retreat on many aspects of the criminal justice system that may have helped make us safer.

Everyday Injustice Newsletter - August 25, 2021

Step One: Acknowledge You Have a Problem, Right?

By David Greenwald

Color me skeptical. I usually am. I was always taught that the first step to solving a problem is to acknowledge that you have a problem, and then figure out what went wrong and how to address it.

Watching the press conference on Monday with the Bakersfield Police Chief, they and the AG have seemed to have skipped step one and gone directly to step two.

"These are serious allegations, and I'd like to thank the Bakersfield Police Department for being willing to address them both by implementing constructive action," AG Rob Bonta said.

Chief Greg Terry, however, disagreed with those findings even as he agreed to enter into the agreement with the DOJ.

"We believe the state's concerns are unfounded, and we have nothing to hide over the years. Courts and judges have consistently validated the police department's efforts to preserve the civil rights of our residents," he said.

Terry explained that they had two courses of action in response to the investigation.

"We could engage in costly and divisive legal proceedings (with) the attorney general, or we could come to an agreement without finding of any fault that puts (forward) a path for the police department to demonstrate that we are a professional organization, that we are accountable, transparent, and connected to our community," he said.

So the choice, he said, "came down to litigating the past or controlling our future, reassuring our community and moving forward in a positive way after much deliberation. And upon my recommendation, the city council decided to adopt this agreement."

Boy that's so not a vote of confidence in my book.

I asked Rob Bonta if it mattered.

"I don't believe it impacts our ability to address problems moving forward," Bonta responded. "I think we have a very strong, clear, firm and certain commitment to changes. There has been throughout the process a very clear commitment to making changes that will improve and provide a pathway forward. I expect to see those changes implemented."

He believes in the structure of this stipulated agreement with an independent court monitor and a court to help assist.

Again color me skeptical here. You have to change the way your department operates and not just because you have the sheriff breathing down your neck. Can you change department culture simply with monitors and overseers? I guess we'll find out.

Thanks for reading.

Criminal Justice News/ Commentary

**Commentary: ADDA Attorney Attacks
Gascón's Reforms Using a Poor
Understanding of Data Analysis**

As someone trained in the use of quantitative data analysis, the misuse of data in the political world drives me crazy. When you point out problems with the statistical analysis you invariably get some version

[Read More](#)

‘The Only Way the Virus Gets in Here Is Through Them’ – SQ Prisoners Frustrated with Latest COVID-19 Outbreak

The incarcerated community at San Quentin State Prison (SQ) are angry, frustrated and confused about the prison administration’s actions following the most recent outbreak of COVID-19.

[Read More](#)

Retired Black Army Vet Killed by Police After Experiencing PTSD Breakdown: Family Demands Investigation

Gulia Dale, 61, a retired U.S. Army major, was shot and killed by Newton police on July 4 after he experienced a PTSD breakdown triggered by fireworks—Dale’s family members now demand a full investigation of the incident.

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Independent News Source Charges Mainstream News Media Inaccurately Report Crime and Prosecution in San Francisco, Leaving Chesa Boudin in Middle

Data shows that crime has not been rising since San Francisco District Attorney Chesa Boudin took office, though many mainstream media outlets fail to report that, and in fact reports the contrary,

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Vanguard Justice Award to Exoneree Jeffrey Deskovic

Jeffrey was just 16 when he was interrogated for the brutal rape and murder of a classmate. He falsely confessed, and was convicted of murder. He would remain in prison for 17 years before DNA exonerated him.

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CDCR's Active COVID-19 Cases Surge to 170; Vaccinations for Staff Stagnant at 50%

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Sacramento Jails' Staff Vaccination Rate At 35%; New COVID-19 Cases at Santa Rita Jail Continue to Emerge

Our daily run down on the COVID cases in selective County Jails

[Read More](#)

Court Watch Coverage

Witnesses Highlight 1st Day of Preliminary Hearing for Man Accused of Stabbing Workmate in Neck with Scissors

Fontine Adams was confronted by a series of witness statements – including one by the alleged victim – at his preliminary hearing here in Alameda County Superior Court Tuesday for attempted murder with the use

[Read More](#)

Normal Morning for Sacramento Judge, Punctuated by Defendant's Speech and Questions about Probation Officer

It was business as usual here in Sacramento County Superior Court, Dept. 63 Tuesday, but became more eventful when a defendant requested to be heard by the court, and another case encountered issues

[Read More](#)

Man Accuses Court Appointed Defense Counsel of Incompetence and Wrongdoing – Judge Cuts Him Off

A defendant vigorously complained to a judge here Monday in Santa Barbara County Superior Court, noting that his motion to be assigned a new attorney had been ignored, and launched several

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Everyday Injustice Podcast Episode 121: Be the Jury – Pilot Would Pay Jurors \$100 a Day to Serve

One of the biggest problems in the criminal legal system is that the notion of being tried by a jury of one's peers has been discarded. A large number of people of color await trial in the system only to face a jury pool that is overly white,

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Cesar McDowell chronicles his journey from San Quentin to becoming, while still incarcerated, the co-founder and CEO of Unite The People Inc., a non profit organization that promotes social justice and offers affordable legal

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Subject: Everyday Injustice - Boudin's Father Will Have a Chance at Parole; Bonta Nails Bakersfield PD
Date: Tuesday, August 24, 2021 at 5:02:40 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"We've heard the calls for change to how we police. They have been loud. They have been clear. We've heard them in Bakersfield," Bonta said in a press conference Monday morning.

Everyday Injustice Newsletter - August 24, 2021

Chesa's Father Will Get a Chance to Be Freed

By David Greenwald

Shortly after Chesa Boudin first got elected as DA, I read about the Weather Underground movement.

In March of 1970, a powerful explosion went off in a Greenwich Village townhouse. Narrowly surviving the blast was Kathy Boudin and Cathy Wilkerson. The explosion was linked to the Weather Underground which had been formed from the remnants of Students for a Democratic Society in June 1969.

They saw armed struggle as necessary to reform American society especially in the wake of Vietnam and the Civil Rights Movement.

One thing that really blew my mind reading was that in 1970 alone, this explosive and the others planted by the group were one of just 2000 such explosives across the country. Today, if there were just a handful it would make big news.

The other thing that was striking to me is that when Kathy Boudin and David Gilbert were arrested and convicted - it was 1981. The 60s had been over for over a decade. The Vietnam War was long over. The country was moving right with the election of Ronald Reagan as President.

What the heck were these guys doing trying to foment revolution?

The actual incident was a big bank robbery. \$1.6 million stolen and a shootout that resulted in two cops and a private security person being killed.

This is a classic felony murder case. Kathy Boudin took a plea, but David Gilbert ended up with a 75 year sentence which was tantamount to life without parole.

But they were not involved in the shooting. They were not even in the vehicle or on the scene when the shoot out occurred.

Undoubtedly the experience of growing up with his parents in prison and the largely unjust sentence particularly to his father likely drove Chesa Boudin as a young lawyer and public defender to help craft California's new felony murder law - SB 1437 written by Senator Nancy Skinner.

Boudin writes: "Although he never used a gun or intended for anyone to get hurt, my father's crime caused unspeakable harm and devastated the lives of many separate families."

I think that's correct. I think 75 years was overkill by a large margin for his role in the crime. 40 years is probably overkill as well.

I certainly do not see the logic of keeping a 76-year-old man who has long since acknowledged his wrongdoing in prison.

David Gilbert is not free yet. That will be in the hands of the parole board and who knows which way that will go.

Bottom line: I question the wisdom of attempting to foment revolution in 1981. I definitely think that Gilbert committed a serious crime. But I also believe that he has long since paid his debt for his role in crime and there is no humane reason to leave him in a cage at this point.

Thanks for reading.

Criminal Justice News/ Commentary

**On His Way Out, Governor Cuomo
Commutes the Sentence of Chesa
Boudin's Father**

Governor Andrew Cuomo, in the midst of sexual harassment allegations that had been found to be confirmed by an independent investigation, stepped down effective late Monday. In his final act, though, he commuted

[Read More](#)

Bakersfield Police Submit to Agreement with State on Police Misconduct Despite Disagreeing with the Findings

The Bakersfield Police Chief disagrees with the findings, but on Monday, AG Rob Bonta and Chief Greg Terry entered into a stipulated judgment regarding the policies and practices of the BPD.

[Read More](#)

Guest Commentary: Voters Want Progressive Prosecutors; Biden Must Follow Through on Promise to Guide Reform.

Millions of people have taken to the streets demanding an end to racial injustice and mass incarceration. Now it's clear that they're also taking to the polls. Just last month, a reform-minded candidate for district attorney who promised

[Read More](#)

New 'Reform' Candidate in LA County Sheriff's Race Pledges Fight Against 'Gangs' of Deputies

Lieutenant Eric Strong announced his campaign Monday for LA County Sheriff, and promised to investigate and end rumored "gangs" of deputies within the department.

[Read More](#)

Human Rights Campaign Urges Californians to Vote No on Recall Question

On Monday, the Human Rights Campaign urged its members and all Californians to vote no in the recall election by September 14. The Human Rights Campaign stands with Equality California and the long list of

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Guest Commentary: All Lives Can't Matter Until Black Lives Matter

Some people say all lives matter and they do. But All Lives Matter erases the systematic oppression Black people have dealt with for centuries. Literally all lives can't matter until Black lives matter.

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Huge COVID-19 Spike at Santa Rita Jail — 20+ New Cases Identified, 23 Housing Units Quarantined

Our daily run down on the COVID cases in selective County Jails

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Court Watch Coverage

'Red Beard' Murder Trial Ongoing; Crime Lab Investigator Is Questioned on Confirmation Bias

The so-called “Red Beard” drive-by shooting/murder trial reconvened here Monday at Alameda County Superior Court, East County Hall of Justice, Dept. 707.

[Read More](#)

Wrong Place, Wrong Time? No Bail Set for Alleged Firearms Maker Who Claims Just ‘Sleeping’ on Uncle’s Couch

Isa Hutcheson was in Sacramento County Superior Court Monday afternoon for a bail revision hearing, charged with illegally possessing, manufacturing, and selling firearms and assault weapons.

[Read More](#)

Defendant Never Notified about Charges More than 6 Years Ago – Judge Refuses to Dismiss Despite Precedent

In a case here Monday in Sacramento County Superior Court, a man argued that he was never personally advised—and even the prosecution agreed—that there was a warrant out for his arrest more than six years ago.

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Everyday Injustice Podcast Episode 121: Be the Jury – Pilot Would Pay Jurors \$100 a Day to Serve

One of the biggest problems in the criminal legal system is that the notion of being tried by a jury of one’s peers has been discarded. A large number of people of color await trial in the system only to face a jury pool that is overly white,

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YouTube: [https://avanan.url-protection.com/v1/url?](https://avanan.url-protection.com/v1/url?o=http%3A//www.youtube.com/davisvanguard&g=ZTRjZW5kZmU3Y2RlOnYx)

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[Unsubscribe valerie.ibarra@sfgov.org](#)

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Subject: Re: Diversion Cases Focus on Alternatives for Addiction Defendants | Davis Vanguard
Date: Monday, August 23, 2021 at 10:01:26 PM British Summer Time
From: Ibarra, Valerie (PDR)
To: Calloway, Peter (PDR), Taylor, Olivia (PDR)
CC: Jacobs, Mark (PDR)

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Sent: Thursday, August 5, 2021 6:50 PM

To: Calloway, Peter (PDR) <peter.calloway@sfgov.org>;

Taylor, Olivia (PDR) <olivia.a.taylor@sfgov.org>

Cc: Jacobs, Mark (PDR) <mark.jacobs@sfgov.org>

Subject: Diversion Cases Focus on Alternatives for
Addiction Defendants | Davis Vanguard

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Subject: Re: Diversion Cases Focus on Alternatives for Addiction Defendants | Davis Vanguard

Date: Monday, August 23, 2021 at 9:16:48 PM British Summer Time

From: Jacobs, Mark (PDR)

To: Ibarra, Valerie (PDR)

CC: Calloway, Peter (PDR), Taylor, Olivia (PDR)

Yes. That works.

Sent from my iPhone

On Aug 23, 2021, at 12:22 PM, Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org> wrote:

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Subject: Everyday Injustice - Excited Delirium Rears Its Head in Antioch Police Killings - Find Out the Latest

Date: Monday, August 23, 2021 at 5:00:25 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

"It's a convenient diagnosis for law enforcement," Radley Balko points out. "It provides both a justification for what otherwise might look like excessive force, and impunity when that force coincides with a suspect's death. "

Everyday Injustice Newsletter - August 23, 2021

A New Red Flag in the Contra Costa Autopsy - Forensic Medical Group

by David Greenwald

If you missed it over the weekend, [the Vanguard reported on Saturday](#) that the Contra Costa County Coroner determined the cause of death of Angelo Quinto to be an accident and the manner was excited delirium.

"We don't believe in excited delirium," Burris said. "We had our own medical examiner who determined that there was a deprivation of oxygen to the brain caused by restraint asphyxiation that was caused by the officers being on his back and on his neck, his diaphragm pushed against the floor and his legs pulled up in like a boat position—compromising his airway."

Attorney Ben Nisenbaum was more pointed.

"Generally speaking it's a bunch of nonsense," he said. "To me it's right up there with spontaneous combustion."

Indeed, it might be. As [I reported on Sunday](#), excited delirium has been frowned on by the AMA who believe that "current evidence does not support 'excited delirium' as an official diagnosis, and (the organization) opposes its use until a clear set of diagnostic criteria has been established."

Indeed, it appears that Taser International has raised it as a defense against wrongful death suits.

The medical examiner in this case was Ikechi Ogan, a physician with California Forensic Medical Group.

It was a decade ago that CFMG made the news when a Pro Publica report found that they had employed forensic pathologist Dr. Thomas Gill.

Gill was a shady figure (see [the story](#)), bouncing around across the country.

In a Sonoma County case, he “missed key evidence” and “had been coached by prosecutors to downplay his past, prompting the dismissal of the murder charge.”

The reporter found, “in the decade since, Gill has continued to do thousands of autopsies and to serve as an expert witness in criminal cases. He landed a job as the No. 2 forensic pathologist in Kansas City, Mo., where his work again drew fire, and then returned to Forensic Medical Group Inc., the Fairfield firm that handled the case investigated by Reynolds. “

Indeed, “Besides Sonoma County, Gill has conducted death investigations or testified in court cases in Contra Costa, Solano, Marin, Napa, Sutter, Lake and Humboldt counties as a doctor for Forensic Medical Group. He had done more than 800 autopsies during a three-year period in Yolo, Napa and Solano counties alone.”

CFMG reportedly “cut its ties with Gill in December after Yolo County Sheriff-Coroner’s officials learned of the doctor’s history from reporters and barred him from performing its autopsies.”

In a written response to questions, “Forensic Medical Group said that after Yolo County’s decision, it no longer had enough cases to justify employing Gill.”

The bigger finding however is that his ability to “resurrect his career time and again reflects a profound weakness at the center of the U.S. system of death investigation.”

A lot of the counties, including Contra Costa, have continued to use CFMG despite this case from ten years ago.

Is that a factor in this case? We don’t know. Excited Delirium is not a credible medical diagnosis at this point. Clearly an independent body must look at this further.

Thanks for reading.

Criminal Justice News/ Commentary

Schubert and Crime Victims Attempt to Stop CDCR’s Early Release Using Misleading Claims and Rhetoric

Sacramento DA Anne Marie Schubert, flanked by victims, victim advocates and other DAs, pushed back against proposed early release as they addressed their role as plaintiffs in a lawsuit against what they call

[Read More](#)

Excited Delirium? Attorneys Incredulous at Inquest Findings of Debunked Cause of Death in Antioch Case

It may have been a scene reminiscent of George Floyd, but unless the California AG or Contra Costa DA step into this, the police may well get away with it after the coroner ruled accidental death in the death of 30-year-

[Read More](#)

Sunday Commentary: Excited Delirium, That’s Some BS

When I spoke on Friday afternoon with longtime civil rights attorney John Burris about the coroner's inquest in the Angelo Quinto case, and he told me "accidental death" and "excited delirium" I spit out my coffee.

[Read More](#)

Everyday Injustice Podcast Episode 121: Be the Jury – Pilot Would Pay Jurors \$100 a Day to Serve

One of the biggest problems in the criminal legal system is that the notion of being tried by a jury of one's peers has been discarded. A large number of people of color await trial in the system only to face a jury pool that is overly white,

[Read More](#)

Guest Commentary: All Lives Can't Matter Until Black Lives Matter

Some people say all lives matter and they do. But All Lives Matter erases the systematic oppression Black people have dealt with for centuries. Literally all lives can't matter until Black lives matter.

[Read More](#)

Announcing the 2021 Vanguard Justice Award Winners

The Vanguard is pleased to announce it is awarding 11 very worthy individuals and groups for their work in Criminal Justice Reform. GET YOUR TICKETS TODAY

[Read More](#)

COVID CDCR and Jail Dashboards

CDCR's Active COVID-19 Cases Surge to 170; Vaccinations for Staff Stagnant at 50%

Our daily run down on the COVID cases in the California Prison System (CDCR)

[Read More](#)

Huge COVID-19 Spike at Santa Rita Jail — 20+ New Cases Identified, 23 Housing Units Quarantined

Our daily run down on the COVID cases in selective County Jails

[Read More](#)

Court Watch Coverage

Despite Man's Clean Criminal Background, Judge Denies Request for Release

Judge Jacob Blea here in Alameda Superior Court Thursday refused to release a man on his own recognizance despite his spotless criminal record, largely because of an allegation—unproven—that the man

[Read More](#)

Judge Allows Homeless Defendants to Move Out of State While Waiting for Trial

Two homeless defendants requested here in Yolo County Superior Court to be released from supervised own recognizance release in order that they may move out of state—their requests were granted, but with

[Read More](#)

Everyday Injustice - Podcast

see our podcasts

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[Read More](#)

Everyday Injustice Podcast Episode 120: Cesar McDowell Turns His Life Around at San Quentin

Cesar McDowell chronicles his journey from San Quentin to becoming, while still incarcerated, the co-founder and CEO of Unite The People Inc., a non profit organization that promotes social justice and offers affordable legal

[Read More](#)

Follow the Vanguard on social media

Vanguard on Facebook: [https://avanan.url-protection.com/v1/url?](https://avanan.url-protection.com/v1/url?o=https%3A//www.facebook.com/davisvanguard/&g=MWY0ZDFjZmExMDY2YTgxNw==&h=ZGNiM WJiY2E3MzZmNjc2MTEzNDU5MWZIM2U2M2M3OTc3Y2NiM2FhYWZlZTJiYTU0MjM1ZDhiNjZlZDZjO TQwZQ==&p=YXAzOnNmZHQyOmF2YW5hbGpvOjA3MGJmNjVmNTIhYTE2ZTAxNmYwODRkMzA4 MDhjOTk2OnYx)

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Subject: Everyday Injustice - Sac PD Officer Arrested For Domestic Abuse - Will Be Charged This Time
Date: Friday, August 20, 2021 at 7:01:13 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

"During the course of that investigation, Officer Shepard was involved in another domestic violence incident in San Francisco County. Based on new criminal conduct and further investigation, our office filed domestic violence charges stemming from the May 6, 2021 incident," said the DA Office in a prepared statement.

Everyday Injustice Newsletter - August 20, 2021

Really? Is This the Best You Can Do?

by David Greenwald

I get amused reading some of the responses on Facebook to my columns. On Thursday, I pointed out that DA Jeff Reising went to Fox News to defend his policies. Fox News presented a very biased story – I pointed out specific examples and noted that the only two people interviewed were the DA himself and the granddaughter of the victim.

Here is one response:

"This is nothing more than a left-wing slam piece of Fox News and the Yolo DA
"What was shocking and brutal here was the misleading and one-sided coverage of this story by Fox which made no effort to find out the other side of the story"

What other side of the story is there.....? How about the side of the story of the two that were tortured and murdered or is the other side of the story how bills keep getting produced to lower the penalties for heinous acts in this state?

It really is this simple, if you don't want to do the time, don't do the crime..... "

Oh my... where to start.

How about here: "what other side of the story is there?"

This is like journalism 101 right – you always try to get the other side of the story. I think the comment is telling as to why viewers of Fox News believe that their reporting is fair and balanced... they agree with it and thus don't need to actually try to have fair and balanced reporting.

The obvious answer, in this case, is simple right – you have a CONTESTED hearing between the state AG's office and the attorney for Daniel Marsh. That would tend to mean that there is another side of the story – right.

But the other point I want to address is "if you don't want to do the time, don't do the crime."
Let's unpack that a bit.

First of all, I think we can accept as a basic maxim that if people commit crimes, there are consequences for them and sometimes that includes doing time.

BUT there are problems with this saying.

The first problem is that as a society we should attempt to make the punishment fit the crime. That means we don't exact punishments severely disproportionate to the crime committed. For instance, most would agree that 25 to life for stealing a bag of shredded cheese is disproportionate. Therefore, doesn't someone have the right to challenge it even if they in fact did the crime?

Second, as a society, we have also discovered that sometimes serving time is not the best societal solution. So again, why is it not fair game to raise that objection?

Finally, in the case of Daniel Marsh, you are talking about a 15-year-old kid at the time of the crime, suffering delusions and all sorts of mental problems. It's not clear how conscious he actually was of his decision-making at the time of the crime.

The bottom line though, I fail to see why the last line precludes an honest re-evaluation of the appropriate punishment.

Thanks for reading

Criminal Justice News/ Commentary

Sacramento Police Officer Arrested – Again – for Domestic Violence, and Meth Possession; This Time the District Attorney Files Charges After Whiffing Earlier

A Sacramento Police Dept. officer had a scheduled arraignment date Tuesday here in Sacramento County Superior Court after multiple reports of felony domestic violence in Sacramento and San

[Read More](#)

When All Hell Broke Loose: The Year of Coronavirus at San Quentin

Prisoners inside San Quentin Prison who survived the COVID-19 pandemic in 2020 weren't "all in it together" as people outside were urged to be throughout the pandemic. Before the year ended, however, the state of California's

[Read More](#)

Missouri Governor's Pardons Don't Include Lamar Johnson – For Now, Johnson Remains in Prison for Crime He Did Not Commit

Missouri governor Mike Parson has now announced 14 pardons and commutations, but excluded from those pardoned was Lamar Johnson, a man incarcerated for 26 years for a crime he didn't commit.

[Read More](#)

Guest Commentary: Stories of Abuses in Prisons

It's hard for me to talk about the state of prisons and jails in Virginia. The injustices that serve as the foundation for our carceral practices are so overwhelming and tangled that they can feel impenetrable. As the legal intake assistant for

[Read More](#)

NCAPA, Stop AAPI Hate, 21 Other AAPI Organizations Ask President Biden to Increase His Effort to Protect AAPI Communities

The National Council of Asian Pacific Americans, Stop AAPI Hate, and 21 other national AAPI organizations, sent a letter to President Biden Thursday, asking him to increase his efforts to protect the AAPI

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Announcing the 2021 Vanguard Justice Award Winners

The Vanguard is pleased to announce it is awarding 11 very worthy individuals and groups for their work in Criminal Justice Reform. GET YOUR TICKETS TODAY

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COVID CDCR and Jail Dashboards

CDCR's Active COVID-19 Cases Surge to 170; Vaccinations for Staff Stagnant at 50%

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Huge COVID-19 Spike at Santa Rita Jail — 20+ New Cases Identified, 23 Housing Units Quarantined

Our daily run down on the COVID cases in selective County Jails

[Read More](#)

Court Watch Coverage

Man Pleads Insanity to Charge of Stabbing in Prison Skirmish Preliminary Hearing

Gregory Leopold entered pleas of not guilty and not guilty by reason of insanity following his preliminary hearing in Sacramento County Superior Court Dept. 10 Thursday.

[Read More](#)

Man Takes Plea Deal After Alleged Parking Lot Firearm Assault, Obstructing Jail Deputies

Dewaze Whitfield is facing up to five years and four months in prison following his arrest for allegedly assaulting a woman with a firearm during a driving altercation, and then allegedly obstructing county jail

[Read More](#)

Despite Man's Clean Criminal Background, Judge Denies Request for Release

Judge Jacob Blea here in Alameda Superior Court Thursday refused to release a man on his own recognizance despite his spotless criminal record, largely because of an allegation—unproven—that the man

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Judge Allows Homeless Defendants to Move Out of State While Waiting for Trial

Two homeless defendants requested here in Yolo County Superior Court to be released from supervised own recognizance release in order that they may move out of state—their requests were granted, but with

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Judge Denies Request to Postpone Trial Again in Nearly Two-Year-Old Case – Tells Attorneys to 'Fish or Cut Bait'

In a pre-trial hearing here Wednesday for a case scheduled for jury trial in just a few days in Yolo County Superior Court, the prosecution and defense told the court that they were still trying to come to a resolution,

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Everyday Injustice - Podcast

see our podcasts

Everyday Injustice Podcast Episode 120: Cesar McDowell Turns His Life Around at San Quentin

Cesar McDowell chronicles his journey from San Quentin to becoming, while still incarcerated, the co-founder and CEO of Unite The People Inc., a non profit organization that promotes social justice and offers affordable legal

[Read More](#)

Everyday Injustice Podcast Episode 119: Alana Mathews Runs For Sacramento DA

Alana Mathews is running for DA for the office currently held by Anne Marie Schubert, who is not seeking re-election (and running for California AG).

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Subject: Re: Diversion Cases Focus on Alternatives for Addiction Defendants | Davis Vanguard
Date: Friday, August 20, 2021 at 4:36:36 PM British Summer Time
From: Jacobs, Mark (PDR)
To: Calloway, Peter (PDR)
CC: Taylor, Olivia (PDR), Ibarra, Valerie (PDR)

I'm available on Monday.

Sent from my iPhone

On Aug 20, 2021, at 8:34 AM, Calloway, Peter (PDR) <peter.calloway@sfgov.org> wrote:

Oh not at all! I just meant that I see that as a more pressing concern that ideally could be addressed right away while we figure out how best to address the bigger picture (one aspect of which is routinely naming clients without consent).

I'm available Monday before kickoff and later in the afternoon. Today is a little tricky but if ideal for others, let me know and I'll try to make it work.

Peter Calloway
Deputy Public Defender
415-553-4947 | peter.calloway@sfgov.org | he/him

On Aug 20, 2021, at 8:29 AM, Taylor, Olivia (PDR) <olivia.a.taylor@sfgov.org> wrote:

I'll be in the office today and Monday and I'm happy to talk through all this.

Also, sorry Peter – I didn't mean to commandeer the conversation and make it all about my client. There are clearly larger issues that really need to be addressed here, and I think we should put together a game plan before talking to David!

From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Sent: Thursday, August 19, 2021 9:07 PM
To: Calloway, Peter (PDR) <peter.calloway@sfgov.org>
Cc: Taylor, Olivia (PDR) <olivia.a.taylor@sfgov.org>; Jacobs, Mark (PDR) <mark.jacobs@sfgov.org>
Subject: Re: Diversion Cases Focus on Alternatives for Addiction Defendants | Davis Vanguard

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Sent: Friday, August 6, 2021 9:02 AM

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Calloway, Peter (PDR) <peter.calloway@sfgov.org>

Cc: Jacobs, Mark (PDR) <mark.jacobs@sfgov.org>

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Subject: Re: Diversion Cases Focus on Alternatives for Addiction Defendants | Davis Vanguard

Date: Friday, August 20, 2021 at 4:34:11 PM British Summer Time

From: Calloway, Peter (PDR)

To: Taylor, Olivia (PDR)

CC: Ibarra, Valerie (PDR), Jacobs, Mark (PDR)

Oh not at all! I just meant that I see that as a more pressing concern that ideally could be addressed right away while we figure out how best to address the bigger picture (one aspect of which is routinely naming clients without consent).

I'm available Monday before kickoff and later in the afternoon. Today is a little tricky but if ideal for others, let me know and I'll try to make it work.

Peter Calloway

Deputy Public Defender

415-553-4947 | peter.calloway@sfgov.org | he/him

On Aug 20, 2021, at 8:29 AM, Taylor, Olivia (PDR) <olivia.a.taylor@sfgov.org> wrote:

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Defendants | Davis Vanguard

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Subject: RE: Diversion Cases Focus on Alternatives for Addiction Defendants | Davis Vanguard

Date: Friday, August 20, 2021 at 4:29:32 PM British Summer Time

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Subject: RE: Diversion Cases Focus on Alternatives for Addiction Defendants | Davis

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From: Taylor, Olivia (PDR)
Sent: Friday, August 6, 2021 9:02 AM
To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>; Calloway, Peter (PDR) <peter.calloway@sfgov.org>
Cc: Jacobs, Mark (PDR) <mark.jacobs@sfgov.org>
Subject: RE: Diversion Cases Focus on Alternatives for Addiction Defendants | Davis Vanguard

Hi Valerie,

Thanks for bringing this to my attention. I had no idea that there was someone from Court Watch present. The only reason I didn't approach the bench to discuss the third-party culpability issues in Mr. Napoleon's case was because the DA was only present via Zoom and would not have been able to approach, or hear me if I had approached the bench. My client is actually really worried about blaming his father and jeopardizing their relationship and his father's precarious legal situation, and I had to do a lot of work to convince him to allow me to bring it up in court. The only way he was okay with it was if I discussed it off the record with the judge and then filed a motion under seal, so the information would not be publicly available. I know we can't unring the bell and the statements were technically made in open court, but had I known there were any members of the media present who were going to publish my client's name, the charges against him, and the issues surrounding his father's culpability, I wouldn't have said what I said.

If there is any way you and I can talk to David Greenwald about this and explain that when attorneys are speaking off the record about sensitive information (especially information that they say they will later be providing to the court in a motion under seal), that should indicate to the media that they might want to consult the attorneys involved before printing that information in an article. Also, my client is 18 years old, is still in high school, and now there is an article on the internet that says he was caught in possession of 3 guns. That's going to create a number of serious issues for him when he applies for jobs and potential employers search his name on the internet.

I'd love to speak with you at some point today, if you're available, about what - if anything - we can do. Frankly, I'm really upset about this. Of all my cases, this is the one that probably involves the most sensitive issues and the greatest possibility of the media attention negatively impacting my client's life.

Thank you for letting me know about the article.

Best,
Olivia

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

From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Sent: Thursday, August 5, 2021 6:50 PM
To: Calloway, Peter (PDR) <peter.calloway@sfgov.org>; Taylor, Olivia (PDR) <olivia.a.taylor@sfgov.org>

Cc: Jacobs, Mark (PDR) <mark.jacobs@sfgov.org>

Subject: Diversion Cases Focus on Alternatives for Addiction Defendants | Davis Vanguard

Hi Peter and Olivia,

Both of you had cases mentioned in this Court Watch article. I suspect there may be factual errors (beyond just spelling), so please let me know what corrections need to be made and I will contact the editor.

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Peter has raised some issues about the Davis Vanguard/Court Watch using our clients' names and attorneys' off-the-record comments. Since it's all in open court, that part is tricky to rein in, but I remain willing to help communicate with the Editor, David Greenwald, about the various concerns that have come up lately as the courts have opened up further.

One option may be to meet with the Court Watch interns at their Tuesday lunch meetings to: help educate them on the legal issues, which could help them improve; and offer to comment on cases upon request, or talk on background about the bigger picture. Many of them are our PDR interns as well.

I want to hold off on adding this article to the internal weekly news roundup until I hear back from you both.

Thank you,
Valerie

Subject: Re: Flagging an article that has raised concerns
Date: Friday, August 20, 2021 at 3:02:58 AM British Summer Time
From: David M. Greenwald
To: Ibarra, Valerie (PDR)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

This would be good to have a chat - I have some ideas but best not by email

On Thu, Aug 19, 2021 at 7:00 PM Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org> wrote:

Hi David,

DPD Olivia Taylor brought up some concerns she has about this article by Elena Rawlinson:
<https://www.davisvanguard.org/2021/08/diversion-cases-focus-on-alternatives-for-addiction-defendants/>

I know that she is hoping that her client's name can be removed for the reasons she mentions below. Please let me know if that's possible.

I'm listing all of the concerns she shared with me verbatim so you understand the full scope - not only of this particularly sensitive case, but also to share the willingness of our attorneys to be contacted for more info or comment, which can happen through me as a point of contact for Court Watchers.

Please note that I have already addressed her first concern, reiterating that this is happening in open court. I am happy to put our heads together to find ways to support our mutual efforts.

Ms. Taylor's concerns:

- *No one ever consulted me or my client about this article before publishing it*
- *They named my 18-year-old client, who is still in high school, as the possessor of 3 guns. Now he is easily searchable as such (especially given his unique name), which will likely pose serious issues for him when it comes to applying for jobs.*
- *The entire conversation they reported on occurred off the record. Though it was technically in open court, the only reason I did that was because the DA was appearing via Zoom, so we could not approach the bench to discuss out of earshot of the public. Had I known there was media present, I would not have said what I said under any circumstance, due to the sensitive nature of the information.*
- *The writer of this article seemed to understand the sensitive nature of the subject enough to note that the judge gave me permission to file a motion under seal, but still published the contents of the off-the-record conversation that will be the subject of that motion under seal.*
- *I don't see how this article moves the ball forward in terms of the Davis Vanguard/Court Watch's stated purposes of shifting the public narrative about criminal cases away from the prosecution/police/law and order and towards the humanity of those charged with crimes*
- *Had they consulted me about diversion success stories to highlight, I could have pointed*

them in the direction of several applicants for diversion who might have expressed willingness to be featured and who would not have been harmed by the publication of their personal stories.

Thank you,

Valerie Ibarra
Public Information Officer
San Francisco Public Defender's Office
Valerie.Ibarra@sfgov.org
(628)249-7946
SFPublicDefender.org/Media

--

David M. Greenwald
Executive Director
[The People's Vanguard of Davis](https://ThePeoplesVanguardofDavis.com)

530.400.2512

"The Investigative Eye"

Log on daily to get the latest news, commentary, and information about the city of Davis, Yolo County, and the Sacramento Region.

"Journalism is printing what someone else does not want printed: everything else is public relations." — George Orwell

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Check out our Facebook page: <https://www.facebook.com/davisvanguard>

Follow us on Twitter: <https://twitter.com/DavisVanguard>

Subject: Flagging an article that has raised concerns

Date: Friday, August 20, 2021 at 2:59:50 AM British Summer Time

From: Ibarra, Valerie (PDR)

To: David M. Greenwald

Hi David,

DPD Olivia Taylor brought up some concerns she has about this article by Elena Rawlinson:
<https://www.davisvanguard.org/2021/08/diversion-cases-focus-on-alternatives-for-addiction-defendants/>

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Thank you,

Valerie Ibarra
Public Information Officer
San Francisco Public Defender's Office
Valerie.Ibarra@sfgov.org
(628)249-7946
[SFPublicDefender.org/Media](https://www.sfpd.org/Media)

Subject: Re: Diversion Cases Focus on Alternatives for Addiction Defendants | Davis Vanguard

Date: Friday, August 20, 2021 at 2:32:10 AM British Summer Time

From: Ibarra, Valerie (PDR)

To: Taylor, Olivia (PDR), Calloway, Peter (PDR)

CC: Jacobs, Mark (PDR)

Hi Olivia,

Let me flag this one for David and ask him if he will take out the name. I have all your notes to share your other concerns. I will let you know what he says, and from there, we can find ways to integrate it into a larger conversation.

Vilaska and Kathy - who manage our interns - already mentioned to the Court Watch folks that we welcome them to reach out for comment and I've offered myself as a resource/liaison to help gather background info and statements. I don't believe the article in question was written by one of our interns, but we will have a new batch of interns coming in the week after Labor Day, and I will reiterate, during my part of the orientation, that we are available.

Mark - I'll be in the office tomorrow, and I can stop by to discuss how we might solve for x going forward.

Thank you all for your input and your patience.

Valerie

From: Taylor, Olivia (PDR) <olivia.a.taylor@sfgov.org>

Sent: Thursday, August 19, 2021 4:51 PM

To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>; Calloway, Peter (PDR) <peter.calloway@sfgov.org>

Cc: Jacobs, Mark (PDR) <mark.jacobs@sfgov.org>

Subject: RE: Diversion Cases Focus on Alternatives for Addiction Defendants | Davis Vanguard

Hi Valerie,

I know you asked for feedback from the misdemeanor unit about issues with the Davis Vanguard/Court Watch, but I think Peter and I may have been the only ones who put our feedback into the Google sheet. I'm wondering if you have any updates about conversations with David Greenwald relating to the issues Peter and I (as well as Katie Gosewehr) identified. I'm still really upset about what happened in my case and I'd really like to see if anything can be done - at the very least, to take my client's name off of the article.

Thanks,

Olivia

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

From: Taylor, Olivia (PDR)

Sent: Friday, August 6, 2021 9:02 AM

To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>; Calloway, Peter (PDR) <peter.calloway@sfgov.org>

Cc: Jacobs, Mark (PDR) <mark.jacobs@sfgov.org>

Subject: RE: Diversion Cases Focus on Alternatives for Addiction Defendants | Davis Vanguard

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I'd love to speak with you at some point today, if you're available, about what - if anything - we can do. Frankly, I'm really upset about this. Of all my cases, this is the one that probably involves the most sensitive issues and the greatest possibility of the media attention negatively impacting my client's life.

Thank you for letting me know about the article.

Best,
Olivia

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From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Sent: Thursday, August 5, 2021 6:50 PM

To: Calloway, Peter (PDR) <peter.calloway@sfgov.org>; Taylor, Olivia (PDR) <olivia.a.taylor@sfgov.org>

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One option may be to meet with the Court Watch interns at their Tuesday lunch meetings to: help educate them on the legal issues, which could help them improve; and offer to comment on cases upon request, or talk on background about the bigger picture. Many of them are our PDR interns as well.

I want to hold off on adding this article to the internal weekly news roundup until I hear back from you both.

Thank you,

Valerie

Subject: RE: Diversion Cases Focus on Alternatives for Addiction Defendants | Davis Vanguard

Date: Friday, August 20, 2021 at 12:51:26 AM British Summer Time

From: Taylor, Olivia (PDR)

To: Ibarra, Valerie (PDR), Calloway, Peter (PDR)

CC: Jacobs, Mark (PDR)

Hi Valerie,

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Sent: Friday, August 6, 2021 9:02 AM

To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>; Calloway, Peter (PDR) <peter.calloway@sfgov.org>

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Sent: Thursday, August 5, 2021 6:50 PM

To: Calloway, Peter (PDR) <peter.calloway@sfgov.org>; Taylor, Olivia (PDR) <olivia.a.taylor@sfgov.org>

Cc: Jacobs, Mark (PDR) <mark.jacobs@sfgov.org>

Subject: Diversion Cases Focus on Alternatives for Addiction Defendants | Davis Vanguard

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Thank you,
Valerie

Subject: Re: From David Greenwald seeking quotes

Date: Thursday, August 19, 2021 at 11:31:23 PM British Summer Time

From: Rodarmel, Danica (PDR)

To: David M. Greenwald, Ibarra, Valerie (PDR)

Sorry I haven't been able to get to this— I'm not so good for quick turnarounds for the next three weeks until legislative session is over.

Have you asked the good folks at PLO David?

From: David M. Greenwald <info@davisvanguard.org>
Sent: Thursday, August 19, 2021 11:43:46 AM
To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Subject: Re: From David Greenwald seeking quotes

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Thanks Valerie.

Timeline is out of my hands. If you read what I have so far, you'll see it reads like a propaganda piece for the other side. But I wanted to make sure people knew what they were responding to. Waiting on the AG's office and Prosecutor's alliance to respond as well. So not sure what the time line is. Would like to get something out if possible for tomorrow.

On Thu, Aug 19, 2021 at 11:41 AM Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org> wrote:

Hi Danica -- Sorry for the timing confusion. Not sure what your availability is looking like today. I'm looping in David here so he can explain further. Thank you.

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Sent: Wednesday, August 18, 2021 10:45 PM
To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: From David Greenwald seeking quotes

did he say when by?

From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Sent: Wednesday, August 18, 2021 10:01:30 PM
To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Subject: From David Greenwald seeking quotes

Text rcvd from David Greenwald:

“This is my draft up from the Sacramento DAs press conference they file the lawsuit pushing back against some kind of early release program and I need some quotes in response to it. I know it’s late in the day but I’m hoping somebody still able to respond.”

<https://docs.google.com/document/d/1jF-B5gGiZt-2E7Xd7GPnapZrHW8zm7ViZsVWfsgz-5A/edit?usp=sharing>

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Sent from Gmail Mobile

Subject: Re: From David Greenwald seeking quotes

Date: Thursday, August 19, 2021 at 7:43:46 PM British Summer Time

From: David M. Greenwald

To: Ibarra, Valerie (PDR)

CC: Rodarmel, Danica (PDR)

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Sent from Gmail Mobile

Subject: Re: From David Greenwald seeking quotes

Date: Thursday, August 19, 2021 at 7:41:07 PM British Summer Time

From: Ibarra, Valerie (PDR)

To: Rodarmel, Danica (PDR), David M. Greenwald

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Subject: Everyday Injustice - Sheriff's Deputies Brutalize Black Woman; No, Reform DAs Don't Go on Fox News
Date: Thursday, August 19, 2021 at 7:00:29 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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Almadani alleges, "Without any provocation. Sheriff's deputies, Dalton McCampbell and Lisa McDowell, then dragged Nikia out of the view of McDowell's patrol dash camera and physically beat her punching kicking her, striking her in the back of the neck, the head, the face stomach, as she struggled and prayed for her life and desperation pleading God helped me."

Everyday Injustice Newsletter - August 19, 2021

Reform DA's in **da** house... join us

Thought I would have a little fun with this. We have a who's who list of California reform DA's, candidates,

and former candidates coming to the September 8

Two current DA's have sponsored so far...

Diana Becton, Contra Costa
Chesa Boudin, San Francisco

Four 2022 Candidates

Sajid Khan (Santa Clara)
Pamela Price (Alameda)
Cynthia Rodriguez (Yolo)
Alana Mathews (Sacramento)

And just for fun, three candidates from 2018 (four if you count Pamela Price who ran back then too)

Genevieve Jones Wright (San Diego)
Noah Phillips (Sacramento)
Dean Johansson (Yolo)

Back in May George Gascon, the LA DA spoke at our event and we have an invite into him for a sponsorship.

Chesa Boudin is a sponsor for this event, a main speak at the October 28 event, but will not attend on the 8th because of the expected birth of his first child.

We are rapidly filling up with tickets but still have tickets and sponsorships available.

Tickets are \$100 -

<https://davisvanguard.networkforgood.com/events/31971-the-vanguard-justice-award-gala-general-admission>

Sponsorships start at \$250 -

<https://davisvanguard.networkforgood.com/events/32033-the-vanguard-justice-award-gala-sponsorship>

IF YOU APPRECIATE OUR WORK - PLEASE SUPPORT US. If you can't afford \$100 for September 8, remember you can attend on October 28 for \$25 (same link as above) and you can do a donation (also the same link as above).

Thanks for your support and thanks for reading.

Criminal Justice News/ Commentary

Woman Files Suit After Alleging Solano Deputies Knocked Her Unconscious and Brutalized Her During a Traffic Stop

Attorneys for Nakia Porter filed suit in Federal Court in Sacramento on Wednesday following an incident on August 6, 2020, where Porter and her father were driving from Oakland to their home in Sacramento.

[Read More](#)

Commentary: No, Reform DAs Don't Go on Fox News

The Yolo County DA's Office has been pushing the court appearance for weeks. In a tweet, they said: "Today the 3rd District Court of Appeal considered whether the killer of Claudia Maupin

[Read More](#)

Embattled Santa Clara Sheriff Taking Big Hits Over Jail Treatment – Mayor Asks Sheriff to Resign

Embattled Santa Clara County Sheriff Laurie Smith—who critics charge has cost taxpayers millions of dollars as a result of lawsuits from mistreatment of the incarcerated in the Santa Clara Jail—this week fought back

[Read More](#)

First of Two Chesa Boudin Recall Campaigns Fails to Get Enough Verified Signatures, Begg Pressing Questions about Remaining Effort

Officials here announced that the first effort to recall San Francisco District Attorney Chesa Boudin has failed to garner enough verified signatures to prompt a special election.

[Read More](#)

Announcing the 2021 Vanguard Justice Award Winners

The Vanguard is pleased to announce it is awarding 11 very worthy individuals and groups for their work in Criminal Justice Reform. GET YOUR TICKETS TODAY

[Read More](#)

COVID CDCR and Jail Dashboards

CDCR's Active COVID-19 Cases Surge to 170; Vaccinations for Staff Stagnant at 50%

Our daily run down on the COVID cases in the California Prison System (CDCR)

[Read More](#)

Huge COVID-19 Spike at Santa Rita Jail — 20+ New Cases Identified, 23 Housing

Units Quarantined

Our daily run down on the COVID cases in selective County Jails

[Read More](#)

Court Watch Coverage

Grandfather Seen on Zoom Allegedly Molesting Granddaughter during Class

John XXX" (not his real name) is being charged with one felony count of child molestation, after being seen over Zoom by her teacher and others, allegedly molesting his granddaughter, according to information

[Read More](#)

Five Agree to Plea Deal, Sentenced for 2nd Degree Burglary for Stealing 30 Pot Plants

In Judge Helen R. Gweon's courtroom here in Sacramento County Superior Court Wednesday, five men met with their respective attorneys to discuss the possibility of a global resolution for all parties—one man

[Read More](#)

Prosecution Request for No Contact Order Rejected by Judge after Alleged Victim Objects

Despite the prosecution's request to enforce a no contact order for Adam Christopher Ince, Judge Emily Benjamini of Riverside County Superior Court Wednesday—after listening to the alleged victim's desire—subsequently did not issue

[Read More](#)

Man Uses Colorful Language to Address Court; Doctors Decide He's Not Competent to Stand Trial

Terrance Anthony Miles—who became outraged at both his defense attorney and the presiding judge last month, demanding that he be allowed to fire his defense attorney—was determined not to be competent to

[Read More](#)

'Red Beard' Murder Trial Ongoing; Witness Testifies to Home Damage From Drive-By Shooting

Witnesses shared their testimonies in an ongoing murder trial here Tuesday in Alameda County Superior Court involving a drive-by shooting that ended in the death of the victim.

[Read More](#)

Defendant on Trial for Allegedly Killing Man at a Gas Station; Witness Testimonies

Three witness testimonies were heard here in Riverside County Superior Court Tuesday in the trial of Francisco Anthony Yzarrar, charged with allegedly shooting and killing a 21-year-old man at a gas station with a un Feb. 2.

[Read More](#)

Defendant Sentenced to Nearly 10 Years in Prison for 3-Acre Arson Fire, Theft – Claims ‘Upset About His Aunt Not Having Insurance’

Defendant Rafael Torres was sentenced to nine years and four months in state prison here in Sacramento County Superior Court Tuesday for committing arson on a field and a second-degree burglary in 2020.

[Read More](#)

Everyday Injustice - Podcast

[see our podcasts](#)

Everyday Injustice Podcast Episode 120: Cesar McDowell Turns His Life Around at San Quentin

Cesar McDowell chronicles his journey from San Quentin to becoming, while still incarcerated, the co-founder and CEO of Unite The People Inc., a non profit organization that promotes social justice and offers affordable legal

[Read More](#)

Everyday Injustice Podcast Episode 119: Alana Mathews Runs For Sacramento DA

Alana Mathews is running for DA for the office currently held by Anne Marie Schubert, who is not seeking re-election (and running for California AG).

[Read More](#)

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Subject: Re: From David Greenwald seeking quotes
Date: Thursday, August 19, 2021 at 6:45:25 AM British Summer Time
From: Rodarmel, Danica (PDR)
To: Ibarra, Valerie (PDR)

did he say when by?

From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Sent: Wednesday, August 18, 2021 10:01:30 PM
To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Subject: From David Greenwald seeking quotes

Text rcvd from David Greenwald:

“This is my draft up from the Sacramento DAs press conference they file the lawsuit pushing back against some kind of early release program and I need some quotes in response to it. I know it’s late in the day but I’m hoping somebody still able to respond.”

<https://docs.google.com/document/d/1jF-B5gGiZt-2E7Xd7GPnapZrHW8zm7ViZsVWfsgz-5A/edit?usp=sharing>

Subject: From David Greenwald seeking quotes

Date: Thursday, August 19, 2021 at 6:01:29 AM British Summer Time

From: valerie.ibarra@sfgov.org

To: Danica Rodarmel

Text rcvd from David Greenwald:

“This is my draft up from the Sacramento DAs press conference they file the lawsuit pushing back against some kind of early release program and I need some quotes in response to it. I know it’s late in the day but I’m hoping somebody still able to respond.”

<https://docs.google.com/document/d/1jF-B5gGiZt-2E7Xd7GPnapZrHW8zm7ViZsVWfsgz-5A/edit?usp=sharing>

Subject: Re: PODCAST - Be the Jury - recording Thursday 4:30pm
Date: Wednesday, August 18, 2021 at 11:09:28 PM British Summer Time
From: David M. Greenwald
To: Ibarra, Valerie (PDR)
CC: Solis, Niki (PDR), Stuhldreher, Anne (TTX)

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Thanks Valerie for helping me set this up. Hi Niki and Anne look forward to talking with you tomorrow.

Here is the Zoom link -

<https://us02web.zoom.us/j/84658980941?pwd=VFZ6R0ZDRmZxcnF4MU9GcXoxTEtadz09>

Thanks

On Wed, Aug 18, 2021 at 11:42 AM Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org> wrote:

Hello -- I'm writing to connect & introduce everyone about the Davis Vanguard podcast about 'Be the Jury' -- the pilot program, the legislation, and the issues guiding it.

HOST: David Greenwald, Founder & Editor of the Davis Vanguard, and Host of the [Everyday Injustice Podcast](#)

DATE: Thursday 8/19

TIME: 4:30pm (30-40mins) + David will provide a zoom link and any special instructions.

FORMAT: Zoom - recorded for both video (YouTube) and audio (Soundcloud); minimally edited, so please assume it's all on the record and prime time.

GUESTS:

- Deputy Public Defender Niki Solis, Chair of the Racial Justice Committee at the San Francisco Public Defender's Office.
- Anne Stuhldreher, Director of the [Financial Justice Project](#) in the Office of the Treasurer for the City and County of San Francisco.

Please let me know how I can further assist.

Thank you,

Valerie Ibarra
Public Information Officer
San Francisco Public Defender's Office
Valerie.Ibarra@sfgov.org
(628)249-7946
SFPublicDefender.org/Media

--
Sent from Gmail Mobile

Subject: ReformDA's in *DA* house...JoinUs!

Date: Wednesday, August 18, 2021 at 9:00:09 PM British Summer Time

From: David Greenwald

To: valerie.ibarra@sfgov.org

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Image



Reform DA's in *DA* House... Join Us!

Valerie! Join the party on September 8 at 6 PM in Downtown Sacramento!

Join our A list of guest at the Darling Aviary in three weeks to award those directly making an impact of our justice system!

Some Attendees and/or Sponsors include:

We are rapidly filling up with tickets but still have tickets and sponsorships available.

Tickets are \$100

General Admission

Sponsorships start at \$250 -

Sponsorships

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Subject: PODCAST - Be the Jury - recording Thursday 4:30pm
Date: Wednesday, August 18, 2021 at 7:42:10 PM British Summer Time
From: Ibarra, Valerie (PDR)
To: David M. Greenwald, Solis, Niki (PDR), Stuhldreher, Anne (TTX)

Hello -- I'm writing to connect & introduce everyone about the Davis Vanguard podcast about 'Be the Jury' -- the pilot program, the legislation, and the issues guiding it.

HOST: David Greenwald, Founder & Editor of the Davis Vanguard, and Host of the [Everyday Injustice Podcast](#)

DATE: Thursday 8/19

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FORMAT: Zoom - recorded for both video (YouTube) and audio (Soundcloud); minimally edited, so please assume it's all on the record and prime time.

GUESTS:

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Please let me know how I can further assist.

Thank you,

Valerie Ibarra
Public Information Officer
San Francisco Public Defender's Office
Valerie.Ibarra@sfgov.org
(628)249-7946
[SFPublicDefender.org/Media](https://www.sfpd.org/Media)

Subject: Everyday Injustice - Criminal Justice Leaders Call on Presidential Task For 21st Century Prosecution
Date: Wednesday, August 18, 2021 at 7:01:36 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"For too long, prosecutors have used their vast discretion to pursue convictions and extreme sentences as part of a false promise of public safety; a new generation of prosecutors is changing this paradigm and prioritizing equity and justice while also improving the safety and well-being of our communities. It is time for the Biden Administration to propel this movement forward and act to create lasting and sustainable change to the criminal legal system," said Miriam Krinsky

Everyday Injustice Newsletter - August 18, 2021

This is a Case That AG Bonta Needs To Investigate

By David Greenwald

Following a press conference last month in another police shooting in Stockton, the family of Augustine Morales sent me a video of his 2020 shooting. The police claimed in that case that they were called to 1600 Block of Juliesse in Sacramento on reports of reckless driving.

They say they encouraged a man firing his weapon at the crowd and that the officers ordered him to drop his weapon multiple times.

But that's not what you see on the video. On the video, you see the cop who spent two or three minutes to trying to figure out what was happening, start running and firing his weapons.

Only after he fired perhaps his first eight to ten shots do you ever hear him yelling to drop the gun – moreover, it appears that the gun in question was actually on the ground at the time he is yelling this. Police issued a number of accounts of what happened immediately afterward, but have yet to revise it based on the video that had come forward.

The first narrative that the police gave is that multiple times he was told to drop his weapon. But that's not what the video shows.

On the video, you hear the officer start to fire shots at 3:20. At no point prior did he yell to drop it. He doesn't say anything at all until 3:25 when he's running and yells "shots fired." He finally yells drop it at 3:27, but he's already been firing for seven seconds. After yelling drop it, he fires off three or four more rounds.

According to the family, they shot at Augustine Morales around 13 times and hit him 11. At 3:31 – after all the shots were fired, you hear him yell, drop the gun – several times. At 4:03 it looks like he slid the gun away from him.

But from the video, it's clear that the officer fired most of his shots before he ever yelled to drop a weapon.

"He's kneeling down on the floor (the ground outside) with his back towards the officer," she explained. "If you look... my brother's weapon and magazine is already on the floor. So the magazine is out of the gun, and it's on the floor."

The problem now is that it is the Sacramento PD along with the DA's office under Ann Marie Schubert investigating the case. Her office cleared officers in such high profile shootings as Joseph Mann and Stephon Clark.

However, under AB 1506, ironically authored by Assemblymember Rob Bonta, the AG's office is required by law to investigate all incidents of an officer-involved shooting resulting in the death of an unarmed civilian in the state. Historically, these critical incidents had been primarily handled by local law enforcement and district attorneys.

While Morales is clearly not unarmed, there are enough questions about this case and what actually happened that it is clear it should not be the Sacramento DA conducting the investigation. "Transparency is critical to building and maintaining trust between law enforcement and the communities we serve," said Attorney General Bonta yesterday in announcing that they are reopening the investigation into the shooting death of Oscar Grant from 2009 in which one officer, Johannes Mehserle, was charged by the Alameda County District Attorney's Office with murder and convicted of involuntary manslaughter.

Bonta added, "The California Department of Justice is committed to conducting a thorough, fair, and independent review and will go where the facts lead."

The family of Augustine Morales deserves the same here.

Thanks for reading.

Criminal Justice News/ Commentary

Criminal Justice Leaders Call on

Presidential Task For 21st Century Prosecution

During the Obama administration, the Department of Justice along with various stakeholders created a Task Force on 21st Century Policing. But as the criminal justice reform movement has grown there is an

[Read More](#)

Philly Study Links Eviction to Burglary, Robbery and Homicide

A recent study discovered that eviction rates have a direct correlation with rates of community crime, even controlling for other factors. The study was conducted in Philadelphia, the city with the fourth highest conviction

[Read More](#)

Inadequate Data Collection is Slowing Down Criminal Justice Reform

The fight for a reform in the criminal justice system is being advocated from a variety of different angles, all having a common underlying problem, the lack of collecting and storing of criminal justice data.

[Read More](#)

Announcing the 2021 Vanguard Justice Award Winners

The Vanguard is pleased to announce it is awarding 11 very worthy individuals and groups for their work in Criminal Justice Reform. GET YOUR TICKETS TODAY

[Read More](#)

COVID CDCR and Jail Dashboards

CDCR's Active COVID-19 Cases Surge to 170; Vaccinations for Staff Stagnant at 50%

Our daily run down on the COVID cases in the California Prison System (CDCR)

[Read More](#)

Outbreak Among Santa Rita Jail Staff Raises Concerns as Only 24% Of Incarcerated Population Is Vaccinated

Our daily run down on the COVID cases in selective County

Jails

[Read More](#)

Court Watch Coverage

Sacramento Man Charged with Attempted Murder of Fellow Incarcerated Man after Target Trash Compactor Damage

While serving time in the Sacramento County Jail for damaging a Target trash compactor, defendant Colton Miles allegedly brutally assaulted another incarcerated individual, choking him multiple times.

[Read More](#)

Defendant Released Pretrial to Access Resources for Mental Health Issues, Including PTSD, Not Available in Jail

Amelia A. Castellanos-Marshall needs a place to live Aug. 24, or she'll wind up in jail was the message sent here in Santa Barbara County Superior Court Tuesday.

[Read More](#)

Judge Issues Stay Away Order for All AC Transit Buses for Defendant – Defense Calls It Unconstitutional

Defendant Faye Adams was issued a stay away order for all AC Transit buses in her area Tuesday, despite protests by her defense here in Alameda County Superior Court that such as stay away for all public

[Read More](#)

Defendant Allegedly Continuously Sexually Abused 2 Victims – Defense Attacks Child Victim, But Judge Sets Trial

It was found here in Alameda County Superior Court Tuesday that there is sufficient evidence to move forward to trial for Greg Beamon, who is being charged with two felony counts for continuous sexual abuse and

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Everyday Injustice - Podcast

[see our podcasts](#)

Everyday Injustice Podcast Episode 120: Cesar McDowell Turns His Life Around at

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Subject: Everyday Injustice - Join Reform DA's on September 8; Family Wants Answers on Police Shooting

Date: Tuesday, August 17, 2021 at 7:00:44 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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"My son was not a threat to him at all," Roxanne Morales said. "His back was to him. He had no idea there was an officer there."

Everyday Injustice Newsletter - August 17, 2021

Reform DA's in **da house... join us**

Thought I would have a little fun with this. We have a who's who list of California reform DA's, candidates, and former candidates coming to the September 8

Two current DA's have sponsored so far...

Diana Becton, Contra Costa
Chesa Boudin, San Francisco

Four 2022 Candidates

Sajid Khan (Santa Clara)
Pamela Price (Alameda)
Cynthia Rodriguez (Yolo)
Alana Mathews (Sacramento)

And just for fun, three candidates from 2018 (four if you count Pamela Price who ran back then too)

Genevieve Jones Wright (San Diego)
Noah Phillips (Sacramento)
Dean Johansson (Yolo)

Back in May George Gascon, the LA DA spoke at our event and we have an invite into him for a sponsorship.

Chesa Boudin is a sponsor for this event, a main speak at the October 28 event, but will not attend on the 8th because of the expected birth of his first child.

We are rapidly filling up with tickets but still have tickets and sponsorships available.

Tickets are \$100 -

<https://davisvanguard.networkforgood.com/events/31971-the-vanguard-justice-award-gala-general-admission>

Sponsorships start at \$250 -

<https://davisvanguard.networkforgood.com/events/32033-the-vanguard-justice-award-gala-sponsorship>

IF YOU APPRECIATE OUR WORK - PLEASE SUPPORT US. If you can't afford \$100 for September 8, remember you can attend on October 28 for \$25 (same link as above) and you can do a donation (also the same link as above).

Thanks for your support and thanks for reading.

Criminal Justice News/ Commentary

Family Still Wants Answers and Police To Come Clean On Shooting Death by Police of Augustine Morales

The video released in November shows the shooting of Augustine Morales in Sacramento by police officers. The initial news report was that he was shooting at the 1600 Block

[Read More](#)

Former Philly Detectives Involved in Wrongful Conviction of Anthony Wright,

Charged After Grand Jury Investigation

District Attorney Larry Krasner late last Friday issued a statement addressing the charges of perjury and false swearing brought against former Philadelphia Police Homicide Detectives Manuel Santiago, Martin

[Read More](#)

DA Boudin Files 33 Charges against Man Targeting Chinese-Owned Businesses

San Francisco District Attorney Chesa Boudin announced the filing Monday of 33 charges against 36-year-old Derik Barreto—all but a couple are said to be for racially motivated hate crimes against Chinese-owned businesses.

[Read More](#)

Reflections of a Vanguard Intern: A Rookie Cop, an Expert Witness, and the Sway of Police Testimony

This past week, while assigned to monitor several departments in the Sacramento County Superior Court, I came across two contrasting examples of police testimony.

[Read More](#)

Prison Term Modified by Appeals Court to Strike One Year – Defendant Now Looking at ‘Just’ 15 Years to Life, and 1 Additional Year

In July of 2014, Gregory Michael Wilson and his girlfriend, Dana June Knaul, were arrested by the Amador County Sheriff’s Office in connection with the death of a 26-year-old man. The victim was fatally stabbed in Pioneer after an

[Read More](#)

Appeals Court Orders Superior Court to ‘Readdress’ Competency of Lawyer Convicted of Killing Husband

The U.S. Court of Appeal in the California 4th District, Division 2 has granted a petition for a hearing sought by Karen Sims, a former attorney sentenced to 50 years to life in prison for the murder of her husband in 2006.

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Appeals Court Orders Superior Court to ‘Readdress’ Competency of Lawyer Convicted of Killing Husband

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Our daily run down on the COVID cases in the California Prison System (CDCR)

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Outbreak Among Santa Rita Jail Staff Raises Concerns as Only 24% Of Incarcerated Population Is Vaccinated

Our daily run down on the COVID cases in selective County Jails

[Read More](#)

Court Watch Coverage

Defendant Released Pretrial to Access Resources for Mental Health Issues, Including PTSD, Not Available in Jail

Defendant Perry Alexander has been incarcerated at Santa Barbara's south branch jail since early August, and appeared in court last Thursday to discuss the possibility of a pretrial supervised release so he can

[Read More](#)

Lost in Language – Defendant Struggles to Understand Details of Plea Bargain

Satnam Singh accepted a plea bargain in a robbery case here in Sacramento County Superior Court Monday after much back and forth between the Punjabi translator and Judge Patrick Marlette.

[Read More](#)

Public Defender Humanizes Mother of 3 Charged Burning House with Boyfriend Inside – Judges Reduces Bail to Expedite Release

Assistant Public Defender Alex Bugescu argued that defendant Justina Daggett's attempt to burn down her father's old house after a heated argument with her boyfriend was "simply a result of the father's death."

[Read More](#)

Pro Per Defendant in Stolen Vehicle Case Once Again Clashes With Judge

A defendant in a stolen vehicle case, who the Vanguard covered late last month after he claimed his public defender had threatened him and decided to represent himself, appeared again in Ventura County Superior

[Read More](#)

Fresno Judge Encourages Defendant to Stay Busy, Avoid Further Trouble

Fresno County Superior Court, Dept. 20 Judge David Gottlieb here Friday spent considerable court time seemingly trying to help defendant Jesus Beltran, and encouraging him to pursue social programs to avoid issues

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Everyday Injustice - Podcast

[see our podcasts](#)

Everyday Injustice Podcast Episode 120: Cesar McDowell Turns His Life Around at San Quentin

Cesar McDowell chronicles his journey from San Quentin to becoming, while still incarcerated, the co-founder and CEO of Unite The People Inc., a non profit organization that promotes social justice and offers affordable legal

[Read More](#)

Everyday Injustice Podcast Episode 119: Alana Mathews Runs For Sacramento DA

Alana Mathews is running for DA for the office currently held by Anne Marie Schubert, who is not seeking re-election (and running for California AG).

[Read More](#)

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[o=https%3A//www.facebook.com/davisvanguard/&g=ZWQ5MzQxZGFhOGJjZmZkNw==&h=MWNkNTViODVmY2IzMmY1NzAwZGVjY2U4OWE1MTgxNGM3ZmUyYTE4ZmQ3OWE1Mzk5NzhjM2NmMzgwZmYyNzU4OQ==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmNIYTc2OGJmYWM5NWlwYzI5NzM2MjA5NDE2ZWQ4M2EwOnYx](https://avanan.url-protection.com/v1/url?o=https%3A//www.facebook.com/davisvanguard/&g=ZWQ5MzQxZGFhOGJjZmZkNw==&h=MWNkNTViODVmY2IzMmY1NzAwZGVjY2U4OWE1MTgxNGM3ZmUyYTE4ZmQ3OWE1Mzk5NzhjM2NmMzgwZmYyNzU4OQ==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmNIYTc2OGJmYWM5NWlwYzI5NzM2MjA5NDE2ZWQ4M2EwOnYx)

Yolo County Court Watch: [https://avanan.url-protection.com/v1/url?](https://avanan.url-protection.com/v1/url?o=https%3A//www.facebook.com/groups/yolojudicialwatch/&g=OGI1NTE5NDUyZjVIMGQ1Yg==&h=ODE5MTk2ZGUxOWM5YWFjMzdIYzY3ZTIzJjJINWY3ODM2OTZjNTQ5NTI1ODI3YmlzNjdhOWIzMTI5YjFkZGIxNA==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmNIYTc2OGJmYWM5NWlwYzI5NzM2MjA5NDE2ZWQ4M2EwOnYx)

[o=https%3A//www.facebook.com/groups/yolojudicialwatch/&g=OGI1NTE5NDUyZjVIMGQ1Yg==&h=ODE5MTk2ZGUxOWM5YWFjMzdIYzY3ZTIzJjJINWY3ODM2OTZjNTQ5NTI1ODI3YmlzNjdhOWIzMTI5YjFkZGIxNA==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmNIYTc2OGJmYWM5NWlwYzI5NzM2MjA5NDE2ZWQ4M2EwOnYx](https://avanan.url-protection.com/v1/url?o=https%3A//www.facebook.com/groups/yolojudicialwatch/&g=OGI1NTE5NDUyZjVIMGQ1Yg==&h=ODE5MTk2ZGUxOWM5YWFjMzdIYzY3ZTIzJjJINWY3ODM2OTZjNTQ5NTI1ODI3YmlzNjdhOWIzMTI5YjFkZGIxNA==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmNIYTc2OGJmYWM5NWlwYzI5NzM2MjA5NDE2ZWQ4M2EwOnYx)

Sacramento Court Watch: [https://avanan.url-protection.com/v1/url?](https://avanan.url-protection.com/v1/url?o=https%3A//www.facebook.com/Sacramento-Court-Watch-1432660796849531/&g=Yjg0MzZiODFiMDk2OWRINA==&h=ZDg4NmY0Mjk1ZmlwODg3YzJIM2RiMzUwNDU0MGZkY2M5MTdjODFjMjg0OTEzODcwMDQ4ZjU1NTY0MmVIM2JhYg==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmNIYTc2OGJmYWM5NWlwYzI5NzM2MjA5NDE2ZWQ4M2EwOnYx)

[o=https%3A//www.facebook.com/Sacramento-Court-Watch-1432660796849531/&g=Yjg0MzZiODFiMDk2OWRINA==&h=ZDg4NmY0Mjk1ZmlwODg3YzJIM2RiMzUwNDU0MGZkY2M5MTdjODFjMjg0OTEzODcwMDQ4ZjU1NTY0MmVIM2JhYg==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmNIYTc2OGJmYWM5NWlwYzI5NzM2MjA5NDE2ZWQ4M2EwOnYx](https://avanan.url-protection.com/v1/url?o=https%3A//www.facebook.com/Sacramento-Court-Watch-1432660796849531/&g=Yjg0MzZiODFiMDk2OWRINA==&h=ZDg4NmY0Mjk1ZmlwODg3YzJIM2RiMzUwNDU0MGZkY2M5MTdjODFjMjg0OTEzODcwMDQ4ZjU1NTY0MmVIM2JhYg==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmNIYTc2OGJmYWM5NWlwYzI5NzM2MjA5NDE2ZWQ4M2EwOnYx)

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[o=http%3A//www.youtube.com/davisvanguard&g=ZTRhNTdjNDJlODU3NWZjNQ==&h=YzQ2NTIhMlI5OTQyOGJmYWJiY2MzZGNmYzk4YmE0OTE4OTRlMmlyYzBjNDA1YjU0NDg5YjI0YzNmYTM3MWU2Nw==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmNIYTc2OGJmYWM5NWlwYzI5NzM2MjA5NDE2ZWQ4M2EwOnYx](https://avanan.url-protection.com/v1/url?o=http%3A//www.youtube.com/davisvanguard&g=ZTRhNTdjNDJlODU3NWZjNQ==&h=YzQ2NTIhMlI5OTQyOGJmYWJiY2MzZGNmYzk4YmE0OTE4OTRlMmlyYzBjNDA1YjU0NDg5YjI0YzNmYTM3MWU2Nw==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmNIYTc2OGJmYWM5NWlwYzI5NzM2MjA5NDE2ZWQ4M2EwOnYx)

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Subject: Re: This week

Date: Monday, August 16, 2021 at 10:08:46 PM British Summer Time

From: Ibarra, Valerie (PDR)

To: David M. Greenwald

CC: Rodarmel, Danica (PDR)

Jury pay proposals -- 1-2people on a recorded zoom call 30-40 minutes. YouTube + Audio on Soundcloud.

Not good: Tuesday afternoon; Friday.

Good - Thursday afternoon from 12 on. Wednesday morning.

From: David M. Greenwald <info@davisvanguard.org>

Sent: Monday, August 16, 2021 11:21 AM

To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>

Subject: Re: This week

Today I would be available for a call between two and four

On Mon, Aug 16, 2021 at 11:20 AM Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org> wrote:

Hi David. Happy to hop on a call today to talk more about the Jury topic - timing, guests, etc. Please let me know - by email or text - when's a good time to connect.

Thank you,
Valerie

From: David M. Greenwald <info@davisvanguard.org>
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Cc: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
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From: David M. Greenwald <info@davisvanguard.org>
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Subject: Re: This week

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Our jury bill to pay jurors more money

Those are top of my mind right now!

From: David M. Greenwald <info@davisvanguard.org>
Sent: Monday, August 16, 2021 10:28:13 AM
To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Subject: This week

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Hi Danica - Reaching out because I am trying to figure out a podcast for this week and wanted to see if you had any ideas?

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[The People's Vanguard of Davis](#)

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Subject: Re: This week

Date: Monday, August 16, 2021 at 7:29:52 PM British Summer Time

From: Ibarra, Valerie (PDR)

To: David M. Greenwald

Great. I can give you a call at 2pm. Thank you!

From: David M. Greenwald <info@davisvanguard.org>
Sent: Monday, August 16, 2021 11:21 AM
To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
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Subject: Re: This week

Date: Monday, August 16, 2021 at 7:21:20 PM British Summer Time

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To: Ibarra, Valerie (PDR)

CC: Rodarmel, Danica (PDR)

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Subject: Re: This week

Date: Monday, August 16, 2021 at 7:18:32 PM British Summer Time

From: Ibarra, Valerie (PDR)

To: David M. Greenwald, Rodarmel, Danica (PDR)

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Date: Monday, August 16, 2021 at 7:00:38 PM British Summer Time

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CC: Ibarra, Valerie (PDR)

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Subject: Everyday Injustice - San Quentin Back on COVID Alert; Crime Victims United Attempt to Stoke Anger in Murder Case
Date: Monday, August 16, 2021 at 7:00:26 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"This coalition will ensure the voice of the victim is heard, that the rights of the victim are upheld and that we bring back balance in the legislature," said Nina Salerno, president of Crime Victims United

Everyday Injustice Newsletter - August 16, 2021

Crime Victims United Trying to Scare the Public Into Reversing Juvenile Sentencing Reform in California

This weekend, I wrote a long and careful column on the Daniel Marsh case. The murder happened in 2013 - it was particularly gruesome with Marsh, 15 years old at the time, confessing to having tortured the elderly couple for hours for the exhilaration of it.

The murder happened literally just down the street from where I lived at the time and we extensively covered the trial.

I remain very troubled by the way that case was handled. Personally, I think the judge should have thrown out the confession - interrogating a juvenile for hours without counsel, ignoring pleas for attorney and calling that a voluntary and informed confession is a disgrace. Fortunately, I guess, they got the right guy and so this didn't explode in their face.

In writing this piece, I pulled heavily from Judge McAdam's opinion from 2018. While I am not a particularly big fan of Yolo County Judge Samuel McAdam, I did come away impressed with his very careful and thoughtful and balanced decision.

One of the points that really struck me was this: "But what happens when he is not in a controlled setting."

As a parent, I found myself just last year in a similar position. While our child did not go the route of Marsh, he went the self-help route and I have often pointed out that unless he is challenged, you cannot

measure resilience. If you are in a safe place and a controlled setting, you have ways to protect yourself. But what happens when everything goes wrong - as it will from time to time in real life - how can you handle that?

The family and prosecution likes to point out, "Marsh tested in 2015 on the PCL-R scale at the high end for criminal psychopathy. He scored a 35.8 out of 40. Dr. Logan testified that a person of Marsh's profile virtually cannot be rehabilitated."

BUT - "Dr. Logan did not interview Marsh."

Woah. So the clinical diagnosis is not based on actual interviews - that to me is problematic. In fact, having read Dr. Hare, who developed the test, he made it very clear that you have to personally interview the patient, so cannot remotely diagnose from afar.

Finally, everything I see indicates that Marsh has made tremendous progress, that being a psychopath does not necessarily mean criminal activity and most aren't, and that other factors that are treatable played a role in his horrific crime.

The Judge writes: "he has shown progress." But the Judge concludes: "Based on the record before the Court and given that he has not addressed the main traumas in his life at all in the five years since the crime, there is virtually no chance that Marsh will be rehabilitated before he turns 25 years old - it is certainly not a likelihood."

I tend to agree.

In the end, I don't believe he should get out next year. That doesn't make sense. I think Judge McAdam's ruling is correct. But Yolo DA Jeff Reisig and the victim's family make it seem like getting him out is a foregone conclusion. As I point out in the piece, the judge can hold him longer for public safety concerns - and in this case, despite what I said above, there are many.

At some point however, assuming Marsh makes progress, he should get out at some future point in time. Under 1391, he will get a hearing every two years to monitor his progress. He would be up for parole at some point. He could qualify for early release under any number of laws. Those decisions should be based on the best evidence and science of the time, rather than fear or conjecture or scare-tactics by the local prosecutor.

Thanks for reading.

Criminal Justice News/ Commentary

New Social Media Campaign against Daniel Marsh Raises a Number of Troubling Questions

There is no doubt, the crime that occurred here in Davis in 2013 was a horrifying and senseless crime. The fact that it was a 15-year-old, raised in Davis and who attended our schools, only made it more terrifying.

[Read More](#)

Everyday Injustice Podcast Episode 120: Cesar McDowell Turns His Life Around at San Quentin

Cesar McDowell chronicles his journey from San Quentin to becoming, while still incarcerated, the co-founder and CEO of Unite The People Inc., a non profit organization that promotes social justice and offers affordable legal

[Read More](#)

San Quentin Declares Another Outbreak After Four Prisoners Test Positive for COVID-19

San Quentin State Prison is experiencing a new COVID-19 outbreak after four incarcerated men in a cell block tested positive, chief medical executive Alison Pachynski said on Saturday.

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Price's Candidacy For Alameda DA Gains Endorsement From 70s Icon Angela Davis

Pamela Price is running for the open Alameda District Attorney seat. Last week, she announced she was the leading fundraiser for that race. Now her campaign to reshape the DA's office in 2022 is boosted by a symbol

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Philly District Attorney Files 6 Motions Holding Police Dept in Contempt of Court for Not Providing Officer Info

In an unprecedented move, six motions to hold the Philadelphia Police Department in contempt of court were filed last week, following the Department's alleged failure to provide subpoenaed information about officers.

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Appeals Court Orders Superior Court to 'Readdress' Competency of Lawyer Convicted of Killing Husband

The U.S. Court of Appeal in the California 4th District, Division 2 has granted a petition for a hearing sought by Karen Sims, a former attorney sentenced to 50 years to life in prison for the murder of her husband in 2006.

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Announcing the 2021 Vanguard Justice Award Winners

The Vanguard is pleased to announce it is awarding 11 very worthy individuals and groups for their work in Criminal Justice Reform. GET YOUR TICKETS TODAY

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Our daily run down on the COVID cases in the California Prison System (CDCR)

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Outbreak Among Santa Rita Jail Staff Raises Concerns as Only 24% Of Incarcerated Population Is Vaccinated

Our daily run down on the COVID cases in selective County Jails

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Court Watch Coverage

Judge Denies Pretrial Release of Defendant Because of Lack of Victim's Input

Santa Barbara Superior Court Judge Clifford Anderson denied pretrial release of Jose Contreras here late last week – Contreras is charged with making threats of crime with intent to terrorize and an

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Judge Listens to Victim, Not Prosecution – Doesn't Expand Protective Order

Here in Santa Barbara County Superior Court, a woman requested that a court's protective order instituted on her behalf not be expanded, commenting, "I really need his help."

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Defendant Requests Motion to Compel Discovery from Prosecution – Judge Refuses, Cuts Him Off

Kirk Douglas Williams late last week demanded discovery from the prosecution – he said he didn't even have a police report and just wanted to "level the playing field" – but the judge denied his request, and

[Read More](#)

Slow End to Work Week Punctuated by 3 Family Cases – All End Differently

Steady legal proceedings indicated a slow day for Judge Jacob Blea of Alameda County Superior Court Dept. 702 at the end of the business week—multiple defendants appeared in court to arrange plea hearings and arraignment

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Everyday Injustice - Podcast

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Alana Mathews is running for DA for the office currently held by Anne Marie Schubert, who is not seeking re-election (and running for California AG).

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Subject: Re: This week

Date: Monday, August 16, 2021 at 6:58:26 PM British Summer Time

From: Rodarmel, Danica (PDR)

To: David M. Greenwald, Ibarra, Valerie (PDR)

Looping in Valerie to talk about the Be The Jury pilot.

I can send ideas for the mental health stuff in a bit – but FYI San Quentin back on lockdown.

From: David M. Greenwald <info@davisvanguard.org>

Date: Monday, August 16, 2021 at 10:42 AM

To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>

Subject: Re: This week

Probably not the recall. But the other two are interested who would you recommend I talk to.

On Mon, Aug 16, 2021 at 10:38 AM Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org> wrote:

Governor recall
Mental health crisis in the prisons due to Covid lockdowns
Our jury bill to pay jurors more money

Those are top of my mind right now!

From: David M. Greenwald <info@davisvanguard.org>

Sent: Monday, August 16, 2021 10:28:13 AM

To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>

Subject: This week

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Hi Danica - Reaching out because I am trying to figure out a podcast for this week and wanted to see if you had any ideas?

--

David M. Greenwald
Executive Director
[The People's Vanguard of Davis](#)

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"Journalism is printing what someone else does not want printed: everything else is public relations." — George Orwell

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Sent from Gmail Mobile

Subject: Everyday Injustice - Prosecutorial Misconduct Leads to High Profile Murder Conviction Thrown Out in Orange County
Date: Friday, August 13, 2021 at 7:00:35 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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Scott Sanders: , "they don't give special circumstance murder defendants new trials. That doesn't happen unless they know that the situation is really dire."

Everyday Injustice Newsletter - August 13, 2021

Police Focus on Officer Involved Shootings, But The Bigger Danger is Themselves...

By David Greenwald

We have heard and criticized the notion that "Blue Lives Matter" and that there is a "war on cops." But maybe there is something to it – albeit not as they have depicted it. Last year, numerous times we saw cops responding to situations and crowd control without masks. Prison correctional officers often failed to mask up. Earlier this year, we reported on how low the vaccination rate was for correctional officers at CDCR in California's Prisons.

Last week, memos leaked out that indicated that police and sheriff's deputies in San Francisco may well resign rather than get vaccinated after mandatory requirements were put in place. Police worry about public confidence in them – but this cavalier attitude belies good judgment and if officers resign rather than vaccinate we can be assured that this will raise many troubling questions about the judgment of police officers.

The FOP put out a COVID information and said: "COVID-19 makes no distinction between age, race or gender. As we had feared, the virus has claimed the lives of many, and now includes a growing number of law enforcement officers."
That number: 533 so far.

Sound low? Maybe. But remember most police officers are under the age of 50, so we are not generally dealing with what should be a high risk category at least for COVID-related fatalities. And yet even with this – FOPs across the country are resisting vaccination.

The FOP does not have stats on how many officers have contracted [COVID on the job](#), or how many may have spread the virus, [reported Business Insider](#).

The problem at this point is self-inflicted.

Departments are reported low compliance with vaccination.

57 percent of the Denver Police Protective Association aren't vaccinated, Denver's top public safety leader said he's "prepared to fire police officers who don't comply with the vaccine mandate," [reported the Denver Post](#).

LAPAD is about half vaccinated. Last week the LA Times reported that a tenth LAPD employee died last week from complications of COVID-19.

[The LA Times reported](#) that the department saw 36 additional coronavirus cases among its personnel in the last week.

Although FOP leadership recommends its members get vaccinated, endorsing the COVID-19 vaccine as safe and effective, executive director [Jim Pasco](#) told Axios the FOP won't mandate the shot. "We are a union and we will defend our members," he said. "You cannot tell people what to do. It's still an individual and personal choice."

And of course last week, a Facebook Post by the SF Sheriff's Deputies warned mandated vaccines "will result in law enforcement officers and firefighters retiring early and seeking employment elsewhere."

"Public safety of San Francisco has turned into the Wild West and will get worse when officers quit due to the vaccine mandate."

But isn't that statement self-contradictory. The only way to protect public safety is to threaten it by going around unvaccinated?

There is just bad judgment and the lack of leadership by departments. This would be surprising except for the fact that we have seen it in other respects for decades.
Thanks for reading.

Criminal Justice News/ Commentary

[Prosecutorial Misconduct Leads to High Profile Murder Conviction Thrown Out in Orange County](#)

he failure to properly address the informant scandal has blown up in the face of Orange County DA Todd Spitzer, as the 2010 high profile conviction of Paul Gentile Smith for a Sunset Beach murder was thrown out.

[Read More](#)

[Guest Commentary: A Look Behind the Campaign to Recall Progressive Prosecutors in Virginia](#)

A recall campaign targeting so-called progressive prosecutors in Virginia has made recent headlines. To understand it, it's worth taking a look at the background of an organization called the Law Enforcement Defense Fund.

[Read More](#)

[Chasing Justice Podcast Welcomes Members of Earhustle to Discuss](#)

Necessary Changes Needed in Criminal Justice System

San Francisco District Attorney Chesa Boudin this week released a new episode of his popular podcast, Chasing Justice, with guests EarHustle – Earlonne Woods and John Johnson (also known as Yahya).

[Read More](#)

Stop AAPI Hate Reports Increase of Hate Incidents Against AAPIs Over Last Year

A new report released Thursday Stop AAPI Hate has found that the number of hate incidents against Asian Americans and Pacific Islanders (AAPIs) has increased over the last year.

[Read More](#)

Michigan Welcomes Newly Elected Progressive Prosecutors

Prosecutors are elected in Michigan once every four years, and, said Detroit Today's Molly Ryan, they hold an important role in the judicial system as they decide which crimes can be classified as misdemeanors or felonies.

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Outbreak Among Santa Rita Jail Staff Raises Concerns as Only 24% Of Incarcerated Population Is Vaccinated

Our daily run down on the COVID cases in selective County Jails

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Court Watch Coverage

Man Leaves Treatment Facility ‘Scared’ of Catching COVID – New Home is County Jail on \$40K Bail

Steve Green was denied release from custody here in San Francisco County Superior Court Wednesday after he left a court appointed drug treatment center on two occasions because of a fear of COVID.

[Read More](#)

Judge Denies Felony Reduction, Cites Defendant’s Prior Stabbing Threats, Sets Trial

Following his preliminary hearing Wednesday, Sander Ian Findlay was ordered to stand trial after a probation violation, which was filed less than four weeks after sentencing for a stalking case in July.

[Read More](#)

Defense Counsel Backs Man’s Attempt to Do Right on Probation, Despite Failures; Judge Gives Him One More Chance

Jefferson Michael Wilkerson’s defense counsel noted that he maybe didn’t “check” all the boxes while on probation, but he’s trying – and the Ventura County Superior Court was willing to give him another chance Wednesday.

[Read More](#)

Man Facing 39 Additional Charges from ‘Insolent’ Behavior in Pretrials Leading Up to Trial Later This Month

Keith Zeasley appeared in Santa Barbara County Superior Court for a Trial Confirmation Conference (TCC) here this week after being charged with multiple felonies in February. His trial date is Aug. 24.

[Read More](#)

Crime Restitution– Judge Concurs With Objection to Additional \$14,000 Charge to Defendant

In a restitution case for defendant Andre Weary, the judge and prosecution here in Sacramento County Superior Court Wednesday debated over the semantics of a water damage charge – Judge Helen R. Gweon

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Not Guilty Plea Entered In DUI Highway Crash Case – Only ‘Victim’ Was Highway Sign

A suspected drunk driver is facing trial here in Sacramento County Superior Court after a police officer Tuesday described the only real damage the driver allegedly did was to a roadside sign last year when he had an accident late at

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Public Defender Argues Defendant Should Be Allowed to Possess Discovery During Trial; District Attorney Disagrees, Citing Safety Concern

Assistant Public Defender Richard Addison Steele II and Deputy District Attorney Hannah Meyer argued Tuesday in Santa Barbara County Superior Court's Dept. 6 about whether or not a defendant charged

[Read More](#)

Two Strikes, And...Judge Explains Consequences of Defendant's Burglary Crimes

In Sacramento County Superior Court Judge Patrick Marlette's department Tuesday, he explained the hefty price the defendant would have to pay for her double strike counts – four years.

[Read More](#)

Trio Accused of Stealing Catalytic Converters Released Pretrial – For Now; Can't Talk to Each Other

After being accused of stealing catalytic converters and committing a misdemeanor, three defendants were released on their own recognizance pretrial by Judge Tom Dyer in Yolo County Superior Court Dept.

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Everyday Injustice Podcast Episode 119: Alana Mathews Runs For Sacramento DA

Alana Mathews is running for DA for the office currently held by Anne Marie Schubert, who is not seeking re-election (and running for California AG).

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Everyday Injustice Podcast Episode 117 – Tony Serra

On July 13, 2021, one of kind, radical attorney Tony Serra joined the Vanguard for a live webinar and podcast. At the age of 86, he is not only still practicing as an attorney but continues to have the drive and passion that has driven his

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Subject: FOR IMMEDIATE RELEASE: SF Jury Acquits Man of Misdemeanor Domestic Violence | Self-Defense
Date: Thursday, August 12, 2021 at 10:00:48 PM British Summer Time
From: Ibarra, Valerie (PDR)
To: PUBDEF-Media Relations, Ibarra, Valerie (PDR)
Attachments: PR - 8.12.21 - SF Jury Acquits Man of Misdemeanor Domestic Violence .pdf

FOR IMMEDIATE RELEASE: August 12, 2021

CONTACT: SF Public Defender's Office – Valerie.Ibarra@sfgov.org – (628)249-7946

**** PRESS RELEASE ****

SF Jury Acquits Man of Misdemeanor Domestic Violence

Defense Presents Case of Self-Defense

SAN FRANCISCO - This week, a jury acquitted a San Francisco man of misdemeanor domestic violence after Deputy Public Defender Cooper Findlay presented a case of self-defense that ended a 14-month old case that hindered the man's job prospects.

"My client and I are grateful that the jury listened to the testimony, reviewed the evidence, and made the right decision," said Mr. Findlay.

In June 2020, police responded to a 911 call and a woman with injuries. She accused her live-in partner of hitting her, but according to Mr. Findlay's client, his partner was drunk when he came home and she physically attacked him. Although Mr. Findlay's client told police on the scene that he had acted in self-defense, no pictures were taken of his injuries. He was arrested and charged with domestic violence.

After spending six days in jail, he was released under the conditions that he would attend weekly anger management classes and bi-weekly meetings with Assertive Case Management, with which he complied. During this time, he was looking for work, but had a potential employer turn him down because they had found the arrest on a background check.

In preparation for trial, Mr. Findlay learned that the woman had not only attacked his client before, but had also been arrested for attacking a previous intimate partner. An investigator from the Public Defender's Office located the ex-partner who agreed to testify.

"Domestic violence is a very serious situation that no one should have to suffer, but the consequences of a false accusation are also serious," said San Francisco Public Defender Mano Raju. "In these challenging situations, it can be difficult for jurors to set aside assumptions, but Mr. Findlay and his team did an excellent job uncovering and presenting the fuller picture."

Mr. Findlay will be connecting his client with the San Francisco Public Defender Clean Slate program which assists people with clearing their records of past arrests which can often be a hindrance to job opportunities.

###

To view this press release online, please visit [SFPublicDefender.org/media](https://sfpublicdefender.org/media).

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Valerie Ibarra
Public Information Officer
San Francisco Public Defender's Office
Valerie.Ibarra@sfgov.org
(628)249-7946
[SFPublicDefender.org/Media](https://sfpublicdefender.org/Media)

Subject: Everyday Injustice - DA is Crafty But Did Show His True Colors Finally; San Diego County Sheriff's Department Issues an Update after Facing Criticism for Fentanyl Public Safety Video
Date: Thursday, August 12, 2021 at 7:00:45 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"We have to just acknowledge that there's things that are happening at home, at school. Um, not enough church, I don't know, but we need to start talking about this stuff as a community because what this data shows us clearly is that there is a disproportionality or disparity of blacks in being referred to the DA's office," Yolo County DA Jeff Reisig

Everyday Injustice Newsletter - August 12, 2021

DA Reisig is Crafty But Did Show His True Colors Finally

by David Greenwald

In a way it is far easier to combat someone like Orange County's Todd Spitzer. For months, he has been attacking criminal justice reform and his opponent by name attempting to equate him with Chesa Boudin and George Gascon.

In contrast, Yolo County DA Jeff Reisig is far more crafty and subtle. He speaks the language of reform.

He said, "I'm a big believer that frankly prison is not a place where people go to get well—certain people have to go to prison, no doubt, but a lot of people shouldn't go to prison because we have better options right here at home. That's criminal justice reform that we're going to talk about tonight."

I mean, who can disagree with that. The devil is in the details. But even on a safe forum, with none of the guests likely to really ask him hard questions or challenge him, he spilled the bacon.

Today's column unpacked his comments on racial disparity. If you read his wording carefully you see that while he allows for the possibility of systemic racism and disparities generated by local law enforcement - in reality he sounds the conservative hardcore line of blaming the disparities on the communities themselves.

He acknowledges the possibility of systemic racism, but then in the next breath, seemingly discounts it. "We have to just acknowledge that there's things that are happening at home, at school. Um, not enough church, I don't know, but we need to start talking about this stuff as a community because what this data shows us clearly is that there is a disproportionality or disparity of blacks in being referred to the DA's office," he said.

He didn't come right out and say it, just as he didn't come right out and dismiss the idea of systemic racism, but you can see that's what he's thinking. He is talking about families and church. He is thinking out loud here for sure, but that is telling—he is, in his mind at least, still putting the blame for these disparities on communities of color themselves.

No one on the panel called him on this.

[See my full commentary here.](#)

He also blames the problems on Prop 47 and Prop 57 - each of which had over 60 percent support in his county and passed statewide.

Reisig explained, "I'm not surprised that you started to see an uptick in violent crime and property crime. Since that initiative was enacted." He added, "I'm not surprised that you started to see an uptick in violent crime and property crime. Since that initiative was enacted."

He added, "When I look at this, I'm seeing those initiatives on seeing failed policies. I'm seeing that we have a lot of work to do.

That's not exactly the language of reform - in fact, it is not different from what Todd Spitzer will tell you in Orange County, it's just Reisig couches his language far more carefully these days.

But strip off that veneer it is hard to see any difference between himself and Anne Marie Shubert in Sacramento, Vern Pierson in El Dorado County, Mike Hestrin in Riverside and Todd Spitzer in Orange County.

Criminal Justice News/ Commentary

Commentary: Scratch Below the Dog and Pony Show and It's the Same Ol' Reisig

I was interested to see whether Jeff Reisig could actually pull off some sort of transformation and move himself in a reform direction or whether it was mainly smoke and mirrors.

[Read More](#)

San Diego County Sheriff's Department Issues an Update after Facing Criticism for Fentanyl Public Safety Video

The San Diego County Sheriff's Department released a public safety video last week after a deputy was allegedly exposed to fentanyl and nearly died from an overdose.

[Read More](#)

Peer Literacy Mentor Program Begins on Facility E at Mule Creek State Prison

The inaugural facility E cohort of the Peer Literacy Mentor Program held its first session this May in the facility's education area, with a group of 19 students. Each of the prisons other facilities has room for 20 assigned students in

[Read More](#)

Former Congressman Mike Honda Announces Support for Sajid Khan as Santa Clara County District Attorney 2022

Santa Clara County Public Defender Sajid Khan has been formally endorsed by former Congressman Mike Honda for Santa Clara County District Attorney in 2022.

[Read More](#)

Former Ohio State Senator Leads Charge to Abolish Life Sentences without Parole for Children Nationwide

Peggy Lehner, a former Republican Ohio State Senator, recently wrote an opinion piece in The Columbus Dispatch calling for a federal law to ban life sentences without parole for children.

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CDCR's Active COVID-19 Cases Surge to 170; Vaccinations for Staff Stagnant at 50%

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Outbreak Among Santa Rita Jail Staff Raises Concerns as Only 24% Of Incarcerated Population Is Vaccinated

Our daily run down on the COVID cases in selective County Jails

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Court Watch Coverage

Defense Attorney Justifies Defendant's Murder, Argues It Was Self Defense, Suggests Did Society Favor, Says Judge

In an ongoing murder case from 2018, a jury trial continued here this week in Alameda County Superior Court for R. Zacharia Grubbs, whose defense attorney is arguing it was an act of self-defense.

[Read More](#)

Satchel, Tinted Windows and Speeding Caught Officer's Eye in Case Set for Trial

After a preliminary hearing this week, Kenney Harris is now scheduled to stand trial here in Sacramento County Superior Court nearly a year after his December 2020 arrest on charges of a concealed firearm,

[Read More](#)

Victim in 80s Details Attack by Man on Birdwatchers, and How He Held Attacker for Police

A preliminary hearing was held here Tuesday in San Francisco County Superior Court for Kevin Tran, who is accused of assaulting a man in his 80s who was birdwatching with his wife near the previous home

[Read More](#)

Defendant Waiting for Mental Health Evaluation Pleads for Release by Court – Already in Custody for 90 Days

Defendant Paul Renae Santos had a court appearance in Santa Barbara County Superior Court late last week to review the results of a mental competency evaluation after being charged with multiple

[Read More](#)

Jury Trial Begins for Man Accused of Beating Wife at Motel 6

A Sheriff's Deputy was questioned three times here in Riverside County Superior Court Tuesday by a deputy district attorney, and twice by a public defender concerning what he knew about injuries stemming from

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Newly Hired Police Officer Faces Scrutiny by Defense in Indecent Exposure Preliminary

An Assistant Public Defender criticized key testimony of a newly hired police officer here this week in Sacramento County Superior Court when the officer relied heavily on his notes, failed to document key

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Woman Accused of Terrorist Threats Released to Aunt by Judge

Santa Barbara County Superior Court Judge Clifford R. Anderson III presided Tuesday here in the case of Amelia A. Castellanos-Marshall, who was on for arraignment for threatening a crime with intent to terrorize,

[Read More](#)

SF Public Defender Announces Jury Acquitted Graffiti Artist of Assault Charges After 'Vigilante' Jumped Him

It's been a long four years for Anthony Portillo – a self-described graffiti artist – but he was found not guilty of multiple felony counts, the San Francisco Public Defender's Office said Tuesday.

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Everyday Injustice - Podcast

[see our podcasts](#)

Everyday Injustice Podcast Episode 119: Alana Mathews Runs For Sacramento DA

Alana Mathews is running for DA for the office currently held by Anne Marie Schubert, who is not seeking re-election (and running for California AG).

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Everyday Injustice Podcast Episode 117 – Tony Serra

On July 13, 2021, one of kind, radical attorney Tony Serra joined the Vanguard for a live webinar and podcast. At the age of 86, he is not only still practicing as an attorney but continues to have the drive and passion that has driven his

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Subject: Everyday Injustice - JUSTICE AWARDS ANNOUNCED; DA Boudin Gets Chance to Explain Restorative Justice
Date: Wednesday, August 11, 2021 at 7:00:26 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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Chesa Boudin explained, "We did what the office has done for years when someone on parole is arrested for a low level offense, we refer the case to their supervising agency or agent. We did it for lots of good sound policy reasons. And in this instance, the outcome was tragic."

Everyday Injustice Newsletter - August 10, 2021

The Vanguard is pleased to announce it is awarding 11 very worthy individuals and groups for their work in Criminal Justice Reform.

The Vanguard Justice Awards will be awards on Wednesday, September 8 at the Darling Aviary in Sacramento.

Tickets are still available but in short supply:

Gala tickets: \$100

Webinar tickets: \$25

Both: \$110

Sponsorships start at \$250

General admission tickets – tiny.cc/vanguard_gala

sponsor page – tiny.cc/gala_spons

Criminal Justice News/ Commentary

Commentary: DA Boudin Gets Chance to Explain Restorative Justice, Troy McAlister and Criminal Justice Reform

Last week in response to a Vanguard tweet, one of the supporters of recalling SF DA Chesa Boudin responded, "Restorative Justice! Great theory... unless it's New Year's Eve and you tryin to cross a street in SF..."

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Commentary: DA Boudin Gets Chance to Explain Restorative Justice, Troy McAlister and Criminal Justice Reform

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Actor Jamal Trulove Throws Support behind District Attorney Chesa Boudin in Recall

The actor in "The Last Black Man in San Francisco," Jamal Trulove, spoke out in support of District Attorney Chesa Boudin as he faces a conservative-organized recall effort.

[Read More](#)

Contra Costa County DA Office Finds Officer Lawfully Shot Man in Deadly Struggle

In 2018, a Contra Costa County deputy fired and shot a man eight times while the man was on the ground. Although the victim was left dead after the shooting, multiple investigations have deemed that it was lawful.

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COVID CDCR and Jail Dashboards

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Outbreak Among Santa Rita Jail Staff Raises Concerns as Only 24% Of Incarcerated Population Is Vaccinated

Our daily run down on the COVID cases in selective County Jails

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Court Watch Coverage

Man's Old Crime Comes Up to Bite Him – Judge Sends Defendant to Prison, Won't Allow Him to Visit Sick Father for Safety Reasons

Justin Phillips was sentenced to five years, four months in state prison after engaging in a car chase and breaking into someone's house, committing theft—all in the same day.

[Read More](#)

Judge Reluctantly Grants Pretrial Release for Defendant in DUI Case

Judge Clifford Anderson here in Santa Barbara County Superior Court Monday reluctantly released repeat DUI offender Luisa Lucero Uribe on pre-trial supervised release for new driving under the influence charges.

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'Accountability Huge' – Judge Discusses Likelihood of Defendant's Return to Court if Released Pretrial

In an arraignment hearing for defendant Dana Richelle Croft, Judge Tom Dyer, probation and lawyers weighed the appropriate motion for the defendant, who may or may not return to court as ordered.

[Read More](#)

‘Home-Free’ Man Sentenced to Two Years in Prison for Stabbing Another with ‘Makeshift Spear’ at a Berkeley Homeless Camp

Frank Christiana, a man who once described himself as “home-free” to the San Francisco Chronicle, was sentenced in Alameda County Superior Court Monday to a two-year state prison term for stabbing a man with a

[Read More](#)

Court Confusion: Man in Court, Supposed to be in Jail as Ordered

Meddage Ruwan Cham Wimalasoma was in Santa Barbara Superior Court here Monday on three misdemeanor charges, two prior charges, and one enhancement charge. But he was supposed to be in jail last Friday.

[Read More](#)

Man’s Mental Health Evaluation Postponed Because of Defective Jail Phone – His Attorney Calls It ‘Shocking and Infuriating’

David Howard Heaven appeared in Santa Barbara County Superior Court late last week for a review of the results of a mental competency evaluation after being charged with two misdemeanors.

[Read More](#)

Man Sent to Trial on Burglary Case; Defense Argues Lack of Physical Evidence

In a multiple defendant burglary case, Sacramento County Superior Court Judge Helena Gweon found sufficient cause to send one defendant to trial, following testimony from an officer last Friday.

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Everyday Injustice - Podcast

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Everyday Injustice Podcast Episode 119: Alana Mathews Runs For Sacramento DA

Alana Mathews is running for DA for the office currently held by Anne Marie Schubert, who is not seeking re-election (and running for California AG).

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Subject: FOR IMMEDIATE RELEASE: SF Jury Acquits Graffiti Artist of Assault Charges Stemming from Vigilante Incident
Date: Tuesday, August 10, 2021 at 11:55:58 PM British Summer Time
From: Ibarra, Valerie (PDR)
To: PUBDEF-Media Relations, Ibarra, Valerie (PDR)
Attachments: PR - 08.10.2021 - SF Acquits Graffiti Artist of Assault Charges Stemming from Vigilante Incident.pdf

FOR IMMEDIATE RELEASE: August 8, 2021

CONTACT: SF Public Defender's Office - Valerie.Ibarra@sfgov.org - (628)249-7946

****PRESS RELEASE****

SF Jury Acquits Graffiti Artist of Assault Charges Stemming from Vigilante Incident

Public Defender presented case of self-defense

SAN FRANCISCO – Today, a San Francisco jury acquitted Anthony Portillo, 29, of charges stemming from a 2017 incident in which Mr. Portillo fought off a vigilante who wanted him to stop spray-painting a dumpster. Deputy Public Defender Kwixuan Maloof argued that this was a case of self-defense.

“By all accounts, this vigilante was the aggressor and yet Mr. Portillo, who was lawfully defending himself, was the one arrested and charged with mayhem, battery, and assault,” said Mr. Maloof. “It’s unfortunate that Mr. Portillo’s family had to lose money on bailing him out, and that he had these charges hanging over his head for over four years, but Mr. Portillo and I are thankful that the jury understood the facts of the case and rightfully found him not guilty.”

On July 18, 2017, Mr. Portillo was driving on Beach Street with his family when he parked and got out to spray paint a nearby dumpster which was already covered in graffiti. A man who was sitting in his car across the street noticed what was happening and started taking pictures. The man got out of his car and closed the 50-100 foot distance, taking pictures of Mr. Portillo’s car, license plate, and was eventually mere inches from his face before hitting Mr. Portillo with his phone. Mr. Portillo grabbed the phone and threw it, but the man grabbed and hit Mr. Portillo, and the men became entangled in a fight. According to the man’s statement to police, he was angry that Mr. Portillo had ignored his verbal commands to stop spray-painting.

“I had no choice but to defend myself. What am I supposed to do? Just get beat up?” said Mr. Portillo.

Mr. Maloof pointed to statements made to police and medical personnel and during trial testimony that showed that the man who had approached was the aggressor and had to be restrained by his own wife and colleague. A bystander video showed Mr. Portillo holding him off and asking the bystander, “Tell him to stop.” Another video has the audio of a woman’s voice, Mr. Portillo’s girlfriend, saying, “I have

a baby in the car. Just leave us alone.”

Although Mr. Portillo and his family attempted to tell officers at the scene that he had defended himself against an attack, the police arrested Mr. Portillo and booked him on serious felony charges.

“I am proud of Mr. Maloof and his team for having the courage to take this case to trial and revealing the fuller picture of the incident through direct and cross examination. I am grateful that the jury carefully reviewed the evidence and found that Mr. Portillo acted in self defense,” said San Francisco Public Defender Mano Raju.

The defense team included Deputy Public Defender Kwixuan Maloof, Investigators Gary Sourifman and Greg Jowdy who gathered early evidence, and Deputy Public Defender Roberto Evangelista who conducted an earlier hearing in this case.

###

To view this press release online, please visit SFPublicDefender.org/media.

--

Valerie Ibarra
Public Information Officer
San Francisco Public Defender's Office
Valerie.Ibarra@sfgov.org
(628)249-7946
SFPublicDefender.org/Media

Subject: Announcing The 2021 Vanguard Justice Award Winners
Date: Tuesday, August 10, 2021 at 9:00:12 PM British Summer Time
From: David Greenwald
To: valerie.ibarra@sfgov.org

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Image



The Vanguard would like to introduce the winners of this years awards!

Image



Image

Image

Valerie, did you buy your tickets yet?

It's not too late to purchase your ticket to the Vanguard Justice Award Gala.

Join us on **Sept 8 at six at the Darling Aviary in Sacramento, CA**, to award the winners of this year's awards.

Tickets are still available but in short supply!

General Admission

Are you interested in being a featured sponsor for the event?

Click below to get sponsorship-level tickets and have your name or organization featured at the events.

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Subject: Everyday Injustice - Lawsuit Filed in Antioch After George Floyd-like Incident; Cal AG Starts Investigating Police Shootings

Date: Tuesday, August 10, 2021 at 7:01:13 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

John Burris: "You would think that departments understand by now, if you put a person on their stomach, once you get control of them, here just like with George Floyd ... they were unnecessarily holding the guy down by the neck and telling the mother, this is how we do things."

Everyday Injustice Newsletter - August 10, 2021

The Bizarre Out of San Diego - Part of a Drug Scare Campaign?

by David Greenwald

A viral video of a sheriff's deputy claims he passed out after touching drugs that he had seized.

"My trainee was exposed to fentanyl and nearly died," Cpl. Scott Crane said in the video.

In a press release the department claimed, "If it wasn't for the quick-thinking of his Field Training Officer, Corporal Scott Crane, in administering Naloxone, Deputy Faiivae would not be alive today."

The San Diego County Sheriff's Department "has used body camera footage of this traumatic incident, along with interviews from Deputy Faiivae and Corporal Crane, to create a public safety video about the dangerous and often deadly effects of Fentanyl."

"Fentanyl overdoses are on the rise throughout our county," said Sheriff Bill Gore in the public safety video. "Everyday, deputies recover fentanyl in our communities and the county jails are not immune to the dangers of this drug."

Suspicious?

Yes. NBC News quoted a physician who raised serious doubts about the scenario. "We have a lot of scientific evidence and a good knowledge of chemical laws and the way that these drugs work that says this is impossible," said Ryan Marino, medical director for toxicology and addiction at University Hospitals in Cleveland. "You can't just touch fentanyl and overdose," he said. "It doesn't just get into the air and make people overdose."

But that hasn't stopped other departments from jumping on board. Yesterday Clovis Police put out a press release claiming that a police officer was transported to the hospital after fentanyl exposure.

In that incident the officers after taking control of the drug in a paper bag and securing it in the patrol car claimed that they "began to have shortness of breath and elevated heart rate."

They stopped their vehicle and paramedics were dispatched and treated both.

Academics at University of California, San Diego and North Carolina's nonprofit RTI (Research Triangle International) published a paper in June in the peer-reviewed [International Journal of Drug Policy](#) that concluded "there are no confirmed touch-based cases of first responder fentanyl overdoses, even when naloxone was used to revive them."

Citing similar [conclusions on skin contact](#) from the American College of Medical Toxicology and the American Academy of Clinical Toxicology, the International Journal of Drug Policy paper "also suggested that panic attacks were at work, and that hyperbolic information about fentanyl didn't help."

The latter - hyperbolic information - seems to be at work and now it is being used perhaps to create more fear of drugs now that law enforcement is losing the war on drugs? I definitely smell something funny here and it is definitely not the drug itself. It's almost like a bad after-school special.

Thanks for reading

Programming update: Court Watch articles are now going to be released in two batches, the first between 2:30 and 4 am Pacific Time and the second starting at 11 am Pacific Time.

Criminal Justice News/ Commentary

Lawsuit Filed against Four Officers and Antioch in the Death of Angelo Quinto

It was a scene reminiscent of George Floyd last December 23, just before Christmas, as 30-year-old Angelo Quinto, a Filipino male with a recent history of mental impairment, was grabbed from his mother's arms and

[Read More](#)

AG Bonta Starts Cracking Down on Police Killings

When Rob Bonta was appointed California Attorney General, he promised to crack down on police shootings. On Monday, his office announced they were filing charges against one off-duty officer in a 2019 Costco

[Read More](#)

Progressive Pamela Price Leading in

Fundraising for Alameda County District Attorney

From the first of January of this year to the end of June, Pamela Price's campaign for Alameda County District Attorney has outraised her opponents by over 250 percent, banking nearly \$127,000.

[Read More](#)

Guest Commentary: That Meal May Cost You Your Privacy and Security

If you've been to a restaurant lately and scanned a QR code rather than order from a physical menu, you likely paid for that meal with not just your money, but your privacy and security too. Businesses are taking advantage of the rise

[Read More](#)

U.S. Supreme Court to Rule on Arizona Exoneration as Wrongful Conviction Investigations Rise

The U.S. Supreme Court is set to rule on a previously overturned death row conviction, even as "reformist" prosecutors continue to overturn wrongful convictions across the country.

[Read More](#)

COVID CDCR and Jail Dashboards

CDCR's Active COVID-19 Cases Surge to 170; Vaccinations for Staff Stagnant at 50%

Our daily run down on the COVID cases in the California Prison System (CDCR)

[Read More](#)

Outbreak Among Santa Rita Jail Staff Raises Concerns as Only 24% Of Incarcerated Population Is Vaccinated

Our daily run down on the COVID cases in selective County Jails

[Read More](#)

Court Watch Coverage

Man's Driving under the Influence Costs an

Individual's Life; Judge Gives Him 15 Years to Life

Ybarra Armanda, Jr., was sentenced here in Sacramento County Superior Court last Friday to 15 years to life in prison for gross vehicular manslaughter while intoxicated—the comments from relatives and friends

[Read More](#)

After Failure to Protect Victim from Domestic Violence, Court Resorts to Increased Bail

After a defendant's multiple failures to comply with the court's protective orders, a hearing Friday in Alameda County Superior Court was set to discuss increasing bail to adequately protect a victim from repeated

[Read More](#)

Prosecutor, Defense Counsel Examine Possible Role Gangs Played in 2018 Murder

A pretrial hearing here in Riverside County Superior Court Friday was a study of alleged gang activity, and, if it existed, what role it played in a 2018 murder.

[Read More](#)

Judge Allows Man to Postpone Sentencing in Violent Domestic Violence Case to See Dying Mother Out-of-State

Brian Tracey Mock appeared in Yolo County Superior Court here late last week to ask for a waiver to see his dying mother, who is on life support in Utah—Mock is in court facing charges of allegedly inflicting injury on his wife.

[Read More](#)

Victim of Drunk Driving Accident Shares Trauma, Pain – Defendant Sentenced to 90 Days in Jail

The victim of a drunk driving accident shared how the incident altered the course of her and her family's life—from finances to trauma—in her impact statement here in Santa Barbara County Superior Court late last week.

[Read More](#)

Everyday Injustice - Podcast
see our podcasts

Everyday Injustice Podcast Episode 119: Alana Mathews Runs For Sacramento DA

Alana Mathews is running for DA for the office currently held by Anne Marie Schubert, who is not seeking re-election (and running for California AG).

[Read More](#)

Everyday Injustice Podcast Episode 117 – Tony Serra

On July 13, 2021, one of kind, radical attorney Tony Serra joined the Vanguard for a live webinar and podcast. At the age of 86, he is not only still practicing as an attorney but continues to have the drive and passion that has driven his

[Read More](#)

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Subject: RE: More Than Just One Question for Defendant in SF Hearing | Davis Vanguard

Date: Tuesday, August 10, 2021 at 4:07:11 PM British Summer Time

From: Rodezno, Gabriella (PDR)

To: Ibarra, Valerie (PDR)

UGH.

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

From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Sent: Monday, August 9, 2021 10:27 PM

To: Rodezno, Gabriella (PDR) <gabriella.rodezno@sfgov.org>

Subject: More Than Just One Question for Defendant in SF Hearing | Davis Vanguard

FYI

<https://www.davisvanguard.org/2021/08/more-than-just-one-question-for-defendant-in-sf-hearing/>

Sent from my iPhone

Subject: RE: Young Man Gets 'Break' from Home Detention, Jailed Because He Had No Place to Stay – Judges OKs Return to Home | Davis Vanguard

Date: Tuesday, August 10, 2021 at 3:19:23 PM British Summer Time

From: Ryburn, Kelsey (PDR)

To: Ibarra, Valerie (PDR)

Wow!

How did this end up in the news?

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

From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Sent: Monday, August 9, 2021 10:29 PM

To: Ryburn, Kelsey (PDR) <kelsey.j.ryburn@sfgov.org>

Subject: Young Man Gets 'Break' from Home Detention, Jailed Because He Had No Place to Stay – Judges OKs Return to Home | Davis Vanguard

FYI

<https://www.davisvanguard.org/2021/08/young-man-gets-break-from-home-detention-jailed-because-he-had-no-place-to-stay-judges-oks-return-to-home/>

Sent from my iPhone

Subject: 'Dating Game Gone Wrong' Quips Public Defender, Questions Validity of Domestic Violence Charge;
Judge Disagrees | Davis Vanguard

Date: Tuesday, August 10, 2021 at 6:34:47 AM British Summer Time

From: valerie.ibarra@sfgov.org

To: Crystal Lamb

FYI— this was from a couple of weeks ago, but just saw it and wanted to bring it to your attention.

<https://www.davisvanguard.org/2021/07/dating-game-gone-wrong-quips-public-defender-questions-validity-of-domestic-violence-charge-judge-disagrees/>

Sent from my iPhone

Subject: Young Man Gets 'Break' from Home Detention, Jailed Because He Had No Place to Stay – Judges OKs Return to Home | Davis Vanguard

Date: Tuesday, August 10, 2021 at 6:28:52 AM British Summer Time

From: valerie.ibarra@sfgov.org

To: Kelsey Ryburn

FYI

<https://www.davisvanguard.org/2021/08/young-man-gets-break-from-home-detention-jailed-because-he-had-no-place-to-stay-judges-oks-return-to-home/>

Sent from my iPhone

Subject: More Than Just One Question for Defendant in SF Hearing | Davis Vanguard

Date: Tuesday, August 10, 2021 at 6:26:38 AM British Summer Time

From: valerie.ibarra@sfgov.org

To: Gabriella Rodezno

FYI

<https://www.davisvanguard.org/2021/08/more-than-just-one-question-for-defendant-in-sf-hearing/>

Sent from my iPhone

Subject: Half of All CDCR Outbreaks in May & July Traced Back to Employees, Testing Cannot Substitute Vaccination, Says Court Receiver | Davis Vanguard

Date: Monday, August 9, 2021 at 9:44:13 PM British Summer Time

From: Ibarra, Valerie (PDR)

To: PUBDEF-Policy

<https://www.davisvanguard.org/2021/08/staff-vaccinations-continue-to-be-problematic-according-to-court-reciever/>

Sent from my iPhone

Subject: Half of All CDCR Outbreaks in May & July Traced Back to Employees, Testing Cannot Substitute Vaccination, Says Court Receiver | Davis Vanguard

Date: Monday, August 9, 2021 at 9:44:12 PM British Summer Time

From: valerie.ibarra@sfgov.org

To: PUBDEF-Policy

<https://www.davisvanguard.org/2021/08/staff-vaccinations-continue-to-be-problematic-according-to-court-reciever/>

Sent from my iPhone

Subject: Everyday Injustice - Reform DA Candidate Emerges in Sacramento; Hear From Incarcerated Voices
Date: Monday, August 9, 2021 at 7:00:53 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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Trevor Johnson: "Their message is outdated propaganda, but when they say it over and over again, it becomes a fact of itself."

Everyday Injustice Newsletter - August 9, 2021

Reform Candidate Emerges in Sacramento

By David Greenwald

We are tracking right now about six different counties for DA in 2022 in California - Orange, Riverside, Santa Clara, Alameda, Yolo and Sacramento. There likely will be more emerging. Sacramento is an interesting race and it is "right across the street" with the DA's office about 15 miles from home on the other side of the river in Yolo County.

Last week, Deputy DA Peris Coleman made huge news when he announced he was dropping out of the race. That was surprising because he was current DA Ann Marie Schubert's pick to replace her as she runs against Rob Bonta for Attorney General.

That leaves Deputy DA Thien Ho, who has backing of law enforcement and Alana Mathews, who we talked to this week on Everyday Injustice ([click here](#)). There is speculation more candidates will emerge.

Alana Mathews when I spoke with her a few weeks ago in recording this podcast, did not have well formulated positions just yet. She is running on a reform plank, but she is a bit different from some of the other candidates that have emerged.

First of all, she started her career as a prosecutor in the Sacramento DA's office.

Her background is really interesting because she came from a very disadvantaged background, managed to get to Spelman College in Atlanta, and then get to law school. A pretty remarkable accomplishment in its own right.

Also of interest is that she actually works right now for the Prosecutor's Alliance. That is the group that was started by DAs like Chesa Boudin, George Gascon, Diana Becton and Tori Verber Salazar as a sort of counterweight to the CDAA - although when I characterize it as such, Alana Mathews disagreed with that characterization.

The Sacramento DA has traditionally been conservative. Schubert has since switched her registration but in 2016 she was a Republican and endorsed Trump. Her legacy was one of resisting reform.

She officially opposed most reform efforts. She also steadfastly refused to hold police accountable in a number of high profile cases including Joseph Mann and Stephon Clarke.

People in Sacramento point out that while the city is fairly liberal, the rest of the county is deep red and that means people like Sheriff Scott Jones and Ann Marie Schubert win countywide even though Sacramento itself votes for more liberal office holders.

Thanks for reading.

Criminal Justice News/ Commentary

Everyday Injustice Podcast Episode 119: Alana Mathews Runs For Sacramento DA

Alana Mathews is running for DA for the office currently held by Anne Marie Schubert, who is not seeking re-election (and running for California AG).

[Read More](#)

Guest Commentary: Flipping the Script on the Crime Narrative

Looting in San Francisco. Shooting in Chicago. Breaching the border in Texas. Women disappearing on military bases. Another high profile arrest. Another perp walks. We have to send the criminals a message. We have to take our

[Read More](#)

Kimberlé Crenshaw on History and Contradictions of Critical Race Theory and Its Backlash

Last Friday's ACLU "At Liberty" podcast, Kimberlé Crenshaw discussed the definition and context of Critical Race Theory against recent misinformation; she advocated for a deeper historical understanding to counteract

[Read More](#)

Reflections of a Vanguard Intern: Zachary

RunningWolf Brown and Going Pro Se

This week I sat in on Department 7's hearings in Alameda County Superior Court. Or, I should say hearing singular, as I only heard one case.

[Read More](#)

Changing Justice Podcast: 'We Need to Lead with Compassion' – SF DA Boudin Commits to Supporting Crime Victims

In the most recent episode of the Changing Justice podcast, San Francisco District Attorney Chesa Boudin and Rachel Marshall look at the treatment of crime victims and survivors throughout the legal process.

[Read More](#)

My View: Unequal Justice Under the Law – Missouri Governor Chooses Politics Over Justice

I saw this earlier in the week. I actually clipped the image to use it later, but things got too busy and so by the time I got around to write it, the Washington Post already put out an editorial on it.

[Read More](#)

COVID CDCR and Jail Dashboards

CDCR's Active COVID-19 Cases Surge to 170; Vaccinations for Staff Stagnant at 50%

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Outbreak Among Santa Rita Jail Staff Raises Concerns as Only 24% Of Incarcerated Population Is Vaccinated

Our daily run down on the COVID cases in selective County Jails

[Read More](#)

Court Watch Coverage

Judge Denies Mental Health Diversion for Man Accused of Attempted Murder, Says

Mental Illness Too Severe, Sets Trial

A defendant diagnosed with severe schizoaffective disorder was denied mental health diversion here in Riverside County Superior Court late last week – the diversion would have authorized his release for up to two

[Read More](#)

Defendant Issued No-harassing Protective Order After Assaulting Spouse, Who Still Wants His ‘Input’ in Child’s Life

Defendant Alexander Khelawan appeared in Yolo County Superior Court last week, facing at least five charges, including use of a deadly weapon, battery and corporal injury on a cohabiting spouse and infliction of

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More Than Just One Question for Defendant in SF Hearing

San Francisco Superior Court Judge Gail Dekreon oversaw a hearing for Dominic Martinez Gianfermo here late last week, and it wasn’t just one thing.

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Judge Spends Time Justifying Decision – Sentences Man to 15 Years State Prison for Chinatown Armed Robbery of Elderly Gentleman with Grandchildren

A man was sentenced here in Alameda County Superior Court Friday to 15 years in state prison for 17 charges, including second degree robbery and possession of a firearm, in Chinatown.

[Read More](#)

Defendant Is Given A Second Chance – Low Bail Set, No Longer Poses A Risk To Public Safety

William Edward Fletcher – after providing major self-improvement arguments in Alameda County Superior Court Friday – was given a break by a judge here, who set reasonable bail and did not declare Fletcher a

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Men Charged with Multiple Animal Cruelty Felonies for Fighting Chickens

One of the chief targets of those opposed to animal cruelty in entertainment over the past several decades has been “cockfighting,” where male chickens are put into a ring to fight to the death – many are

[Read More](#)

Judge Denies Pretrial Release of Defendant in Burglary Case for Public Safety Reasons

During an arraignment here in Santa Barbara County Superior Court last Thursday for Marcelo Alfonso-Gudino – who is facing burglary charges – Judge Clifford Anderson denied him pretrial release, citing

[Read More](#)

DUI Defendant Swears It was Vanilla in Mouth, Not Booze – Judge Doesn’t Believe Him, Calls It ‘Fraud,’ Orders Him to Jail

Defendant Timothy Adams was called to court here in Sacramento County Superior Court after a device he was wearing detected alcohol in his system, a violation of his DUI/driving under the influence probation.

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Domestic Abuse Call Leads to 11 Hour Standoff with Child Hostage – Defendant Asks for Visitation Rights

In a Fresno County Superior Court hearing last week, Miguel Rubio entered not guilty to all charges including arson, child abuse, and battery, after being taken into custody following an 11-hour standoff between him and police.

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Everyday Injustice - Podcast

[see our podcasts](#)

Everyday Injustice Podcast Episode 119: Alana Mathews Runs For Sacramento DA

Alana Mathews is running for DA for the office currently held by Anne Marie Schubert, who is not seeking re-election (and running for California AG).

[Read More](#)

Everyday Injustice Podcast Episode 117 – Tony Serra

On July 13, 2021, one of kind, radical attorney Tony Serra joined the Vanguard for a live webinar and podcast. At the age of 86, he is not only still practicing as an attorney but continues to have the drive and passion that has driven his

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Date: Sunday, August 8, 2021 at 1:03:33 AM British Summer Time

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To: Valerie Ibarra

<https://www.davisvanguard.org/category/san-francisco-court-watch/>

Subject: San Francisco Court Watch Archives | Davis Vanguard

Date: Sunday, August 8, 2021 at 12:51:01 AM British Summer Time

From: Ibarra, Valerie (PDR)

To: Ibarra, Valerie (PDR)

<https://www.davisvanguard.org/category/san-francisco-court-watch/>

Subject: San Francisco Court Watch Archives | Davis Vanguard

Date: Sunday, August 8, 2021 at 12:51:01 AM British Summer Time

From: valerie.ibarra@sfgov.org

To: Valerie Ibarra

<https://www.davisvanguard.org/category/san-francisco-court-watch/>

Subject: Everyday Injustice - DOJ Announces Pattern and Practice Investigation into Police Brutality and Shootings in Phoenix

Date: Friday, August 6, 2021 at 7:01:48 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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Victoria Lopez from the Arizona ACLU: "This is not a case of a few bad apples—Phoenix PD has deep-rooted, systemic problems with the way it treats community members. It's time for this to change."

Everyday Injustice Newsletter - August 6, 2021

Our Feature Story on the Resentencing Grant...

OAKLAND, CA – AB 2942 passed into law in 2018, revising California Penal Code (PC) section 1170(d) and creating for the first time a prosecutor-initiated resentencing mechanism to allow prosecutors to look back at unjust, excessive sentences.

Hillary Blout, a former prosecutor in San Francisco, formed the group For the People, to push for the legislation, and now a pilot program—1170(d)—has been funded in nine California counties to the tune of \$18 million over the next three years.

The participating counties include Los Angeles, Santa Clara, San Francisco, Riverside, Contra Costa, San Diego, Yolo, Merced and Humboldt.

"The diversity of these counties is intentional—not only in geography, but in voter base, prosecutor leadership, reentry resources, prison population, and incarceration rates," the group noted in its announcement.

But as Blout told the Vanguard, it is also evidence that this is not merely more progressive legislation.

"This is not for just progressive prosecutors. This is for all prosecutors," Blout explained. "We work with prosecutors across the political spectrum on purpose because our view is that every prosecutor, a conservative, moderate, you know, progressive blue, red whatever, that they need to be involved in this work."

Blout noted that California is both big and diverse.

"The way that Humboldt runs is going to be far different than the way that LA County runs," she said. "The constituents and the voters are also different."

But even though, on the one hand, Mike Hestrin and some others are known for being traditional law and order and Chesa Boudin (San Francisco) and George Gascón (Los Angeles) are seen as progressive, there was common ground here.

"All of the DAs that we talk with, they all resoundingly agreed that if a person is serving a sentence that is unjust, that person should not be there," said Blout, adding, "If the person is rehabilitated and is simply not the person that they were when the crime was committed, and there is, you know, there's enough there for the prosecutor to understand and be able to go back to the court and say, your honor, this person, can be released, they should be out."

The counties are not only diverse, but the approach taken by the counties the Vanguard was able to talk to was very different as well.

[Full article - here](#)

Criminal Justice News/ Commentary

DOJ Announces Pattern and Practice Investigation into Police Brutality and Shootings in Phoenix

The Justice Department announced on Thursday that it was opening a pattern and practice investigation into the City of Phoenix and the Phoenix Police Department.

[Read More](#)

Guest Commentary: Homeless Union Denounces Steinberg's 'Master Plan' – A Dangerous Con Job

The California Homeless Union and its local affiliate, the Sacramento Homeless Union, strongly opposes Mayor Steinberg's "Master Siting Plan to Address Homelessness." The "plan" is a deceptive and dangerous con job

[Read More](#)

Santa Clara County's Prosecutor Race Will Be Intense – And Personal

Since taking office in 2011, Santa Clara County (San Jose), California District Attorney Jeff Rosen has embraced decarceration efforts faster than most of his peers. On top of emphasizing diversion programs for people accused of

[Read More](#)

Guest Commentary: ACLU Sues to Stop the Use of Title 42 to Justify Expelling Migrants without Due Process

With migration trends again in the national spotlight, people seeking refuge in the U.S. are seen as numbers on a graph instead of human beings in crisis, and policymakers, including border-state politicians, forget that enshrined

[Read More](#)

Three Days Left to Nominate Vanguard Justice Award Recipients – Gala Tickets and Sponsorships Still Available

September 8 is coming soon. That means you should purchase your tickets (since we only have 80 of them) for the Vanguard Justice Awards Gala. Should be a great event.

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COVID CDCR and Jail Dashboards

CDCR's Active COVID-19 Cases Surge to 170; Vaccinations for Staff Stagnant at 50%

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Outbreak Among Santa Rita Jail Staff Raises Concerns as Only 24% Of Incarcerated Population Is Vaccinated

Our daily run down on the COVID cases in selective County Jails

[Read More](#)

Court Watch Coverage

Alleged Victim of Domestic Abuse Admits She 'Made a False Police Report' – Judge Still Won't Dismiss Charges

An alleged victim of domestic abuse asked that the court dismiss charges against the defendant, and admitted she had composed a false statement and "over exaggerated" about the claimed mistreatment by

[Read More](#)

High School Senior Released Pre-Trial for Alleged Robbery and Firearm Possession

Soon-to-be high school senior Kamren Robinson allegedly committed a robbery and was found in possession of a firearm Sunday in an Elk Grove smoke shop.

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Wrong Man Almost Arrested at Scuffle by ATM that Led to Fatal Stabbing

When officers responded to a call about an assault with a deadly weapon, they almost arrested the wrong man in January of last year, according to the testimony here this week at a preliminary hearing in Sacramento County Superior

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Lawyer Warns Defendant ‘Not Really Helping’ after Minor Outburst in Court

Judge Gail Bereola of Alameda County Superior Court refused to release a defendant on her own recognizance after her lawyer warned her she was “not really helping” when she agitatedly spoke up in Alameda County Superior

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Judge, ‘Feeling Nice,’ Gives Single Mother Community Service Instead of County Jail

A judge here, who said she was “feeling nice,” sentenced a woman with a three year-old child whose father recently died to community service and modified probation instead of the recommended in custody jail time this

[Read More](#)

Man’s Felony Matter Reduced to Misdemeanor Probation – Prosecution Loses Argument

Judge Sharon Djemal in Alameda County Superior Court, Dept. 110, struggled to decide defendant Craig Jay Sickler’s final sentencing, after an unusual court resolution that was previously settled.

[Read More](#)

Young Man Gets ‘Break’ from Home Detention, Jailed Because He Had No Place to Stay – Judges OKs Return to Home

Here in San Francisco County Superior Court, Dept. 12 Wednesday, Public Defender Kelsey Ryburn requested the court re-release her client from custody so he may continue his sentencing under house arrest.

[Read More](#)

Rape Trial Cross-Examination Ends with Defense Attorney Motion to Strike Victim's Entire Testimony

A trial here in Riverside County Superior Court Thursday focused on a young girl's allegations that her uncle, Vincente "XXXX" repeatedly raped and sexually assaulted her for years.

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Expert Doctor Witness Joins Jeffrey Eble Case

Expert witness Doctor L. was directly examined for four hours in San Francisco County Superior Court Dept. 16 Thursday by both Assistant District Attorney Julia Gonzalez and Assistant Public Defender

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Everyday Injustice - Podcast

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Everyday Injustice Podcast Episode 118: Leslie Robinson Helps Formerly Incarcerated Recharge

Eighty-five percent of those incarcerated will be released at some point. Seven in 10 people who are released will re-offend. If we are going to transform the criminal legal system, we need a better way to allow those who have been

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Everyday Injustice Podcast Episode 117 – Tony Serra

On July 13, 2021, one of kind, radical attorney Tony Serra joined the Vanguard for a live webinar and podcast. At the age of 86, he is not only still practicing as an attorney but continues to have the drive and passion that has driven his

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Subject: Re: '1170(d)' Not Just for Reform-Minded DAs – Broad Coalition Looking into Re-Sentencing in California and Beyond | Davis Vanguard

Date: Friday, August 6, 2021 at 5:32:09 PM British Summer Time

From: Rodarmel, Danica (PDR)

To: Ibarra, Valerie (PDR)

That would be great!

From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Sent: Friday, August 6, 2021 8:49:32 AM

To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>

Subject: Re: '1170(d)' Not Just for Reform-Minded DAs – Broad Coalition Looking into Re-Sentencing in California and Beyond | Davis Vanguard

Shall I include it in the weekly roundup? I can make a quick reference to the work you've been doing to secure state funding for various aspects of our work, including some slated to support our ongoing post-conviction work.

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>

Sent: Thursday, August 5, 2021 2:36 PM

To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: FW: '1170(d)' Not Just for Reform-Minded DAs – Broad Coalition Looking into Re-Sentencing in California and Beyond | Davis Vanguard

Don't love it but figured I'd send it to ya!

From: debra stinson <stinson1988@msn.com>

Date: Wednesday, August 4, 2021 at 6:16 PM

To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>

Subject: '1170(d)' Not Just for Reform-Minded DAs – Broad Coalition Looking into Re-Sentencing in California and Beyond | Davis Vanguard

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<https://www.davisvanguard.org/2021/08/1170d-not-just-for-reform-minded-das-broad-coalition-looking-into-re-sentencing-in-california-and-beyond/>

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Subject: RE: Diversion Cases Focus on Alternatives for Addiction Defendants | Davis Vanguard

Date: Friday, August 6, 2021 at 5:01:40 PM British Summer Time

From: Taylor, Olivia (PDR)

To: Ibarra, Valerie (PDR), Calloway, Peter (PDR)

CC: Jacobs, Mark (PDR)

Hi Valerie,

Thanks for bringing this to my attention. I had no idea that there was someone from Court Watch present. The only reason I didn't approach the bench to discuss the third-party culpability issues in Mr. Napoleon's case was because the DA was only present via Zoom and would not have been able to approach, or hear me if I had approached the bench. My client is actually really worried about blaming his father and jeopardizing their relationship and his father's precarious legal situation, and I had to do a lot of work to convince him to allow me to bring it up in court. The only way he was okay with it was if I discussed it off the record with the judge and then filed a motion under seal, so the information would not be publicly available. I know we can't unring the bell and the statements were technically made in open court, but had I known there were any members of the media present who were going to publish my client's name, the charges against him, and the issues surrounding his father's culpability, I wouldn't have said what I said.

If there is any way you and I can talk to David Greenwald about this and explain that when attorneys are speaking off the record about sensitive information (especially information that they say they will later be providing to the court in a motion under seal), that should indicate to the media that they might want to consult the attorneys involved before printing that information in an article. Also, my client is 18 years old, is still in high school, and now there is an article on the internet that says he was caught in possession of 3 guns. That's going to create a number of serious issues for him when he applies for jobs and potential employers search his name on the internet.

I'd love to speak with you at some point today, if you're available, about what - if anything - we can do. Frankly, I'm really upset about this. Of all my cases, this is the one that probably involves the most sensitive issues and the greatest possibility of the media attention negatively impacting my client's life.

Thank you for letting me know about the article.

Best,
Olivia

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

From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Sent: Thursday, August 5, 2021 6:50 PM

To: Calloway, Peter (PDR) <peter.calloway@sfgov.org>; Taylor, Olivia (PDR) <olivia.a.taylor@sfgov.org>
Cc: Jacobs, Mark (PDR) <mark.jacobs@sfgov.org>
Subject: Diversion Cases Focus on Alternatives for Addiction Defendants | Davis Vanguard

Hi Peter and Olivia,

Both of you had cases mentioned in this Court Watch article. I suspect there may be factual errors (beyond just spelling), so please let me know what corrections need to be made and I will contact the editor.

<https://www.davisvanguard.org/2021/08/diversion-cases-focus-on-alternatives-for-addiction-defendants/>

Peter has raised some issues about the Davis Vanguard/Court Watch using our clients' names and attorneys' off-the-record comments. Since it's all in open court, that part is tricky to rein in, but I remain willing to help communicate with the Editor, David Greenwald, about the various concerns that have come up lately as the courts have opened up further.

One option may be to meet with the Court Watch interns at their Tuesday lunch meetings to: help educate them on the legal issues, which could help them improve; and offer to comment on cases upon request, or talk on background about the bigger picture. Many of them are our PDR interns as well.

I want to hold off on adding this article to the internal weekly news roundup until I hear back from you both.

Thank you,
Valerie

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Date: Friday, August 6, 2021 at 4:49:32 PM British Summer Time

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To: Rodarmel, Danica (PDR)

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Sent: Thursday, August 5, 2021 2:36 PM

To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: FW: '1170(d)' Not Just for Reform-Minded DAs – Broad Coalition Looking into Re-Sentencing in California and Beyond | Davis Vanguard

Don't love it but figured I'd send it to ya!

From: debra stinson <stinson1988@msn.com>

Date: Wednesday, August 4, 2021 at 6:16 PM

To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>

Subject: '1170(d)' Not Just for Reform-Minded DAs – Broad Coalition Looking into Re-Sentencing in California and Beyond | Davis Vanguard

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Subject: Diversion Cases Focus on Alternatives for Addiction Defendants | Davis Vanguard

Date: Friday, August 6, 2021 at 2:50:20 AM British Summer Time

From: valerie.ibarra@sfgov.org

To: Peter Calloway, Olivia Taylor

CC: Mark Jacobs

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Thank you,
Valerie

Subject: FW: '1170(d)' Not Just for Reform-Minded DAs – Broad Coalition Looking into Re-Sentencing in California and Beyond | Davis Vanguard

Date: Thursday, August 5, 2021 at 10:36:14 PM British Summer Time

From: Rodarmel, Danica (PDR)

To: Ibarra, Valerie (PDR)

Don't love it but figured I'd send it to ya!

From: debra stinson <stinson1988@msn.com>

Date: Wednesday, August 4, 2021 at 6:16 PM

To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>

Subject: '1170(d)' Not Just for Reform-Minded DAs – Broad Coalition Looking into Re-Sentencing in California and Beyond | Davis Vanguard

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<https://www.davisvanguard.org/2021/08/1170d-not-just-for-reform-minded-das-broad-coalition-looking-into-re-sentencing-in-california-and-beyond/>

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Subject: Everyday Injustice - 22 Years – Three Perspectives from Inside Prison; Deeper Look at Funders and Organizers of the SF DA Recall Effort
Date: Thursday, August 5, 2021 at 7:00:25 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"As a plea deal, I was offered 22 years under New Jersey's No Early Release Act (NERA), which prohibits defendants from being let out of prison before serving 85% of their total sentence. When I rejected the plea bargain, went to trial and blew, I was subsequently sentenced to 130 years. Wow – a 108 year difference!"

Everyday Injustice Newsletter - August 5, 2021

Two Days Left to Nominate Vanguard Justice Award Recipients – Gala Tickets and Sponsorships Still Available

September 8 is coming soon. That means you should purchase your tickets (since we only have 80 of them) for the Vanguard Justice Awards Gala. Should be a great event.

We are now taking nominations until August 7 for nine categories:

- Youth Social Justice
- Formerly Incarcerated
- Organization Award
- Law School Award
- Wrongful Conviction Award
- Elected Official Award
- Distinguished Attorney Award
- Civil Rights Award
- Lifetime Achievement Award.

When we first started our event back in 2011, we had awards for groups like: the Northern California Innocence Project, the UC Davis Immigration Law Clinic, Cruz Reynoso and Jeff Adachi. We even gave an award to the activists who were pepper-sprayed at UC Davis back in 2011. So send us your nominations today.

Nominate here:http://tiny.cc/gala_nominate

ALSO...

Get your tickets and consider becoming a sponsor for both of our great events this fall.

We only have about 80 tickets, they are \$100 each—get yours as soon as you can, because this event is easily going to sell out.

Tickets:[here](#).

Sponsorships are on a separate page —[here](#).

Criminal Justice News/ Commentary

Guest Commentary: 22 Years – Three Perspectives from Inside Prison

As a plea deal, I was offered 22 years under New Jersey's No Early Release Act (NERA), which prohibits defendants from being let out of prison before serving 85% of their total sentence. When I rejected the plea bargain, went to trial

[Read More](#)

Deeper Look at Funders and Organizers of the SF DA Recall Effort

To no surprise, the recall of San Francisco District Attorney Chesa Boudin is being funded and headed by strong, coordinated Republican effort. Recall campaigns are catching the attention of voters nationwide

[Read More](#)

How Perceptions of Crime Cause The System to Fail

Hundreds of San Franciscans have expressed their anxiety towards rising crime rates in the city, but these perceptions come at a cost to the criminal justice system and its leaders, such as District Attorney

[Read More](#)

California Senator Creates Reform Legislation to Aid Those Childhood Trauma Victims

The Justice For Survivors Act, authored by Sen. Sydney Kamlager of Los Angeles, is said to reduce violence by offering lesser and alternative punishments to victims of past trauma.

[Read More](#)

Three Days Left to Nominate Vanguard Justice Award Recipients – Gala Tickets and Sponsorships Still Available

September 8 is coming soon. That means you should purchase your tickets (since we only have 80 of them) for the Vanguard Justice Awards Gala. Should be a great event.

[Read More](#)

COVID CDCR and Jail Dashboards

CDCR's Sierra Conservation Center Reports COVID-19 Outbreak– Only 39% of Staff and 67% of Population Is Fully Vaccinated

Our daily run down on the COVID cases in the California Prison System (CDCR)

[Read More](#)

New COVID-19 Cases Continue to Emerge in Bay Area County Jails; Vaccine Uptake Remains Low

Our daily run down on the COVID cases in selective County Jails

[Read More](#)

Court Watch Coverage

Despite Heavy Prosecution Pressure, Judge Denies Motion to Increase

Defendant's Bail Deeming It a Violation of Humphrey Bail Reform Law

Now facing trial, defendant Frank Alcaraz's bail was heavily debated in Sacramento County Superior Court Tuesday with defense attorney David Grow and prosecution attorney Stephanie Aarseth arguing over a

[Read More](#)

Defendant Accuses Officer/Witness of Lying During Testimony, Claims Not Selling Drugs

Defense counsel for Beaumont Burgess, a Sacramento man charged with one count of possession of methamphetamine with intent to sell, didn't deny here in Sacramento County Superior Court Monday

[Read More](#)

Two Defense, One Prosecution Witnesses Testify in Ongoing Trial of Defendant Charged with Corporal Injury to Spouse

Witnesses were called to testify Wednesday here in Riverside County Superior Court in the ongoing trial of Clyde Robert Johnson, who is being charged for inflicting corporal injury on his wife after multiple disputes.

[Read More](#)

Diversion Cases Focus on Alternatives for Addiction Defendants

Judge Gale Dekreon oversaw a number of diversion motion petitions this week in San Francisco Superior Court, Dept. 17 —the diversity of experiences and stories presented by the defendants exemplify

[Read More](#)

Jury Trial Pending for Man Charged with Multiple Counts of 'Indecent Exposure' on UC Berkeley's Campus – Defense Cites Medical Condition

A week ago, the parties in Alameda Superior Court Dept. 109 deliberated details for the jury trial of Curtis Allen, Jr., a man charged with multiple counts of "indecent exposure" on UC Berkeley's campus.

[Read More](#)

Case Not Proven, but Judge Denies

Release of Man because of His Prior, Similar Offenses

Joaquin Perez was arraigned in Santa Barbara County Superior Court earlier this week for charges of possession of controlled substances for sale with special allegations.

[Read More](#)

Prosecution, Defense Argue Prior to Murder Trial – Judge Rules Jailhouse Interview Violated Defendant's Rights

Just a day or so before the start of a murder trial here, the judge Tuesday ruled most of a jailhouse interview inadmissible, and it won't be shown to the jurors because the defendant's Miranda rights were violated.

[Read More](#)

Everyday Injustice - Podcast

see our podcasts

Everyday Injustice Podcast Episode 118: Leslie Robinson Helps Formerly Incarcerated Recharge

Eighty-five percent of those incarcerated will be released at some point. Seven in 10 people who are released will re-offend. If we are going to transform the criminal legal system, we need a better way to allow those who have been

[Read More](#)

Everyday Injustice Podcast Episode 117 – Tony Serra

On July 13, 2021, one of kind, radical attorney Tony Serra joined the Vanguard for a live webinar and podcast. At the age of 86, he is not only still practicing as an attorney but continues to have the drive and passion that has driven his

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Yolo County Court Watch: <https://avanan.url-protection.com/v1/url?o=https%3A//www.facebook.com/groups/yolojudicialwatch/&g=YzVmZWNhMTM1NmRjZGZIOA==&h=NjlyZWY5M2FjNDdhNDJmZDY0MmQ1YTc1NjhINmJmODRhOGUwZjcxNzE3YzQzOTRiZDBiZDJINTFhZjA1Nzg4Yw==&p=YXAzOnNmZHQyOmF2YW5hbJpvOjU4Y2Y5MDRiMzg4NWQ3ZDMwZjU0MmEyN2ZkMWMMyYTU0OnYx>

Sacramento Court Watch: <https://avanan.url-protection.com/v1/url?o=https%3A//www.facebook.com/Sacramento-Court-Watch-1432660796849531/&g=MGQ1MGMMyOTFhNDgyYTE5NA==&h=NzY5MDk1MTFiMzlxNmZiMWRkMTdmODZmNTk4YmUwYjcwODNkOTYzYjA2NWlxMjFIZmM3ODBJODlwMDY1ZTIjOA==&p=YXAzOnNmZHQyOmF2YW5hbJpvOjU4Y2Y5MDRiMzg4NWQ3ZDMwZjU0MmEyN2ZkMWMMyYTU0OnYx>

Twitter: <https://avanan.url-protection.com/v1/url?o=https%3A//twitter.com/DavisVanguard&g=OWFINWE5NGI4NWE1NmQxMA==&h=YWY4ZjA5NGQ4NDNmYTUxOThkMTVmZTIiNWUwYzI2YTRmZGI2OTdhNzgwNzkxNmRhYzRkMTcxOGQ1ZjgyZWExOQ==&p=YXAzOnNmZHQyOmF2YW5hbJpvOjU4Y2Y5MDRiMzg4NWQ3ZDMwZjU0MmEyN2ZkMWMMyYTU0OnYx>

YouTube: <https://avanan.url-protection.com/v1/url?o=http%3A//www.youtube.com/davisvanguard&g=ZDRjNDVjMzdmNjY1YTUxNg==&h=NjRiOTA3NzAzNzk3MjY0ZGQxNjNhYWQzYjE1NDY0ZGFjNGQ2ZjBmNDhjNmFmY2UxYmNhMWQ5NDQ4Yjk0YWE5MA==&p=YXAzOnNmZHQyOmF2YW5hbJpvOjU4Y2Y5MDRiMzg4NWQ3ZDMwZjU0MmEyN2ZkMWMMyYTU0OnYx>

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Subject: Valerie! Join our in person celebration!

Date: Wednesday, August 4, 2021 at 9:00:13 PM British Summer Time

From: David Greenwald

To: valerie.ibarra@sfgov.org

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Image

Image

The Vanguard is re-launching its Justice Awards with an in-person Gala at the stunning Darling Aviary.

Hello

I am reaching out to see if you would be interested in sponsoring or purchasing tickets for our events coming up in September and October.

We actually have two amazing events this fall.

IN PERSON:

September 8 in Sacramento.

It is a Dinner/ Awards Gala. We are giving out nine awards. Plus Curtis Briggs will be speaking on the Chief Stankewitz case. *Stankewitz - wrongly convicted - has been at San Quentin since 1978, on death row until a few years ago and is represented by Tony Serra and Curtis Briggs.*

Do you want to recognize someone in your community for their outstanding achievements and generosity?

With nine categories, the Vanguard would like to welcome you to nominate those you would like recognized for a chance to win an award.

The last day to submit nominations will be August 9.

[Nomination Form](#)

ONLINE:

October 28 at 6 pm

We have a webinar featuring: Chesa Boudin (SF DA), Melina Abdullah (BLM LA), Jody Armour (Author and Law Professor) and Jonathan Rapping (Gideon's Promise).

TICKET PRICES

Gala tickets: \$100
Webinar tickets: \$25
Both: \$110
Sponsorships start at \$250

General admission tickets – tiny.cc/vanguard_gala
sponsor page – tiny.cc/gala_spons

Interested in being a sponsor for this event?

You can purchase a sponsorship level ticket here: tiny.cc/gala_spons

Sponsorship tickets will grant you recognition at the event, on the program, and on the Vanguard website.

The Peoples Vanguard of Davis Inc
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Subject: Everyday Injustice - '1170(d)' Not Just for Reform Minded DA's – Broad Coalition Looking Into Re-Sentencing in California, and Beyond

Date: Wednesday, August 4, 2021 at 7:01:16 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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"This is not for just progressive prosecutors. This is for all prosecutors," Hillary Blout explained. "We work with prosecutors across the political spectrum on purpose because our view is that every prosecutor, a conservative, moderate, you know, progressive blue, red whatever, that they need to be involved in this work."

Everyday Injustice Newsletter - August 4, 2021

Minnesota's AG Creates the First AG Conviction Review Unit

By David Greenwald

We have seen quite a few DA's and prosecutors create Conviction Review Units, but Keith Ellison became the first AG's office that we know of to have their own Conviction Review Unit.

In October 2020, Attorney General Ellison and the Great North Innocence Project (formerly known as the Innocence Project of Minnesota) **announced** that the U.S. Department of Justice had awarded the Great North Innocence Project a \$300,000 grant to fund the creation of a Conviction Review Unit in partnership with the Attorney General's office.

The purpose of a CRU is to identify, remedy, and prevent wrongful convictions. Each case the CRU accepts for review will have a strong indication that the person imprisoned could be innocent of the crime for which they were convicted.

It makes sense. In California for example, we have seen the AG's office under Kamala Harris and Xavier Becerra actually fighting to defend clearly wrongful convictions, uphold death penalty sentences and more.

We have high hopes for Rob Bonta, California's new AG, but California is still clearly behind Minnesota in this regard.

Yesterday, Ellison announced that the CRU will begin accepting applications to review of potentially wrongful convictions.

"The prosecutor's job is not to exact the greatest possible punishment. It is not to win at all costs. The prosecutor's job is to be a minister of justice," said Attorney General Keith Ellison. "We strive for perfection but know our system is imperfect. We will fearlessly review cases to make sure justice was served, and if not, to right those wrongs. Prosecutions where justice is not served hurt everyone and benefit no one except the true perpetrator."

From the press release...

"The Minnesota Attorney General's Office is on the cutting-edge of Conviction Review Units in the United States," said Marissa Bluestine, Assistant Director of the Quattrone Center for the Fair Administration of Justice at the University of Pennsylvania Carey Law School. "Not only are they embracing a holistic, collaborative approach to re-examining convictions, they are committed to learning from past errors to prevent injustices in the future. They are setting a national model for prosecutors committed to ensuring the integrity of convictions."

Additionally, Attorney General Ellison announced the hiring of the CRU director, Carrie Sperling. As CRU director, Ms. Sperling will lead case investigations and ultimately make a recommendation in each case to the Attorney General. She will also work to identify recurring errors and make recommendations for improved policies and procedures within the criminal justice system to help avoid wrongful convictions.

Carrie Sperling started as the CRU Director on April 1. Ms. Sperling has spent the past two decades studying, teaching, and correcting wrongful convictions. As a clinical professor at the University of Wisconsin Law School and at Arizona State's Sandra Day O'Connor College of Law, Sperling led collaborative efforts to overturn wrongful convictions and cases of manifest injustice. Recently, the Clinical Legal Education Association awarded Sperling and her Wisconsin Innocence Project students an honorable mention for their work in overturning the murder convictions against a married couple in Georgia. As the Director of the Arizona Justice Project, Sperling played a leading role in a first-of-its-kind partnership between the Project and the Arizona Attorney General's Office. This collaboration provided DNA testing to all Arizona inmates convicted of serious crimes who presented colorable innocence claims.

Ms. Sperling traces her commitment to justice back to her days growing up as a minister's daughter in East Texas. Her father encouraged her to enter law to correct the injustices he could not, and her mother, a teacher, instilled a belief in the transformative power of education.

"No one benefits from a wrongful conviction but the true perpetrator. Prosecutors have a continuing obligation to ensure that justice is done, and this Conviction Review Unit will play an integral role in pursuit of this goal," said Ms. Sperling. "It's not enough to overturn a wrongful conviction. We must learn what went wrong and how to correct our mistakes in the future. I'm eager to use the tools of this Conviction Review Unit to guide future policies and make our criminal justice system more accurate, fair, and equitable for the people of Minnesota."

Minnesota is showing how it's done, it is time for other states to step up.

Criminal Justice News/ Commentary

'1170(d)' Not Just for Reform Minded DA's – Broad Coalition Looking Into Re-Sentencing in California, and Beyond

AB 2942 passed into law in 2018, revising California Penal Code (PC) Section 1170(d) and creating for the first time a prosecutor-initiated resentencing mechanism to allow prosecutors to look back at unjust, excessive sentences.

[Read More](#)

Guest Commentary: Comparing My Sentence to Chauvin's

A few weeks ago, Derek Chauvin received 22.5 years for second degree murder. This is bittersweet. As I write this from a prison cell where I am still attempting to litigate my own case, it is difficult to

[Read More](#)

Poll Shows California Voters – No Matter Their Political Persuasion – Overwhelmingly Want Transfers of Immigrant Californians to ICE to Stop

California voters, according to a new poll, overwhelming support – no matter what their political affiliation – an end to the "double punishment of immigrant Californians and stopping transfers of Californians to

[Read More](#)

California Needs to Take Better Care of the Homeless' Behavioral Health Needs

In a CalMatters article by state Senator Sydney Kamlager and San Francisco District Attorney Chesa Boudin, they claim our government can do a better job of promoting public safety by expanding treatment and

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Court Watch Coverage

'The Purpose of Incarceration is Supposed to be Rehabilitation' – Defense Attorney Argues For Suspended Sentence Due to COVID-19

Keandre Lamar Battle's defense attorney passionately argued for the judge here in Alameda County Superior Court Monday to suspend her client's state prison sentence because he's behaved as a law-abiding citizen

[Read More](#)

Self-Proclaimed 'Pretty Intelligent' Murder Suspect Attempts to Defend Himself

Despite Advice of Judge and His Lawyer

Gary Allen refused Judge Patrick Marlette's advice to "stop talking" in Sacramento County Superior Court Monday while Judge Marlette attempted to set a date for a preliminary hearing.

[Read More](#)

Defense Cites Interpreter Problems in Motion to Dismiss COVID-Delayed Trial; Judges Balks, Sets New Trial

Judge Loretta Giorgi's packed calendar on Monday exemplified the overwhelming backlog of cases that COVID-19 has helped to create. California Penal Code 1382 PC requires that criminal trials

[Read More](#)

Judge Sides with DDA, Holds Alleged Knife-Wielding Defendant as 'Public Safety Risk' for Now

Deputy Public Defender Katie Ann Rogers urged Yolo County Superior Court Judge Peter M. Williams to release her client, Jevis Kenya Gatlan, Monday on supervised own recognizance (SOR) release.

[Read More](#)

First-Time Offender Released Ahead of Trial, Ordered to Report to Mental Health Services

Daniel Ladd was released on pretrial conditions Monday, following arguments from his attorney that he needed access to mental health and housing resources.

[Read More](#)

'Sloppiest Investigation of All Time' Defense Charges in 2018 Norco Prison Riot Case Closing Argument

Closing arguments from the prosecution and defense for the case of four prison inmates — charged with assault with a deadly weapon and assault with intent to produce great bodily injury — were presented on

[Read More](#)

Victim in Domestic Violence Trial Claims to Want Defendant to 'Hang' But Not Die

In the first day of witness testimony in a jury trial here Tuesday, the victim of domestic violence seemed to suggest she wants her alleged abuser, Clyde Robert Johnson, "to hang," but later in Riverside County

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Everyday Injustice - Podcast

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Everyday Injustice Podcast Episode 118: Leslie Robinson Helps Formerly Incarcerated Recharge

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Subject: Everyday Injustice - What LWOP Means to Someone Incarcerated; Data Shows Reduction in Low-Level Arrests Reduces Crimes

Date: Tuesday, August 3, 2021 at 7:01:06 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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"Consistent with recent research, cities that reduced low-level arrests did not experience an uptick in violent crime — or murder, specifically — compared to other cities during this period."

Everyday Injustice Newsletter - August 3, 2021

Showcasing Our Work....

We started a new feature a few weeks ago and this week's caught my eye. The title: [Reflections on Court Watching in Santa Barbara County](#). Elizabeth Garabedian is one of our interns from UC Santa Barbara. We just started the program this month. We are full partners with the Santa Barbara Public Defender's Office there.

We've modeled the program a bit after what we have been doing in San Francisco. Every week the interns have been meeting with Rebecca Seldin, a Deputy Public Defender in Santa Barbara. This past week she brought in an immigration law attorney to talk about immigration cases. It's a great experience and they are a great office – and while Santa Barbara may look like paradise, they have their own rash of injustice.

I invite you to read Elizabeth's reflections. We're trying to do more and more to show case our amazing interns and the incredible amount of talent that the Vanguard has been able to attract, mentor and cultivate.

[Article link](#)

We have a few more cards we are going to play in the next few months.

One of them is our prison publications.

To learn more about this check out our YouTube video – [here](#).

We are going to go forward with this regardless of whether we get the grant. I've already been talking with the non-profit [Prison Journalism Project](#). A few weeks ago we did a podcast with Joan Parkin who talked about the work on behalf of Chicago Torture Victims. Now she is trying to start her own non-profit to create prison publications in California.

Finally, it has always been my vision that the court watch is not the end of the courage on the courts. My goal was always to use the court watch to develop leads and then bring in journalists who could follow up those leads with actual feature pieces – some of them full on investigative pieces. That is the next frontier and we are very close to making that happen.

All of this will require something in the way of funding. I have learned how to bend the dollar beyond any reasonable recognition, but we will still need some cash to pull this all off.

We have events coming up this fall on September 8 and October 28:

General admission tickets - <https://davisvanguard.networkforgood.com/events/31971-the-vanguard-justice-award-gala-general-admission>

sponsor page - <https://davisvanguard.networkforgood.com/events/32033-the-vanguard-justice-award-gala-sponsorship>

Also you can always just donate at: <http://davisvanguard.networkforgood.com>

Thanks for your support!

Criminal Justice News/ Commentary

Guest Commentary: What LWOP Means to Someone Incarcerated

Please forgive me for any inconvenience that my writing may cause. I am writing in the hope that I might contribute to changing the way that people think about the laws with regards to the draconian life without possible parole

[Read More](#)

Data Shows Reduction in Low-Level Arrests Reduces Crimes; Comparison Study of San Francisco Under DA Boudin

According to data from the FBI Uniform Crime Report, arrest rates have generally been declining since the 1990s and even more so after many cities and states have tried to change their approach to

[Read More](#)

Guest Commentary: Congress Can Stop This Vicious Cycle of Debt-Based Poverty

On any given day across the country, millions of Americans have had their drivers' license suspended — not because of unsafe driving or other safety concerns but because of a government imposed debt they can't afford to pay.

[Read More](#)

Current Public Defender Sajid Khan Hopes to be First Person of Color to Serve as District Attorney for Santa Clara County.

Sajid Khan began his campaign for District Attorney of Santa Clara County in early July, and one of his main goals was to ensure racial justice and foster an end to mass incarceration.

[Read More](#)

CDCR To Expand In-Person Visitations; Active Cases Cross 100 After Weeks of Low Numbers

Court watching this week in Santa Barbara County Superior Court was interesting as the concerns of mental health and competency were themes that reappeared throughout my shifts.

[Read More](#)

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Court Watch Coverage

Sentencing Enhancements Give Way to Pleas In Vandalism, Failure To Appear Cases

At Yolo County Superior Court Monday two defendants, one in a failure to appear case and one in a vandalism case, both decided to plead to their alleged crimes after sentencing enhancements were appended to their charges.

[Read More](#)

War Veteran Asks for Resentencing, Claiming Has PTSD – Prosecutor Mocks Request, Judge Turns Him Down

Military veteran Robert Lee Haynes, Jr. was in Sacramento County Superior Court last week with a request for resentencing because he suffers from PTSD – Post Traumatic Stress Disorder – from his military service 20

[Read More](#)

Trial Set for 3 Individuals Charged with Burglary of Person Accused of Homicide

Three individuals – John Defeher, Karen Hughes and Randy Webb – will all stand trial for burglary, selling a stolen vehicle, possession of controlled substances and firearms after their preliminary hearing late

[Read More](#)

‘His Thirst For Revenge Led to a First Degree Murder’: Prosecution Presents Closing Argument for Ongoing Murder Trial

Marius Dante Robinson’s murder trial drew to a close Monday in Alameda County Superior Court with the prosecution pleading to the jury to convict Robinson of first degree murder.

[Read More](#)

Sheer Power of Prosecutors on Full Display in Alameda Courtroom

Proceedings were slow in Alameda County Superior Court Dept. 702 last week, but still, Judge Gail Bereola saw a number of defendants, many of whom had appeared in court to sort out scheduling matters or enter a plea.

[Read More](#)

Wife Asks for Restraining Order for Her and Daughter after Husband Allegedly Choked Her

Riverside County Superior Court Judge Kristi Hester last Friday granted the alleged victim of a domestic violence case the request for a restraining order against her husband after hearing testimony of physical abuse and harassment.

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Everyday Injustice - Podcast

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Everyday Injustice Podcast Episode 118: Leslie Robinson Helps Formerly Incarcerated Recharge

Eighty-five percent of those incarcerated will be released at some point. Seven in 10 people who are released will re-offend. If we are going to transform the criminal legal system, we need a better way to allow those who have been

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Date: Monday, August 2, 2021 at 7:05:00 PM British Summer Time

From: David M. Greenwald

To: undisclosed-recipients;;

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Hello

I am reaching out to see if you would be interested in sponsoring or purchasing tickets for our events coming up in September and October.

We actually have two amazing events this fall. One in person. One online.

IN person is September 8 in Sacramento. It is a Dinner/ Awards Gala. We are giving out nine awards. Plus we have Curtis Briggs speaking on the Chief Stankewitz case. Stankewitz - wrongly convicted - has been at San Quentin since 1978, on death row until a few years ago and is represented by Tony Serra and Curtis Briggs.

On October 28, we have a webinar featuring: Chesa Boudin (SF DA), Melina Abdullah (BLM LA), Jody Armour (Author and Law Professor) and Jonathan Rapping (Gideon's Promise).

I hope you can help support our efforts.

Gala tickets: \$100

Webinar tickets: \$25

Both: \$110

Sponsorships start at \$250

General admission tickets – tiny.cc/vanguard_gala

sponsor page – tiny.cc/gala_spons

David M. Greenwald
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Subject: Everyday Injustice - Kamlager on Intersection between Behavioral Health, Housing, and the Penal Code; Group Helps Formerly Incarcerated Recharge
Date: Monday, August 2, 2021 at 7:00:52 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"I firmly believe that when we don't have answers to housing, where we don't have answers to poverty, where we don't have answers to behavior health issues, we find those answers in the penal code," Senator Kamlager explained.

Everyday Injustice Newsletter - August 2, 2021

When Even Sheriff Villanueva Expresses Grave Concerns... Tremble

by David Greenwald

For those of you who follow our coverage on such things, you are probably familiar with LA County Sheriff Alex Villanueva and know that he has been outspoken and bombastic in the face of attempts to regulate and reform his department.

Given that back drop, when the Sheriff conveys concern about the March 14 shooting where David Ordaz, "died as the result of wounds sustained in a deputy involved shooting" - his euphemistic words to be sure - we should take notice.

"I want to clearly state I have grave concerns regarding this deputy involved shooting," he said noting that one of the deputies has been relieved of duty while the investigation is pending.

The LA Times reports that the Department "[published the footage a day](#) after family members of David Ordaz Jr. held a news conference outside the federal courthouse in downtown Los Angeles to announce they were suing Los Angeles County and the four deputies involved in Ordaz's shooting."

The Times has a nice blow by blow description of the incident where Ordaz makes it clear that he wants to die.

Writes the Times, "The deputies told Ordaz to back up and not get any closer. As he edged nearer, a

deputy shot him with a stun bag. Ordaz stumbled a few steps backward. Deputies yelled, "Drop it!" Ordaz advanced a couple of steps forward, and an unknown number of deputies opened fire with live rounds."

Ordaz did have a knife, police described as 12 inch kitchen knife. At no point is it clear that Ordaz is actually a threat to officers.

A deputy asked: "Why are you upset today?"

"Because you won't [expletive] shoot," Ordaz replied.

"Put the knife down, talk to us, we'll get you some help, dude," a deputy said.

The Ordaz family was standing just feet away.

In the lawsuit, attorneys representing Ordaz's family described the man as "helpless," "looking up from the pavement without any weapon," as a deputy fired the "killing shot" into his chest.

This is another incident that seems like if they had a mental health response, it could have avoided the loss of life. It's also another incident where the family is relying on law enforcement to help a family member in crisis and avoid a suicide and it results in death.

If Sheriff Villanueva has grave concerns about this incident given his track record, that should give us all pause.

Thanks for reading...

Criminal Justice News/ Commentary

Senator Kamlager Talks about the Intersection between Behavioral Health, Housing, and the Penal Code

Stating that we need to deal with issues of the intersection between behavioral health and the penal code and the criminal legal system on a daily basis, Senator Sydney Kamlager said last week, appearing via Zoom from her

[Read More](#)

Formerly Wrongly Incarcerated Watches Strickland's Circumstance and Notices a Familiar Ring

Kevin Strickland has spent more than 42 years in prison with all evidence, including the actual perpetrators and the sole surviving victim, believing he was wrongly convicted—but politics and arcane rules in the state of Missouri have kept

[Read More](#)

Everyday Injustice Podcast Episode 118: Leslie Robinson Helps Formerly Incarcerated Recharge

Eighty-five percent of those incarcerated will be released at some point. Seven in 10 people who are released will re-offend. If we are going to transform the criminal legal system, we need a better way to allow those who have been

[Read More](#)

Analysis and Recommendation for ‘Re-Imagining Public Safety in the US’ – Human Rights Watch

Almost a year ago, on Aug. 12, 2020, Human Rights Watch produced an article and analysis of the current state of U.S. safety, policing, and reform.

[Read More](#)

ACLU for First Time Ever Takes Position on Recall Election – Decides to Oppose September Governor Recall

The ACLU – for the first time ever – has taken a position on a recall election, the Gubernatorial Recall this September: its chapter voted to oppose the recall for civil rights and civil liberties reasons.

[Read More](#)

Criminal Justice Reform: SF District Attorney’s Office on War on Drugs, Behavioral Health Care, & Homelessness

The San Francisco District Attorney’s Office held a Facebook live discussion with DA and moderator Chesa Boudin and discussed an urgency to confront the behavioral health needs of prioritizing health

[Read More](#)

Reflections on Court Watching in Santa Barbara County

Court watching this week in Santa Barbara County Superior Court was interesting as the concerns of mental health and competency were themes that reappeared throughout my shifts.

[Read More](#)

Nominations Now Open For the Vanguard Justice Awards!

September 8 is coming soon. That means you should purchase your tickets (since we only have 80 of them) for the Vanguard Justice Awards Gala. Should be a great event.

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COVID CDCR and Jail Dashboards

COVID-19 Cases Across CDCR Surges to 50+ After Weeks of Low Numbers

Our daily run down on the COVID cases in the California Prison System (CDCR)

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New COVID-19 Cases Continue to Emerge in Bay Area County Jails; Vaccine Uptake Remains Low

Our daily run down on the COVID cases in selective County Jails

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Court Watch Coverage

Defendant's Request to Dismiss His Case Denied after New Allegations from His Original Victim Surface

Deputy Public Defender Joseph Gocke filed a motion here last week in Yolo County Superior Court to dismiss the case of defendant Joshua Friedman, whose mental illness struggles resulted in his arrest back on Oct. 14, 2019.

[Read More](#)

Romero Motion Denied, Despite Letters of Support for Defendant

A man with four prior convictions from more than 14 years ago was denied a request to remove a strike in Sacramento County Superior Court last Thursday, despite several letters in support of his progress and

[Read More](#)

Victim 'Afraid She Was Going to Die' During Assault with Semi-Automatic Weapon

Starletta Carter was charged with two counts of assault and one count of unlawfully carrying a loaded firearm after attacking Molly* and Molly's friend Josh* in the middle of the night while they were staying in a

[Read More](#)

Judge Increases Bail to \$280K after Defendant Carjacks Jail Employee Vehicle, Leading Police on a High Speed Chase

After being released from Santa Rita Jail, defendant Luke Emanuel Barbero allegedly attacked and car jacked a Santa Rita employee – this led the judge here in Alameda County Superior Court to increase Barber's bail by \$170,900.

[Read More](#)

Ex Husband Accused of Physically, Sexually, and Verbally Abusing Ex-Wife's Children

In an ongoing trial here in Alameda County Superior Court, Dept. 706, a man is charged with seven counts of sexual assault against his ex-wife's children throughout their marriage.

[Read More](#)

Judge Balks at Giving Man Pretrial Release Because of 'Violent' Behavior in Stalking Case

Judge Von Deroian here in Santa Barbara County Superior Court Thursday denied the pretrial release of Victor Herrera, citing concerns that he is a danger to the public and the alleged victim because of

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Everyday Injustice - Podcast

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Everyday Injustice Podcast Episode 118: Leslie Robinson Helps Formerly Incarcerated Recharge

Eighty-five percent of those incarcerated will be released at some point. Seven in 10 people who are released will re-offend. If we are going to transform the criminal legal system, we need a better way to allow those who have been

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Everyday Injustice Podcast Episode 117 –

Subject: Everyday Injustice - Boudin Discussion Highlights a Mental Health Crisis; House Committee Begins to Address Fines and Fees
Date: Friday, July 30, 2021 at 7:01:45 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"When I refused to pay for the repairs, the owner pressed charges, and the police took him to jail. This is a predictable result of the failure of our department of health to recognize that some people need to be kept in an acute inpatient locked facility and forced to take medication, even if they do not want to"

Everyday Injustice Newsletter - July 30, 2021

Subject: Here is a Reason To Support the Vanguard You Haven't Thought About

Hi there,

I recently got an email from someone who disagreed with me on a recent column and was disinclined to support the Vanguard on that basis.

Hey, I get it - and given that the Vanguard always takes a strong position - everyone is probably inclined to oppose at some point.

But I think a lot of what we do is behind the scenes and not something people necessarily know about. So I want to talk to you briefly about the Vanguard as a mentorship program and professional development organization.

In fact, I would argue there is a much more important reason to support the Vanguard and it is a much bigger part of our overall work.

Right now we have 80 interns who we are training to write journalistic articles and helping to prepare them for law school or a career in journalism. Remarkably a huge percentage of them are young women of color. Many will be the first generation in their family to graduate from college.

The Vanguard has become so important for these students, that many universities across the state and

law schools actually look to our students because they know the excellence of our mentorship program.

Dozens of our interns in the past year alone have gone onto law school and many in this past year actually became lawyers and were hired by public defender's offices and law firms.

Here are the links to two videos we have produced in the last year that talk about our work and our projects.

<https://www.youtube.com/watch?v=Gz2lhFRuTxk&t=4s>

<https://www.youtube.com/watch?v=IUR01O4o9Ks&t=59s>

These are short videos. One we literally just finished this week.

I would ask you to watch these videos and see if this is something you would like to support.

If it is please consider the following:

We have events coming up this fall on September 8 and October 28:

General admission tickets - <https://davisvanguard.networkforgood.com/events/31971-the-vanguard-justice-award-gala-general-admission>

sponsor page - <https://davisvanguard.networkforgood.com/events/32033-the-vanguard-justice-award-gala-sponsorship>

Also you can always just donate at: <http://davisvanguard.networkforgood.com>

Thanks for your consideration and hopefully you can support our great work.

Criminal Justice News/ Commentary

Letter from a Mother Whose Son is Battling Mental Illness

On Wednesday, San Francisco DA Chesa Boudin hosted a summit on behavioral health issues. Prior to the panel that is covered in a separate article, he read a letter from a mother.

[Read More](#)

San Francisco District Attorney Holds Summit on Mental Health Crisis Facing City

San Francisco District Attorney Chesa Boudin spoke about behavioral health issues Wednesday at a public summit with several community members at Manny's Restaurant and Bar—it was also live

[Read More](#)

House Judiciary Committee Lets States Handle Court-Imposed Fees and Fines, Not Feds. For Now.

The House Judiciary Committee held a hearing titled “A Fine Scheme: How Court-Imposed Fees and Fines Unjustly Burden Vulnerable Communities” this week, addressing courts’ tendencies to charge defendants

[Read More](#)

Hazy Memories Dominate Continuing Trial of Four Defendants Allegedly Involved in 2018 Norco Prison Riot

The on-going jury trial continued here Thursday of four defendants allegedly associated with the “Southern Hispanics” prison gang, and two consecutive riots in May 2018 at the California Rehabilitation Center

[Read More](#)

Four Witnesses Testify at Trial in Santa Barbara – Defendant Facing Voluntary Manslaughter after Street Fight

In the jury trial of Scott Fleming, four witnesses were called to the stand to testify Tuesday in Santa Barbara County Superior Court Dept. 1, presided over by Judge Thomas Adams.

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Court Watch Coverage

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Without Clear Reason, West Sacramento Police Dept Refuses to Return Cell Phone to Domestic Violence Defendant

During his pre-trial conference held here in Yolo County Superior Court Wednesday, a defendant charged with domestic assault claimed the police department involved in his arrest was refusing to return his phone to

[Read More](#)

Judge Reduces Felony to Misdemeanor for Young Man Who Said He Plans to Join Military and Become a Doctor

Matthew Watt was in luck Tuesday when the presiding judge at his preliminary hearing here in Sacramento County Superior Court agreed to reduce his felony charge to a misdemeanor.

[Read More](#)

Man Released After Allegedly Assaulting Victim, Threatening to Kill Himself

Luckily, Dylan Jacob Correll has an alternative place to stay—because of it he’s free, pending a court hearing. Correll kicked off the afternoon session Wednesday

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Four Witnesses Testify at Trial in Santa Barbara – Defendant Facing Voluntary Manslaughter after Street Fight

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[Read More](#)

Charge Confusion: Judge Questions Whether Charge ‘Appropriate’ – Both Sides Agree to Change Charge after Judge’s Query

During Marcos Molina’s preliminary hearing here in Sacramento County Superior Court Tuesday, Judge Geoffrey Goodman asked District Attorney legal intern Adrienne Black to give him “a little more detail” on the

[Read More](#)

Defense Claims Victim Invited Defendant Over to ‘Drink Together,’ then Called Police to Arrest Him for Violating Court Order

Defendant Richard Johnson appeared in Alameda County Superior Court, Dept. 702 Tuesday morning for a Petition to Revoke Probation hearing regarding a domestic violence charge and a restraining order violation.

[Read More](#)

Everyday Injustice - Podcast

see our podcasts

Everyday Injustice Podcast Episode 117 – Tony Serra

On July 13, 2021, one of kind, radical attorney Tony Serra joined the Vanguard for a live webinar and podcast. At the age of 86, he is not only still practicing as an attorney but continues to have the drive and passion that has driven his

[Read More](#)

Everyday Injustice Podcast Episode 116: Santa Clara DA Candidate Sajid Khan

His announcement follows events of a year ago last summer when, in response a pointed column by Khan, Santa Clara DA Jeff Rosen threatened to initiate whistleblower retaliation proceedings against the Santa

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Subject: DA Boudin Discusses the Mental Health Crisis Facing the Criminal Legal System | Davis Vanguard

Date: Friday, July 30, 2021 at 7:51:44 AM British Summer Time

From: Ibarra, Valerie (PDR)

To: PUBDEF-Policy

<https://www.davisvanguard.org/2021/07/da-boudin-discussed-the-mental-health-crisis-favoring-the-criminal-legal-system/>

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Subject: DA Boudin Discusses the Mental Health Crisis Facing the Criminal Legal System | Davis Vanguard

Date: Friday, July 30, 2021 at 7:51:43 AM British Summer Time

From: valerie.ibarra@sfgov.org

To: PUBDEF-Policy

<https://www.davisvanguard.org/2021/07/da-boudin-discussed-the-mental-health-crisis-favoring-the-criminal-legal-system/>

Sent from my iPhone

Subject: Everyday Injustice - DA Boudin Discusses the Mental Health Crisis; CDAA Attempts to Exploit Barbara Boxer's Attack to Kill SB 82 – There's Only One Problem
Date: Thursday, July 29, 2021 at 7:00:50 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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Chesa Boudin: "That is an example of why a criminal legal response to the public health crisis cannot be the answer."

Everyday Injustice Newsletter - July 29, 2021

The System is Broken and Won't Be Solved By Throwing Mentally Ill People in Cages

By David Greenwald

Yesterday I got a chance to attend the live summit hosted by SF DA Chesa Boudin, "*Public Health is Public Safety: Behavioral Health Care in San Francisco*."

Over the next few days, we will have at least four articles highlighting key portions of the summit. Today we have Chesa Boudin's opening comments as a whole: <https://www.davisvanguard.org/2021/07/da-boudin-discussed-the-mental-health-crisis-favoring-the-criminal-legal-system/>

It is unfortunate that Chesa Boudin's critics will not listen to this with open eyes and ears. The problem is that the criminal legal system is poorly equipped to handle the mental health crisis. We simply throw people into cages and cycle them from street to jails to courtrooms to treatment centers and them back to the streets.

We need to address the role of trauma, mental health crisis and substance abuse in perpetuating this cycle.

“San Francisco county jail has long been the number one provider of mental health in the state. And I don’t say that as a criticism or a condemnation in any way on the high quality healthcare work that’s being done right now. I say that as a recognition that somewhere upstream, we have opportunities to intervene at work here,” he said.

He gave two examples which I think embody the problem: one who he represented as a public defender who was severely mentally ill, unaware of his actions, everyone was willing to give him treatment options but because he was a resident of a different county, “at that time, there was no way to get him services in San Francisco.”

He added, “And so as a zealous advocate for my client, I said, well, he’s sitting in jail – that’s not a solution and I don’t believe that my client even knew what he was doing when he assaulted the victim that he assaulted. He so severely mentally ill that he was what lawyers, judges might refer to it as legally unconscious at the time of the crime.”

He also explained his role as prosecutor, a very different case, “in which someone stabbed two people randomly on Embarcadero, a horrific violent crime, exactly the kind of crime that I promised I would prioritize as district attorney and we have.”

It ended up going to trial and he was ultimately acquitted largely because of his mental illness.

He said, “That is an example of why a criminal legal response to the public health crisis cannot be the answer.”

That’s the problem and why we need to figure out ways to get people suffering from mental illness and trauma help - and help before people are harmed in the first place.

Throwing them in a cage is unfortunately our only remedy at times and it is really not a good approach.

Thanks for reading.

Criminal Justice News/ Commentary

CDAAs Attempt to Exploit Barbara Boxer’s Attack to Kill SB 82 – There’s Only One Problem

The California District Attorney’s Association attempted to exploit the robbery and attack on former US Senator Barbara Boxer earlier this week. They used it to attempt to press the state legislature to withdraw

[Read More](#)

DA Boudin Discussed the Mental Health Crisis Facing the Criminal Legal System

I genuinely believe that there is no more important issue when it comes to public safety than public health, particularly behavioral health.

[Read More](#)

EXPERT: Why Viral San Francisco Shoplifting Video Shouldn’t Send Residents Into a Craze

A viral video showing a biker in a San Francisco Walgreens shoplifting has become the center of attention among many San Francisco residents, but even though it's catching many people's attention, experts warn

[Read More](#)

Investigation Launched Over Traffic Stop of Black Man, Following Social Media Uproar

Two separate video accounts of a seemingly routine traffic stop have gone viral, as the Village of Caledonia Police Department launched an investigation into allegations of its officers planting evidence.

[Read More](#)

Gov. Newsom Accused of Backtracking on Announced Plan to Close More Prisons in New Budget

Gov. Gavin Newsom and state legislators are still negotiating California's 2021-2022 fiscal budget more than three weeks after the start of the fiscal year – Newsom and lawmakers agreed to a \$262.6 billion

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Nominations Now Open For the Vanguard Justice Awards!

September 8 is coming soon. That means you should purchase your tickets (since we only have 80 of them) for the Vanguard Justice Awards Gala. Should be a great event.

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COVID CDCR and Jail Dashboards

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Our daily run down on the COVID cases in selective County Jails

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Court Watch Coverage

Alleged Drug Dealer's Bail Increased by \$30,000 After Weight of Meth, Heroin, and Unidentified Blue Pills Considered by Court

Madison Joy White, charged with possession of controlled substances with the intent to sell, saw her bail increased by Yolo County Superior Court Judge Tom M. Dyer from \$20,000 to \$50,000 Wednesday after

[Read More](#)

Judge Denies Unusual Defense Request to Close All Proceedings to the Public in Co-Defendant Shooting Case

After their unusual request to have their trial proceedings made unavailable to the public was denied, co-defendants Jason Ruiz and Robert Morales entered not guilty pleas to charges involving a shooting

[Read More](#)

Man Upset, Wants to Fire Public Defender in More Than Three-Year-Old Case

Suleiman Aref Kamarah II was in Santa Barbara County Superior Court Monday concerning four first degree felony charges, all of which involve burglary, from a Jan. 13, 2018 incident.

[Read More](#)

Man in Los Angeles County Charged with Hate Crime Assault of Korean Woman

LOS ANGELES, CA – Melvin Taylor was charged with a hate crime assault after allegedly attacking a Korean woman in Santa Monica during an arraignment Tuesday in Department W30 of Los Angeles Superior Court.

[Read More](#)

Victim of Alleged Prison Assault and Witnesses Testify in Ongoing Trial

The trial of four inmates, who allegedly assaulted another inmate at a California Rehabilitation Center on May 21, 2018, continued here Tuesday, with multiple defense counsel grilling the victim about the incident.

[Read More](#)

Trial Continues for Man Charged With 25 Counts Involving Murder – Judge Clashes with Defense, Mystery Witness Won't Speak

Marius Dante Robinson's jury trial on murder and related charges continued here Tuesday in Alameda County Superior Court, and featured tense conversations between the judge and defense attorney. And a

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Everyday Injustice - Podcast

see our podcasts

Everyday Injustice Podcast Episode 117 – Tony Serra

On July 13, 2021, one of kind, radical attorney Tony Serra joined the Vanguard for a live webinar and podcast. At the age of 86, he is not only still practicing as an attorney but continues to have the drive and passion that has driven his

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Everyday Injustice Podcast Episode 116: Santa Clara DA Candidate Sajid Khan

His announcement follows events of a year ago last summer when, in response a pointed column by Khan, Santa Clara DA Jeff Rosen threatened to initiate whistleblower retaliation proceedings against the Santa

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Sacramento Court Watch: <https://avanan.url-protection.com/v1/url?o=https%3A//www.facebook.com/Sacramento-Court-Watch-1432660796849531/&g=Y2RhMWJjMzIzODE3ZmM0Nw==&h=NGY3N2NIY2YzNTNkMmY4MzBjNzgxM2Q1MTQ0YTZhY2lyYmQ3MmY5YzJiOTVhOTRlMTJhYzBINmRiZTIzNDRIZg==&p=YXAzOnNmZHQyOmF2YW5hbGpvOjNmNTFhZjgxODU4ZmViNzg5ZDE5ODcxMGE1ZGMzZjc4OnYx>

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Subject: 10 Days to Nominate Award Recipients / Tickets and Sponsorships Available For the Sep 8 Event

Date: Wednesday, July 28, 2021 at 11:06:39 PM British Summer Time

From: David Greenwald

To: valerie.ibarra@sfgov.org

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Image

Image

The Vanguard is re-launching its Justice Awards with an in-person Gala at the

stunning Darling Aviary.

The Vanguard Justice Award Gala

Featuring Attorney Curtis Briggs on the Chief Stankewitz wrongful incarceration, this event will celebrate the hard work and contributions of those in our community working towards justice reform. Enjoy a night of music, awards, and entertainment with the Vanguard!

Join us September 8, 2021 - 6pm at Darling Aviary 712 K St, Sacramento, CA 95814 - Sacramento

Tickets are \$100 for general admission, including complimentary drinks and appetizers.

Tickets

Interested in being a sponsor for this event?

You can purchase a sponsorship level ticket here: tiny.cc/gala_spons

Sponsorship tickets will grant you recognition at the event, on the program, and on the Vanguard website.

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Subject: Everyday Injustice - Native American Man on Life Support After Deputies Beat and Taser Him, and Kill His Dog
Date: Wednesday, July 28, 2021 at 7:00:36 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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The police report of the incident depicts the deputies approaching Barlow, and Barlow allegedly asking, "Can I kill you, too?"

Everyday Injustice Newsletter - July 28, 2021

10 Days To Nominate Award Winners/ We Need Sponsors For Sept 8 Event

The Vanguard is a non-profit news service covering criminal justice issues and the courts in California.

We have tremendously expanded what we are doing in the last two years. We now have court watch

projects in seven counties. We are also going to be heavily covering at least six DA races for 2022 across the state. We now have 80 interns across the state that we are training, mentoring and supervising.

All of this of course takes money and resources. We have two events coming up this fall - an in person in Sacramento on September 8 and a webinar on October 28.

Both events should be amazing.

Details are in the links.

I hope you can help us out.

General admission tickets - <https://davisvanguard.networkforgood.com/events/31971-the-vanguard-justice-award-gala-general-admission>

sponsor page - <https://davisvanguard.networkforgood.com/events/32033-the-vanguard-justice-award-gala-sponsorship>

We are now taking nominations until August 7 for nine categories:

Youth Social Justice
Formerly Incarcerated
Organization Award
Law School Award
Wrongful Conviction Award
Elected Official Award
Distinguished Attorney Award
Civil Rights Award
Lifetime Achievement Award.

When we first started our event back in 2011, we had awards for groups like: the Northern California Innocence Project, the UC Davis Immigration Law Clinic, Cruz Reynoso and Jeff Adachi.

We even gave an award to the activists who were pepper-sprayed at UC Davis back in 2011. So send us your nominations today.

Nominate here: http://tiny.cc/gala_nominate

Criminal Justice News/ Commentary

Guest Commentary: This Iowa Prosecutor Race Will Be a Significant National Yardstick

The County Attorney's Office in Polk County (Des Moines), Iowa has gotten little attention from criminal justice reform advocates—at least until March 2021, when County Attorney John Sarcone prosecuted a Des Moines Register

[Read More](#)

Native American Man on Life Support After Deputies Beat and Taser Him, and Kill His Dog

A Native American man here was attacked, according to eyewitnesses, and beaten with clubs, fists and Tasered by Sheriff's Dept. deputies last Saturday – deputies also shot and killed a pit bull while attempting to

[Read More](#)

LA City Council Passes New Anti-Camping Measure to Restrict Homeless Camping

Donald Trump this week publicly endorsed Attorney General Ken Paxton over George P. Bush in the race for the Attorney General of Texas.

[Read More](#)

New Biden Appointees Set to Diversify US Attorney Leadership Positions Across U.S.

The Biden administration is taking action to add eight new leaders to U.S. attorney positions that oversee hundreds of cases – six of the positions will be filled with “firsts” in regards to race and gender.

[Read More](#)

DA Boudin Launches Investigation Into Fraudulent Lawsuits Targeting Chinatown Business Owners

District Attorney Chesa Boudin has announced an investigation into a series of lawsuits and “demand letters” against small business owners in San Francisco's Chinatown.

[Read More](#)

Veteran Prosecutor Sharon Woo Appointed As a Chief Deputy District Attorney by District Attorney Gascón

Los Angeles County District Attorney George Gascón appointed former veteran prosecutor Sharon Woo to serve as a Chief Deputy District Attorney on July 16.

[Read More](#)

Los Angeles County Sheriff Refuses to Enforce Mask Mandate as LA Faces Surge in COVID-19 Cases

With the number of COVID-19 cases surging in Los Angeles County and the introduction of the coronavirus Delta variant, many Angelenos have been vocal about their dissatisfaction with the reinstatement of the

[Read More](#)

How Alameda County's Santa Rita Jail Staff Violated Public Health's Mandatory Testing Order

On March 1 2021, the Alameda County Health Officer issued a health order making COVID-19 testing mandatory for Sheriff's Office employees who work at Santa Rita Jail.

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Court Watch Coverage

Defendant Appears in Court Via Zoom – from Grocery Store?

When Jerica Arroyo appeared in Sacramento County Superior Court, Dept. 84 on Monday morning via Zoom, it looked as though she was tuning in from between the aisles of a grocery store.

[Read More](#)

Judge Rejects Testimony, Calls Victim 'Powder Keg of Emotion' – Prosecution

Dismisses Charges in Preliminary Hearing

Sonny Moran's preliminary hearing took place in a tense courtroom here in Sacramento County Superior Court Tuesday, as he faced charges of force to cause grievous bodily injury.

[Read More](#)

Over Defense Attorney Objections, Defendant Pleads Guilty to Reduce Sentence by 5 Years

Despite the opposition by his public defender here Tuesday in Riverside County Superior Court, Santiago Delgado Espinoza pleaded guilty to a strike offense, accepting a disposition that lowers his sentence from

[Read More](#)

Public Defender Questions Mental State of Defendant – Judge Unsure, Sets Bail at \$1 Million

Santa Barbara County Superior Court Judge Michael Carrozzo called for a continuance to Aug. 2 in the case of Joel Campos Monday, who is facing one count of attempted murder from 2018 – but Campos'

[Read More](#)

Interpreter General Confusion in Attempted Burglary Hearing Highlights Sometimes Mystery of Courtroom Life

There is a certain formality and ceremony to events and language in court. Entering a courtroom for the first time, it almost appears to be occurring in a different language. Not only is everything formal, but oftentimes

[Read More](#)

Man Accused of 3 Sexual Battery Counts; Defense Not Prepared as Judge Sets \$40K Bail for Homeless Defendant

In light of three separate counts of sexual battery, including child molestation – and all falling within a month – prosecuting attorney Ronald Clinton requested here in Alameda County Superior Court Monday that the

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Everyday Injustice Podcast Episode 117 – Tony Serra

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Yolo County Court Watch: <https://avanan.url-protection.com/v1/url?o=https%3A//www.facebook.com/groups/yolojudicialwatch/&g=MmVkMTZkMjZmN2M1NDc5NQ==&h=MWNhZDIxNTMxNGY2ZDMwNGI2YzI5ODcxNDE4ZTFhMzU1ODRmMjc1N2JjMDIzYmNmMWI1MGI1Zjc2YWNhMTZhOA==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmExOTIhYTU2MGI4ZDIjYmNhNmUyNWRINWlyNGZiODQ4OnYx>

Sacramento Court Watch: <https://avanan.url-protection.com/v1/url?o=https%3A//www.facebook.com/Sacramento-Court-Watch-1432660796849531/&g=NDUzNTI3YjY2ZWU0MTUwMw==&h=YmJmOWQ0Yzc3NTFhNjhkMTQxYTlyNzdhYWl4OTFIMjcyNTczOTFiNjBiOGlyYWQ2ZGNI2Y1YjU3MwI5MDhINA==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmExOTIhYTU2MGI4ZDIjYmNhNmUyNWRINWlyNGZiODQ4OnYx>

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YouTube: <https://avanan.url-protection.com/v1/url?o=http%3A//www.youtube.com/davisvanguard&g=NjhNTlZWFjODFmZmExMg==&h=NjlmMDhiOWE0ZTYwZTRmZGE5Y2M2MGZmYTZjNTVhZTUzY2RkNDUxZGQ0ZDZmNDYzYTU0NGRjYmI1OTI0OTM2ZQ==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmExOTIhYTU2MGI4ZDIjYmNhNmUyNWRINWlyNGZiODQ4OnYx>

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Subject: Everyday Injustice - "I Can't Breathe" - Another Family Suffers Anguish; Rollins to Head to US Attorney
Date: Tuesday, July 27, 2021 at 7:00:19 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"It's absolutely just devastating," Sutherland told media gathered at the press conference. "My whole life has changed."

Everyday Injustice Newsletter - July 27, 2021

Another "I Can't Breathe" Death

by David Greenwald

When Eric Garner died, he proclaimed "I Can't Breathe." Police for some reason are under the mistaken impression that if you can talk, that means you can breathe. Technically that is true, but they are not medical experts either and seem to fail to realize that something short of complete obstruction (which

would prevent speaking) means you have sufficient oxygen to your brain to remain alive. They are wrong about that.

Indeed, Eric Garner is not alone. George Floyd had the same problem. Ultimately a jury decided that the Officer Chauvin ignoring signs of medical distress were sufficient to convict him of murder.

The New York Times last year identified 70 cases where the person utter those three words - and died ([link](#)).

Yesterday I was in Stockton, California for a press conference in front of the San Joaquin DA's office for Shayne Sutherland. This is another case where the police overreacted to a belief that Sutherland would flee and underreacted to obvious signs of medical trauma.

The DA is investigating this case but having watched the edited video, I conclude Shayne Sutherland did not need to die that day. And had police been better trained on medical trauma, they should have recognized it.

Will it amount to murder? The laws and the track record are not there for it. It took an usually callous response by Chauvin the George Floyd case.

Also there on Monday was Woodland's MARRISA BARRERA. In 2017, her brother, Michael Barrera died after being tasered. I know that case well, having read through the reports. MARRISA is a former employee of the Vanguard.

The DA has cleared the Woodland police in Michael's death, but when I reviewed it, I had a different reaction. The use of force - the taser - was reasonable under the circumstances. My use of force expert agreed with that.

What troubled me then - and now- was that Michael Barrera also complained about not being able to breathe.

The DA writes, "At one point, Barrera said he could not breathe. Officer Gray responded by stating that Barrera was talking and he was fine. A little over a minute after Barrera said he could not breathe, the audio captured Officer Gray stating Barrera was still breathing."

But then later in that paragraph, the DA describes, "All of a sudden, Barrera began to vomit and liquid was coming out of Barrera's mouth. Barrera then became unresponsive as he ceased to grab onto Officer Wright's hands. Barrera continued to cough up liquid. The officers immediately turned him over and summoned medical assistance."

Could they have saved him had they taken his plea seriously enough?

We see this too many times.

DA TORI VERBER SALAZAR is a reform DA. The family is not happy so far with her response. I know these things take longer than you hope. We will give her the benefit of the doubt until a decision is reached.

However, I was bemused by this exchange.

Elisa Bubak, the PIO from the San Joaquin County DA's office, issued a statement to the Vanguard: "The San Joaquin County District Attorney's Office is dedicated to ensuring public safety, equitable justice for all, and advocating for victims. Transparency is a key component to strengthening trust with the community we are privileged to serve."

She added, "Shayne Sutherland's case is under investigation. Further inquiries regarding body worn camera footage should be directed to the Stockton Police Department."

Meanwhile, Joseph Silva, the PIO for the Stockton Police stated, "This incident remains and open multi-agency protocol investigation and is still under review by the San Joaquin County District Attorney's Office. Pending anticipated litigation, we cannot discuss this matter any further."

Seems like both the DA and Police are looking at the other here. A family is waiting for justice.

Thanks for reading.

Criminal Justice News/ Commentary

Stockton Community, Family Members Demand Answers in the Killing of Shayne Sutherland by Police

The mother of Shayne Sutherland as well other community members demand answers and accountability in the death of Shayne Sutherland at the hands of Stockton Police on the morning of October 8, 2020.

[Read More](#)

Supreme Court Issues Major Ruling on Post-Conviction Relief Under SB 1437

In most states, people who did not actually take part in a killing of an individual and may have very little to do with the actual crime can nevertheless be convicted of murder and sentenced to life in prison. Such

[Read More](#)

Guest Commentary: Biden Pick of Rachael Rollins for US Attorney of Massachusetts a Mixed Blessing

President Joe Biden has announced his intention to appoint Suffolk County (Boston) District Attorney Rachael Rollins as the next US attorney of Massachusetts. If confirmed by the Senate, Rollins would be the first Black woman in that

[Read More](#)

LA City Council Passes New Anti-Camping Measure to Restrict Homeless Camping

Los Angeles will apparently move forward with the anti-camping ordinance as the city's effort to put more pressure on the homeless population escalates.

[Read More](#)

California Court of Appeals Reverses Murder Conviction of Former Boyfriend

California First Appellate District has reversed the murder conviction of Sherill Smothers because of a lack of effective assistance by counsel, and ordered a new trial.

[Read More](#)

Philadelphia Man Convicted for Murder of Trans Activist Michelle 'Tameka'

Washington Sentenced to 25-50 years in Prison.

Michelle “Tameka” Washington, a trans activist cherished in the LGBTQIA+ community, was fatally shot in May of 2019. Monday, more than two years later, the Philadelphia

[Read More](#)

CDCR Halts Early Release Program for Incarcerated People With <180-Days to Serve

As of Jul. 25, there have been a total of 49,467 confirmed COVID-19 cases in the CDCR system – 52 of them emerged in the last two weeks. 51 cases are active in custody, while 606 have been released while active.

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Our daily run down on the COVID cases in selective County Jails

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Court Watch Coverage

Woman with Health Conditions Sentenced to Home Detention, Not Jail, After Violating

Probation

Kari Martinez appeared in Yolo County Superior Court last week after being charged for the possession of methamphetamine and a device used for unlawfully injecting or smoking a controlled substance.

[Read More](#)

Defendant Sentenced to 7+ Years in State Prison for 4 Car Thefts, Carjacking

Tracy Lunsford has been sentenced to seven years and four months in state prison here at Sacramento County Superior Court late last week after being arrested for a fourth attempt at car theft.

[Read More](#)

Man Frustrates Court, Arguing He Is Both Plaintiff and Defendant So Case Should Be Dismissed

Santa Barbara County Superior Court Judge Clifford Anderson late last week was forced to remind Jeffrey Scott Smith that if he had any legal concerns they should be addressed with his attorney and not the judge.

[Read More](#)

TRIAL: Oakland Man Pleads Not Guilty to Murder – Defense Accuses Police, Prosecutors of ‘Tunnel Vision’

Marius Robinson pleaded not guilty to murder and several other drug and weapon related charges here in an Alameda County Superior Court trial last week, accusing the Oakland Police Department of “tunnel vision.”

[Read More](#)

Motion to Suppress – Court Hears Argument that DUI Stop Not Warranted

A San Francisco County Superior Court heard a motion to suppress here Friday about a traffic stop that led to a DUI arrest. The motion failed.

[Read More](#)

Officer Questioned for Probable Cause in DUI and Speeding Arrest

Whether Francisco Antonio Hernandez-Coreas totally understood what he was being asked to do by officers was an issue here in the Alameda County Superior Court late Friday during a probable cause hearing

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Subject: Re: Motion to Suppress – Court Hears Argument that DUI Stop Not Warranted | Davis Vanguard

Date: Tuesday, July 27, 2021 at 5:22:31 PM British Summer Time

From: Ibarra, Valerie (PDR)

To: Gosewehr, Kaitlyn (PDR - Contractor)

Thanks for letting me know. Glad it was accurate. Good luck with the case. If you end up taking it to trial, please let me know.

Valerie

From: Gosewehr, Kaitlyn (PDR - Contractor) <kaitlyn.gosewehr@sfgov.org>

Sent: Tuesday, July 27, 2021 9:19 AM

To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Cc: Jacobs, Mark (PDR) <mark.jacobs@sfgov.org>

Subject: RE: Motion to Suppress – Court Hears Argument that DUI Stop Not Warranted | Davis Vanguard

Hi Valerie - this is actually a pretty fair summary of the hearing. I don't see any errors.

Thanks for letting me know!

Katie

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

From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Sent: Tuesday, July 27, 2021 9:14 AM

To: Gosewehr, Kaitlyn (PDR - Contractor) <kaitlyn.gosewehr@sfgov.org>

Cc: Jacobs, Mark (PDR) <mark.jacobs@sfgov.org>

Subject: Motion to Suppress – Court Hears Argument that DUI Stop Not Warranted | Davis Vanguard

Hi Kaitlyn — The Davis Vanguard / Court Watch was in court and covered your motion to suppress in a DUI case. If there are any factual errors in the article, please let me know and I'm happy to convey them.

<https://www.davisvanguard.org/2021/07/motion-to-suppress-court-hears-argument-that-dui-stop-not-warranted/>

Thanks,
Valerie

Subject: RE: Motion to Suppress – Court Hears Argument that DUI Stop Not Warranted | Davis Vanguard
Date: Tuesday, July 27, 2021 at 5:19:36 PM British Summer Time
From: Gosewehr, Kaitlyn (PDR - Contractor)
To: Ibarra, Valerie (PDR)
CC: Jacobs, Mark (PDR)

Hi Valerie - this is actually a pretty fair summary of the hearing. I don't see any errors.

Thanks for letting me know!

Katie

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

From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Sent: Tuesday, July 27, 2021 9:14 AM
To: Gosewehr, Kaitlyn (PDR - Contractor) <kaitlyn.gosewehr@sfgov.org>
Cc: Jacobs, Mark (PDR) <mark.jacobs@sfgov.org>
Subject: Motion to Suppress – Court Hears Argument that DUI Stop Not Warranted | Davis Vanguard

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<https://www.davisvanguard.org/2021/07/motion-to-suppress-court-hears-argument-that-dui-stop-not-warranted/>

Thanks,
Valerie

Subject: Motion to Suppress – Court Hears Argument that DUI Stop Not Warranted | Davis Vanguard
Date: Tuesday, July 27, 2021 at 5:14:15 PM British Summer Time
From: valerie.ibarra@sfgov.org
To: Kaitlyn "Katie" Gosewehr
CC: Mark Jacobs

Hi Kaitlyn — The Davis Vanguard / Court Watch was in court and covered your motion to suppress in a DUI case. If there are any factual errors in the article, please let me know and I'm happy to convey them.

<https://www.davisvanguard.org/2021/07/motion-to-suppress-court-hears-argument-that-dui-stop-not-warranted/>

Thanks,
Valerie

Subject: Everyday Injustice - A Conversation with the Legendary Tony Serra; Prosecution, Judge Get Defensive over Discovery Requests in 5-Year-Old Davidson Case
Date: Monday, July 26, 2021 at 7:01:35 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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Judge Kingsbury was quick to defend the prosecution, stating, "I have never had an issue with Mr. Mandrell not producing discovering in a timely manner—so I wouldn't anticipate the need for a motion."

Everyday Injustice Newsletter - July 26, 2021

Nyjah Huston in the Olympics, But Here's the Darker Part of His Davis Story

I have seen social media posts excited to see Nyjah Huston, who grew up in Davis my hometown, as part of the Olympics as a skateboarder. But as usual the Vanguard has the rest of the story and it doesn't paint a great picture on either the Yolo County DA's office or the Davis Police.

This is an excerpt from the article I wrote back in 2013, after investigating their story back in 2011 and 2012...

Star Athlete and Family Leave Davis Following Years of Alleged Harassment by Authorities

This past week, the local newspaper featured [an article](#) on one of the top professional skaters in the world, Nyjah Huston, who also happens to be a native of Davis. Mr. Huston, who just turned 18, is using his fame to help people less fortunate than he.

Writes the *Davis Enterprise*, "In 2008, Nyjah and his mother Kelle Huston formed a nonprofit called Let it Flow, which raised enough money to build a well in Ethiopia. Now, the Hustons have a new Indiegogo.com campaign that aims to raise funds by Jan. 18 to build four more wells in African countries such as Ethiopia, Kenya and Tanzania."

However, despite the tremendous success of Mr. Huston and his generosity, there is another story that needs to be told and it is at least part of the reason that Mr. Huston no longer resides in Davis.

The *Vanguard* just ran [a story](#) about Israel Covarrubias and Amaris Rodriguez, who for two and a half years faced marijuana charges with gang enhancements, which threatened them with thirteen years of prison time.

During the preliminary hearing held in July 2011, Davis Police Officer Kierith Briesenick described the incident that began on May 5, 2010, when police served a search warrant on the home of a Davis resident at the 1500 block of Cypress on the corner of Drexel. During the search, they found multiple bags of marijuana, scales and US currency. One of the residents, a juvenile, was arrested.

During the course of the arrest, the juvenile received a text from someone with the moniker of "Chico," whom police recognized as belonging to defendant Israel Covarrubias, about the availability of marijuana for sale. Police intercepted the call and used the phone to lure Mr. Covarrubias to the site for the purpose of selling one ounce of marijuana.

That home was owned by Kelle Huston.

"I'm facing charges of contributing to the delinquency of a minor because on May 5th of 2010, the police acquired a search warrant to search my property," Kelle Huston told the *Vanguard* in August of 2011, in an interview she asked the *Vanguard* to hold while her charges were pending.

"They found approximately, I think it's around 23 or 24 grams of marijuana that my 17-year-old son had hidden in my bedroom closet, as a way to avoid his own personal probation charges," she said. "He would strategically place marijuana in my closet when I was gone, while I was gone all day at school and at work. So they found that in my closet and they tried to charge me with it."

[Read the full article here](#)

Criminal Justice News/ Commentary

Prosecution, Judge Get Defensive over Discovery Requests in 5-Year-Old Davidson Case

It's a case that has much notoriety, going forward to the appellate courts on the issue of SB 1437, a law that modifies the state's felony murder law.

[Read More](#)

Everyday Injustice Podcast Episode 117 –

Tony Serra

On July 13, 2021, one of kind, radical attorney Tony Serra joined the Vanguard for a live webinar and podcast. At the age of 86, he is not only still practicing as an attorney but continues to have the drive and passion that has driven his

[Read More](#)

Analysis Raises Important Questions about Corporate Wage Theft v. Shoplifting

Earlier this week, Adam Johnson authored a timely opinion piece in the San Francisco Chronicle comparing public framing and misunderstandings of petty theft and corporate wage theft.

[Read More](#)

California's Mission to Reduce Crime, Retail Theft, and General Violence: A Press Conference on AB 311

Gov. Gavin Newsom joined law enforcement leaders, legislators, and local officials at a press conference in Los Angeles County this week to address the state's efforts to reduce crime and retail theft as it relates

[Read More](#)

Progressive Prosecutors Discuss Resisting Police Union Pushback

Los Angeles progressive District Attorney George Gascón, and Christine Soto Deberry, the founder and Executive Director of the Prosecutor's Alliance – an organization for reform-oriented prosecutors and other law

[Read More](#)

Nominations Now Open For the Vanguard Justice Awards!

September 8 is coming soon. That means you should purchase your tickets (since we only have 80 of them) for the Vanguard Justice Awards Gala. Should be a great event.

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COVID CDCR and Jail Dashboards

CDCR Population & Staff Vaccination Rate Shows Little Improvement

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Court Watch Coverage

Prosecution, Judge Get Defensive over Discovery Requests in 5-Year-Old Davidson Case

It's a case that has much notoriety, going forward to the appellate courts on the issue of SB 1437, a law that modifies the state's felony murder law.

[Read More](#)

Woman with Health Conditions Sentenced to Home Detention, Not Jail, After Violating Probation

Kari Martinez appeared in Yolo County Superior Court last week after being charged for the possession of methamphetamine and a device used for unlawfully injecting or smoking a controlled substance.

[Read More](#)

Defendant Sentenced to 7+ Years in State Prison for 4 Car Thefts, Carjacking

Tracy Lunsford has been sentenced to seven years and four months in state prison here at Sacramento County Superior Court late last week after being arrested for a fourth attempt at car theft.

[Read More](#)

Arson Case Stayed, Pending 'Restoration of Competency'

An arson case defendant here in Sacramento County Superior Court – previously declared incompetent to stand trial – was ordered late last week to be placed at a State Hospital for a maximum of two years,

[Read More](#)

Developmentally-Disabled Defendant Involved in Fatal Sacramento Hit-And-Run from Last Year Sentenced to Four Years in State Prison

Judge Patrick Marlette denied developmentally disabled 22-year-old Jordan Ware probation here in Sacramento County Superior Court Friday, citing Ware's unscrupulous attempts to hide his culpability from law

[Read More](#)

Man Frustrates Court, Arguing He Is Both Plaintiff and Defendant So Case Should Be Dismissed

Santa Barbara County Superior Court Judge Clifford Anderson late last week was forced to remind Jeffrey Scott Smith that if he had any legal concerns they should be addressed with his attorney and not the judge.

[Read More](#)

TRIAL: Oakland Man Pleads Not Guilty to Murder – Defense Accuses Police, Prosecutors of 'Tunnel Vision'

Marius Robinson pleaded not guilty to murder and several other drug and weapon related charges here in an Alameda County Superior Court trial last week, accusing the Oakland Police Department of "tunnel vision."

[Read More](#)

Motion to Suppress – Court Hears Argument that DUI Stop Not Warranted

A San Francisco County Superior Court heard a motion to suppress here Friday about a traffic stop that led to a DUI arrest. The motion failed.

[Read More](#)

Officer Questioned for Probable Cause in DUI and Speeding Arrest

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Subject: Everyday Injustice - The Power of 1170(d); Los Angeles County Sheriff Alex Villanueva Made Houselessness About Himself

Date: Friday, July 23, 2021 at 7:01:01 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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Sheriff Villanueva: "[People from out of town] are descending ...for the free services... Something has to be done."

Everyday Injustice Newsletter - July 23, 2021

1170d Can Be a Powerful Tool For Decarceration

By David Greenwald

In 2010, when I first started covering the court in Yolo County we came across this case of three juveniles charged with firing a gun into an empty home. Can't defend the conduct and it's extremely dangerous,

but no one was home and it's not clear that the intent was actually to kill someone or scare them/ send a message.

Nevertheless, the Yolo County DA charged them with attempted murder and gang enhancements and they ended up with life sentences. We are not in "no harm/ no foul" territory but life for a crime where no one was heard and you have an inferred motive?

The mother of one of the boys, upon reading the article on the Resentencing Pilot Program, reached out to me and told me that he has done very well.

"He's made the best of his time, he has taken every self help course available and continues to take advantage of programs and he received his high school diploma as well," she said.

Yesterday, I interviewed folks at the Los Angeles DA's office. They are one of the nine counties getting funding for this and they had already been working on it. They have literally thousands and tens of thousands of cases to go through. They are starting by looking at three strikes cases where the third strike was non-violent, non-serious. But they want to go further.

It is an interesting mix of counties. You have counties like San Francisco, Contra Costa, and LA led by progressive DAs. But you also have Riverside, San Diego, Merced and Yolo who are not.

There is some skepticism about giving money to prosecutors for this as opposed to reducing sentences on the front end. But you have to do both.

One person tweeted, "Oh, sorry, we looked and we think that these sentences are perfect. But thanks for the money. We'll look into it again next year when we get in a new batch of people."

I get it. But the money is a grant. You can't just take it and spend it however you would like.

And there are some good provisions to the program. For instance: "Throughout the Pilot period, two preliminary reports and one final evaluation and assessment will be provided to the California Legislature. The reports will allow for comparison between the Pilot jurisdictions."

To me that's huge. Because it means that DA's like Yolo County's Jeff Reisig who wants to claim he's progressive can't hide anymore. He's going to have to show his data and it will be on a table compared with SF and San Francisco.

This can be a powerful tool, especially as DAs in San Diego, Riverside and Yolo County face reelection against more progressively minded candidates.

Last summer, the Vanguard did a story on DA Boudin's office efforts on 1170d ([article](#)) - at that time they had more 1170d cases filed than all the other counties in the state combined. They were ahead of the curve. Their only problem - the process was cumbersome.

But when the numbers are reported in December at the end of the year, we are going to see that 1170d has become a powerful tool for resentencing. And remember, it's not just DA's offices, the grant also gives to public defenders offices because they can initiate 1170d motions as well.

It's not perfect, but I see this as an important tool.

Thanks for reading.

Criminal Justice News/ Commentary

Commentary: How Los Angeles County Sheriff Alex Villanueva Made Houselessness About Himself

In early June, Los Angeles County Sheriff Alex Villanueva arrived in Venice Beach. With promises to "clean up the beach," he posed for press photos alongside members of the

Homeless Outreach Services Team (HOST), a specific

[Read More](#)

Guest Commentary: How Face Recognition Fuels Racist Systems of Policing and Immigration — And Why Congress Must Act Now

Face recognition technology may sound futuristic, or perhaps too abstract to seem harmful. But we are already living in a reality in which face recognition and other forms of biometric surveillance pervade our daily lives. These

[Read More](#)

Deadly California Wildfire from Gender Reveal Party Results in Multiple Charges for Couple

A couple identified by prosecutors as “the Jimenez family” has been charged with involuntary manslaughter following the death of Charles Morton, a firefighter who was tasked with the containment of the wildfire

[Read More](#)

Film Producer Harvey Weinstein Formally indicted on Sexual Assault Charges

Former film producer and Miramax co-founder Harvey Weinstein has been formally indicted in Los Angeles on sexual assault charges of five women. The accusations span the better part of a decade,

[Read More](#)

Indiana’s Seventh Circuit Pushes Against Voter Suppression

As attacks on voting rights throughout the country soar, Indiana’s Seventh Circuit Court of Appeals took a step in combating these voting infringements this week by blocking a purge law that would have

[Read More](#)

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[Read More](#)

New COVID-19 Cases Continue to Emerge in Bay Area County Jails; Vaccine Uptake Remains Low

Our daily run down on the COVID cases in selective County Jails

[Read More](#)

Court Watch Coverage

Judge Won't Release Alleged See's Candy Store Burglar, Calls Him 'Public Safety Risk'

A San Francisco County Superior Court is holding a man because he went too far – he allegedly attempted to burglarize a See's Candy store.

[Read More](#)

Woman Facing Charges for Playing Country Music in Apartment – Judge Refuses to Dismiss Case and Transfer Matter to Another Court

Surprisingly, Yolo County Superior Court Dept. 8 Judge Peter Williams denied defendant Christina Melendez's motion to dismiss her case this week – the misdemeanor for playing country music on a summer day last year.

[Read More](#)

Walmart Arrest for Passing Counterfeit Bills Turns Into Drug Charges for Both Partners

Bill Gordon Schellenberg appeared in front of Judge Geoffrey Goodman at Sacramento County Superior Court Tuesday for a preliminary hearing regarding the unlawful possession of a controlled substance, forgery, and

[Read More](#)

Probation Officers Find 363 grams of Methamphetamine, Nearly \$1,000 in Cash and a Gun – Co-Defendants Get Prison and County Jail

Co-defendants and previously convicted individuals Jacqueline Nava and Rigoberto Vivanco Sanchez were arrested for possessing an illegal firearm and narcotics for sale, while on probation.

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District Attorney Claims – Judge Agrees – There Is Sufficient Evidence to Charge Defendant of Lewd Acts

During a preliminary hearing held here in Riverside Superior Court Tuesday, District Attorney Stacie Gravely asserted there was sufficient evidence against defendant Norman Garcia for proof of intent to commit a lewd act against a

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Judge Tosses DUI Case because of Constitutional Violations

A judge here in Alameda County Superior Court Tuesday ruled charges against an alleged drunk driver should be tossed because of constitutional violations, primarily a violation of her speedy trial rights.

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Everyday Injustice - Podcast

[see our podcasts](#)

Everyday Injustice Podcast Episode 116: Santa Clara DA Candidate Sajid Khan

His announcement follows events of a year ago last summer when, in response a pointed column by Khan, Santa Clara DA Jeff Rosen threatened to initiate whistleblower retaliation proceedings against the Santa

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Everyday Injustice Podcast Episode 115: Donald Watson's New Lease on Life

Through SB 1437

Donald Watson was convicted of felony murder but thanks to SB 1437, the law by Nancy Skinner that allows people convicted of murder who were not the actual killer or major participants to petition for resentencing, Watson

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Subject: Re: Pilot Program
Date: Friday, July 23, 2021 at 5:35:00 PM British Summer Time
From: Rodarmel, Danica (PDR)
To: David M. Greenwald, Ibarra, Valerie (PDR)
Attachments: image.png

Hey David-

This is on my todo list next week. What's your deadline?

From: David M. Greenwald <info@davisvanguard.org>
Sent: Friday, July 23, 2021 8:00:00 AM
To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>; Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Subject: Pilot Program

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I'm sure Danica knows this, but the grant is giving three-quarters of a million to your office for this program.

County	DAO Appropriation	PDO Appropriation	DAO-CBO Contract
Los Angeles	\$2,200,000	\$700,000	\$250,000
Santa Clara	\$1,160,000	\$750,000	\$250,000
San Francisco	\$1,100,000	\$750,000	*
Riverside	\$1,050,000	\$715,000	\$250,000
Contra Costa	\$1,050,000	\$750,000	\$250,000
San Diego	\$1,000,000	\$650,000	\$250,000
Yolo	\$717,000	\$415,000	\$250,000
Merced	\$478,000	\$320,000	\$250,000
Humboldt	\$355,000	\$240,000	\$250,000

--

David M. Greenwald
Executive Director
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"Journalism is printing what someone else does not want printed: everything else is public relations." — George Orwell

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Subject: Pilot Program
Date: Friday, July 23, 2021 at 4:00:00 PM British Summer Time
From: David M. Greenwald
To: Ibarra, Valerie (PDR), Rodarmel, Danica (PDR)
Attachments: image.png

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Yolo	\$717,000	\$415,000	\$250,000

	\$175,000	\$710,000	\$200,000
Merced	\$478,000	\$320,000	\$250,000
Humboldt	\$355,000	\$240,000	\$250,000

--

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Subject: Davis Vanguard covered part of your jury selection; let me know if I can include this in the weekly news roundup

Date: Thursday, July 22, 2021 at 9:40:29 PM British Summer Time

From: valerie.ibarra@sfgov.org

To: Kleigh Hathaway

https://www.davisvanguard.org/2021/07/lack-of-black-jurors-implicit-racial-bias-focus-in-jury-selection/?fbclid=IwAR3i1w-FQJec1HktBvbNnNZP5SK84BGTqaEyPMpTAPvh8T_qhJmaq_e2TgM

Sent from my iPhone

Subject: Everyday Injustice - Governor Investing \$18 Million in California County Resentencing Pilot Program
Date: Thursday, July 22, 2021 at 7:00:27 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"When I first conceptualized this law, I never imagined that California would invest millions of dollars in its implementation," said Founder and Executive Director Hillary Blout.

Everyday Injustice Newsletter - July 22, 2021

Cautions About Feeding the Crime Narrative

By David Greenwald

By David Greenwald

The data on crime increases is mixed at best. We are seeing evidence that murders were up last year - but still well below what they were in the 80s and 90s. We are seeing evidence that crime overall is down, but are being fed video of brazen retail crimes.

But the media coverage is pushing the public - as research suggests it should - to weigh the crime issue as more important than they had previously. At the same time, it has caused them to erroneously believe that crime is now at a 30 year high. Not even close. And that's the problem.

That's why I worry about the Governor putting out a release: Governor convenes state law enforcement leaders and Big 13 Mayors for public safety roundtable. I worry that while the Governor is pushing reasonable and practical reforms, this only feeds the narrative.

At the same time - I get it. He is facing two elections potentially in the next 15 months and needs to cut off the narrative at the knees.

While visiting The Hangout, a Long Beach small business, Governor Gavin Newsom today signed legislation to improve the state's ability to stop organized retail theft. AB 331 by Assemblymember Reginald Byron Jones-Sawyer, Sr. (D-Los Angeles), extends the sunset date of the crime of organized retail theft, as well as the California Highway Patrol Organized Retail Crime Task Force, to January 1, 2026.

"Among the most basic needs for all Californians is to feel safe at home, at the park, or walking to school," said Governor Newsom. "As we pursue nation-leading criminal justice reforms - all with an eye to making our communities safer - a more holistic approach is called for. We must invest in public safety while, at the same time, tackling the root causes of these increases."

Having talked to some of the DAs and people in the know, this at least is getting to the real problem which is not that there is an increase of retail theft, but rather that there are more sophisticated organized theft rings that have been able to exploit the holes in law enforcement and loss prevention to create a real problem.

Not sure exactly what this program will do. But it does feed the mixed message.

The press release by the Governor's office showcases this.

In one paragraph: "Over the past three decades, crime rates in California have dropped dramatically. Prior to the pandemic, both California's violent crime rates and property rates were among the lowest ever recorded. Although crime rates have remained relatively steady, the latest data shows that we have experienced an increase in homicides and gun-related violence, mirroring a similar national trend."

In the next: "Governor Newsom's recent public safety investments are focused on four key priorities to reduce gun violence and keep California's communities safe: 1) investing in local communities, 2) preventing crime before it happens, 3) investigating crimes that do occur and holding those responsible accountable and 4) getting guns off California streets."

Part of the problem here is that we are flying blind. We don't know why murder is increasing while other crimes remain down. So by trying to fix the problem without knowing the cause, we are starting to feed into the perception that crime is the biggest problem we are facing.

Thanks for reading.

Criminal Justice News/ Commentary

**Replacing the Phrase 'I'm Not Racist,' with
'I'm an Antiracist'**

On his podcast, NY times Journalist Ezra Klein interviewed author Ibram X. Kendi to discuss his ideas in his book “How to be an Antiracist.”

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Guest Commentary: UN’s George Floyd Resolution is a Vital Step Toward International Accountability

More than one year after the brutal murder of George Floyd at the hands of police, it is clear that international accountability is critical to complement and bolster domestic efforts to dismantle systemic racism in law enforcement in

[Read More](#)

Substandard Police Protocol and Training Leads to Abnormally High Detention Rates of Teenagers

Researchers claim the training police undergo to understand the mind and actions of teenagers is subpar, exemplified by the considerable number of adolescents and young adults being sent to juvenile

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Florida Man Sentenced to 8 Months in Prison for Part in Breach of US Capitol Jan. 6

In light of the unprecedented violence that took place Jan. 6, 2021 in the United States Capitol in Washington, D.C more than 535 individuals have been arrested or charged for crimes related to the attempt to

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Lack of Black Jurors, Implicit Racial Bias Focus in Jury Selection

In San Francisco County Superior Court, Dept. 21 Wednesday, Public Defender Kleigh Hathaway’s client, Duane West, who is African American, is accused of sexual assault – but none of the 24 jurors

[Read More](#)

Day 2 of the Rodney Reed Murder Appeal Features Testimony from Former Officer, Aryan Brotherhood

Rodney Reed's evidence hearing in his murder appeal continued Tuesday for a second day here with new evidence to support the release of Reed, according to reports from news anchor Jenni Lee of KVUE, who live-

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Nominations Now Open For the Vanguard Justice Awards!

September 8 is coming soon. That means you should purchase your tickets (since we only have 80 of them) for the Vanguard Justice Awards Gala. Should be a great event.

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COVID CDCR and Jail Dashboards

CDCR Population & Staff Vaccination Rate Shows Little Improvement

Our daily run down on the COVID cases in the California Prison System (CDCR)

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New COVID-19 Cases Continue to Emerge in Bay Area County Jails; Vaccine Uptake Remains Low

Our daily run down on the COVID cases in selective County Jails

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Court Watch Coverage

Lack of Black Jurors, Implicit Racial Bias Focus in Jury Selection

In San Francisco County Superior Court, Dept. 21 Wednesday, Public Defender Kleigh Hathaway's client, Duane West, who is African American, is accused of sexual assault – but none of the 24 jurors

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Man Tells Santa Barbara Court About Concerns About COVID Inside Facility, Stress of Being Jailed

Keith Zeasley has been incarcerated at Santa Barbara's Jail since February of this year, and when he appeared in Santa Barbara County Superior Court Tuesday morning, with the assistance of his attorney Mark

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Public Defender Corrects Sentencing Mistake, Helps Client Avoid Extra 8 Months in Custody

A public defender was able to correct a previous oversight that almost led to her client serving eight months in custody she didn't deserve.

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Tardy, Botched Court Reports Lead Judge to Postpones Sentencing

As a result of tardy, botched court reports, Juan Hernandez will have to spend another day or so in custody awaiting sentencing from Judge Michael Carrozzo in Santa Barbara County Superior Court, Dept. 12.

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Defense Claims Man Stopped, Searched and Arrested Because Deputies Knew Him; Judge Ignores Assertion, Sentences Man to 3 Years in Prison

William Lindemuth's probation turned into three years in state prison here Tuesday in Sacramento County Superior Court after a judge found him guilty of violating two different probation terms, despite

[Read More](#)

Yet Another Controversy Over Alleged Murderer's Competency to Stand Trial; Soon-to-be-Judge Exits Defense, Delaying Proceedings

The trial readiness conference for alleged murderer Hong Pham had it all: a lengthy dispute over Pham's mental competence, frustrated attorneys, an irritated judge, and a change in defense counsel.

[Read More](#)

Duct Tape Nightmare: Son Finds Father Wrapped Up From Head to Toe

Despite not wanting to relive his trauma, the son of a murder victim testified here Tuesday in a jury trial of the alleged killer in Alameda County Superior Court.

[Read More](#)

Defendant Sentenced for Voluntary Manslaughter of Boyfriend; Family Impact Statements Not Forgiving, Also Target Police for 'Lack of Compassion'

Mary Eugenia Karacas appeared in the Ventura County Superior Court Wednesday, just about five years after she allegedly murdered her longtime boyfriend – he was found dead by the new homeowners of the

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Everyday Injustice - Podcast see our podcasts

Everyday Injustice Podcast Episode 116: Santa Clara DA Candidate Sajid Khan

His announcement follows events of a year ago last summer when, in response a pointed column by Khan, Santa Clara DA Jeff Rosen threatened to initiate whistleblower retaliation proceedings against the Santa

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Everyday Injustice Podcast Episode 115: Donald Watson's New Lease on Life Through SB 1437

Donald Watson was convicted of felony murder but thanks to SB 1437, the law by Nancy Skinner that allows people convicted of murder who were not the actual killer or major participants to petition for resentencing, Watson

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Subject: RE: Press release re: motion to recuse DA in Juan Jose's crim case?

Date: Wednesday, July 21, 2021 at 10:32:31 PM British Summer Time

From: Wells, Kelly (PDR)

To: Ibarra, Valerie (PDR), Goossen, Carolyn (PDR)

CC: Ugarte, Francisco (PDR)

Let's do 3:30. Thank you both!

Kelly Engel Wells (she/her/ella)
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Subject: Re: Press release re: motion to recuse DA in Juan Jose's crim case?

Date: Wednesday, July 21, 2021 at 9:28:47 PM British Summer Time

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CC: Ugarte, Francisco (PDR), Goossen, Carolyn (PDR)

Hi Valerie,

Let me know if you have time to discuss this this week—I'm headed out for vacation next week so if anything needs to happen sooner than that, I should get the ball rolling.

Best,
Kelly

Kelly Engel Wells (she/her/ella)
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From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Sent: Monday, July 19, 2021 2:16 PM
To: Wells, Kelly (PDR) <kelly.wells@sfgov.org>
Cc: Ugarte, Francisco (PDR) <francisco.ugarte@sfgov.org>; Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>
Subject: Re: Press release re: motion to recuse DA in Juan Jose's crim case?

Understood.

- Would love to find a time to have a media huddle around it so we can strategize a long game and bigger news outlets where we could pitch it.
- Still don't see any harm in reaching out to Farida now, as she might be interested in doing a short report on the recusal and it's implications. Reporters also like to know of upcoming dates, so knowing September 3rd is a good draw. [FYI - I will be on vacation September 3rd-7th, so if we wanted to prep a press release, we should work on it in advance.]

From: Wells, Kelly (PDR) <kelly.wells@sfgov.org>
Sent: Monday, July 19, 2021 1:52 PM
To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Cc: Ugarte, Francisco (PDR) <francisco.ugarte@sfgov.org>; Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>
Subject: RE: Press release re: motion to recuse DA in Juan Jose's crim case?

Hi Valerie,

I was thinking of reaching out to both of them individually, but I know that his criminal defense attorney would like a bigger push if that's possible and I also think that the more attention we can draw, the better—I really believe that the article Otis Taylor at the Chronicle did about CoCo County a few years ago made a difference in getting the county supes to end that contract (although maybe Carolyn or Danica knows more about how that actually happened). I know you're on a deadline today, and this is not time sensitive—the motion was filed last Thursday but the hearing isn't until September 3. Happy to talk through a potential strategy when you have some breathing room.

Best,
Kelly

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From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Sent: Monday, July 19, 2021 1:34 PM
To: Wells, Kelly (PDR) <kelly.wells@sfgov.org>
Cc: Ugarte, Francisco (PDR) <francisco.ugarte@sfgov.org>; Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>
Subject: Re: Press release re: motion to recuse DA in Juan Jose's crim case?

Hi Kelly,

I'm wondering if this might be something we could give to an individual reporter -- like reaching out to Farida at KQED since she wrote about Juan Jose before; or even David at the Davis Vanguard, since they cover Yuba County. It could include documentation and an interview to explain what happened and the significance of it.

I'm currently working on two projects today that I'm trying to get over the finish line, but I recognize the importance of this matter and happy to help where I can.

Francisco -- do you have a preference here?

Looping in Carolyn.

Talk soon,
Valerie

From: Wells, Kelly (PDR) <kelly.wells@sfgov.org>
Sent: Monday, July 19, 2021 1:13 PM
To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Cc: Ugarte, Francisco (PDR) <francisco.ugarte@sfgov.org>
Subject: Press release re: motion to recuse DA in Juan Jose's crim case?

Hi Valerie,

Could our office do a press release regarding the attached motion to recuse the Yuba County District Attorney in the case against our client Juan Jose for resisting arrest (see first attachment)? The motion essentially argues that Yuba County's DA cannot prosecute the case against our Juan Jose because the entire county is beholden to ICE, and the incident in question arises out of the County's attempt to suppress Juan Jose's actions drawing attention to the ways that the County was failing to comply with ICE's own requirements during the pandemic. The motion also outlines how Yuba County Jail has repeatedly been found—by federal courts and by ICE itself—to be in violation of basic health and safety requirements, and how instead of improving, ICE's audits have found that YCJ has only gotten worse over time.

We'd like to draw attention to this motion—which is pretty unusual—in the hopes both that it will pressure the DA to drop the charges, and that it will pressure ICE to end the contract with YCJ, where only 6 people are currently detained, anyway. Happy to talk further/collaborate on this if it's something we're able to take on.

Best,
Kelly

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From: Daniel Olmos <dolmos@nbo.law>
Sent: Wednesday, July 14, 2021 6:55 PM
To: Wells, Kelly (PDR) <kelly.wells@sfgov.org>
Cc: Camden Vilkin <cvilkin@nbo.law>
Subject: Juan Jose

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Kelly,

Enclosed you'll find the recusal motion and a declaration, which we e-filed today. We think they're very strong – thanks for your help.

I think it's worth sending this to the advocates, and also to media contacts at KQED, the Sac Bee, and whomever else you're in communication with. The AG will have to respond to this, and we'd like some public pressure before I make calls there to discuss the case.

Best,
Daniel

Daniel Olmos | Partner
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Subject: Everyday Injustice - Rodney Reed Maintains Innocence, Hoping Third Appeal will Exonerate Him

Date: Wednesday, July 21, 2021 at 7:00:49 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

Ibram Kendi: "They have gone about instituting these racist voter suppression policies, which primarily make it harder for Black, Brown, and indigenous people to vote — but really, it makes it harder for all people to vote — and then justified those policies with ideas of voter fraud."

Everyday Injustice Newsletter - July 21, 2021

You Just Have to Read This Stuff Sometimes

By David Greenwald

I am kind of afraid to post this on the main website because, frankly I don't want to give it more legs than it has - and I don't think this has a broad audience.

But I think it is necessary to read this simply press release because there is so much in there that is just bent beyond all recognition of reality.

Not sure why the Vanguard is on the distribution list for Freedom watch, but give this a quick read.

America's Sheriff Takes on the Anti-Police Leftist Agenda of the Biden Harris Regime

America's Sheriff, spearheaded by America's toughest lawyer Larry Klayman and America's toughest sheriff, Sheriff Joe Arpaio will be in Washington D.C. to introduce America's Sheriff and its mission. "We are stepping up to protect the police because Biden and Harris won't do it," said Klayman.

It is in our face now America. Just two days ago the city of Philadelphia, the birthplace of liberty, announced its 300th homicide, putting this year on course to set a new record. Days ago, a 1-year-old child was shot and killed in the "City of Brotherly Hate!" And then just this weekend, a 6-year-old girl was shot and killed in a drive by shooting while waiting for a bus outside Washington, DC. As if that is not enough, this past Saturday July 17, 2021, in Washington D.C., at a Nationals game there was a shooting in the parking lot, sending fans and attendees running for their lives. This is our nation's capital and Biden and Harris both have been too busy using the FBI as their own "Gestapo" rounding up January 6, 2021, peaceful protesters and pushing potentially deadly and experimental Covid vaccines to take real action to

clean up the swamp in which they dwell.

This is what you get! This is what you get when we cater to BLM when they storm the streets, burning and killing at will. It's coming to your backyard next. The leftist media has poisoned the minds of Americans by showing police officers as the suspect in cases in which they feared for their own lives, as well as protected the lives of others. This is also what you get when you defund the police. The police are so disrespected and stretched so thin in number and resources that they can't possibly serve and protect the public. This leftist game is over.

America's Sheriff will be hosting a conference in Washington, DC. America's Sheriff will discuss protecting the police and moving forward against the leftist supported criminals that have destroyed our public safety. In the meantime, today we are filing a case for Philadelphia police who were fired without cause by the leftist mayor and Soros-elected district attorney for postings on social media. Stay tuned!

A few highlights...

"America's toughest lawyer Larry Klayman" - who?

"America's toughest sheriff, Sheriff Joe Arpaio" - enough said.

"We are stepping up to protect the police because Biden and Harris won't do it," said Klayman.

This is probably my favorite: "This is our nation's capital and Biden and Harris both have been too busy using the FBI as their own "Gestapo" rounding up January 6, 2021, peaceful protesters and pushing potentially deadly and experimental Covid vaccines to take real action to clean up the swamp in which they dwell." Peaceful protesters. Experimental vaccines.

I can't even go on. This is what we are dealing with here.

Criminal Justice News/ Commentary

Replacing the Phrase 'I'm Not Racist,' with 'I'm an Antiracist'

On his podcast, NY times Journalist Ezra Klein interviewed author Ibram X. Kendi to discuss his ideas in his book "How to be an Antiracist."

[Read More](#)

Increase in SF Downtown Crime Indicative of Growing Drug Epidemic, Claims Former Security Guard and Addict

The recent announcement of Target store hours being shortened in the Bay Area was met with annoyance by customers, and there are complaints of being inconvenienced by the schedule shifting that now

[Read More](#)

ACLU Brings Lawsuit to Maricopa County to Challenge Plea Bargain Injustice

Somil Trivedi of the American Civil Liberties Union is bringing a suit in Maricopa County, Arizona to challenge how the plea bargain is used by prosecutors to pervert justice by penalizing people who seek a jury trial.

[Read More](#)

GEORGIA INNOCENCE PROJECT – DENNIS A. PERRY IS EXONERATED

This week, more than 20 years after his arrest, Dennis Arnold Perry, had his murder conviction charges after new DNA evidence, unavailable at the time of the original criminal investigation, was detected.

[Read More](#)

On Death Row: Rodney Reed Maintains Innocence, Hoping Third Appeal will Exonerate Him

The third murder appeal hearing for Rodney Reed that began Monday in Bastrop County, TX yielded testimony that questioned the time of the murder, and whether the original murder case had sufficient DNA evidence.

[Read More](#)

Nominations Now Open For the Vanguard Justice Awards!

September 8 is coming soon. That means you should purchase your tickets (since we only have 80 of them) for the Vanguard Justice Awards Gala. Should be a great event.

[Read More](#)

COVID CDCR and Jail Dashboards

CDCR Population & Staff Vaccination Rate Shows Little Improvement

Our daily run down on the COVID cases in the California Prison System (CDCR)

[Read More](#)

New COVID-19 Cases Continue to Emerge in Bay Area County Jails; Vaccine Uptake Remains Low

Our daily run down on the COVID cases in selective County Jails

[Read More](#)

Court Watch Coverage

With Little Explanation, Judge Suddenly Declares Mistrial in Middle of DUI Trial, Dismisses Jury

Judge Timothy Fall declared a mistrial here in Yolo County Superior Court Tuesday, after an expert witness testified to the results of a toxicology report in a DUI case.

[Read More](#)

Drunk Driving Accident Injures Multiple Victims – Defendant Takes Plea Deal after Telling Parole Officer He Wasn't at Fault

In a DUI sentencing hearing here this week, a defendant pleaded no contest, admitting to the great bodily injury to several individuals in exchange for a lower sentence—before the plea he told his parole officer

[Read More](#)

Man Sent to Trial on Burglary Charge after Being Declared Mentally Incompetent Last Year

Judge Trena H. Burger-Plavan found sufficient evidence in a preliminary hearing here Monday in Sacramento County Superior Court to send defendant Tyler Kruse to trial, although the defense argued Kruse has a

[Read More](#)

Defendant Tasered in Head by Victim, Then Shoots at Victim With Child In Vehicle

An Alameda County Superior Court judge dismissed two of three charges this week against Kevin Vera, who was accused of shooting his girlfriend's child's father while their child was in the vehicle.

[Read More](#)

Defendant Sentenced, Requests Serving Time at Home for Tesla Job Offer – Judge Declines after Victim Describes Ordeal as 'Nightmare'

At Gabriel Ross' sentencing in Alameda County Superior Court Dept. 11 Monday, the victim of his stalking provided a statement illustrating the damage Ross has inflicted upon her life.

[Read More](#)

Santa Barbara Co-Defendants Take Deal for 100 Hours of Community Service after Standoff with Police

Brayan Aguilar-Jimenez of Goleta, 22, and Raul Cortes of Fresno, 25, appeared in Santa Barbara County Superior Court Monday for their sentencing after facing multiple charges in October of 2020, including

[Read More](#)

'Put Me in Jail or Don't' – Defendant Waits, Speaks Up for Himself in Court

Torrance Scales was present in San Francisco County Superior Court this week for a pretrial conference regarding his out-of-custody status about an incident that occurred more than a year ago.

[Read More](#)

Everyday Injustice - Podcast

[see our podcasts](#)

Everyday Injustice Podcast Episode 116: Santa Clara DA Candidate Sajid Khan

His announcement follows events of a year ago last summer when, in response a pointed column by Khan, Santa Clara DA Jeff Rosen threatened to initiate whistleblower retaliation proceedings against the Santa

[Read More](#)

Everyday Injustice Podcast Episode 115: Donald Watson's New Lease on Life Through SB 1437

Donald Watson was convicted of felony murder but thanks to SB 1437, the law by Nancy Skinner that allows people convicted of murder who were not the actual killer or major participants to petition for resentencing, Watson

[Read More](#)

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Vanguard on Facebook: [https://avanan.url-protection.com/v1/url?](https://avanan.url-protection.com/v1/url?o=https%3A//www.facebook.com/davisvanguard/&g=MWI3NGZhMDQ2M2EzZDdkYg==&h=M2ExYTgzYmY4YTQ4ODFjNDVjNjQwMzMwZWVhZmY0Y2YxNThiMDM1ZjE2MGE5N2FIMDhkYjZjMzNkYW E3ZGZiYw==&p=YXAzOnNmZHQyOmF2YW5hbGpvOjk0OGMxYTA0OWlyYTdmMDQyYz M5OTBkMDQ4MDYxYTI3OnYx)

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Subject: Re: Without a Trial Courtroom, SF Judge Issues Case Continuances En Masse | Davis Vanguard

Date: Wednesday, July 21, 2021 at 6:15:04 PM British Summer Time

From: Ibarra, Valerie (PDR)

To: Calloway, Peter (PDR)

Hi Peter -- I think David would be open to the conversation.

- Sometimes they don't use the clients' names, so I'm not sure if they have standard protocols around it. As you said, it is public information, but I do know that they have expressed not wanting to harm our cases/clients, so he may be open to changing course a bit.
- As for the snippets they pull from open court, that is part of their Court Watch M.O., but if they know that attorneys are willing to comment and would like to be contacted, he may be open to facilitating that next step with his staff/interns/volunteers as well. It can get a little tricky when it's one of our own interns, to whom we might normally confide more, to also act as a citizen journalist, but as long as the roles in the conversation are clear and agreed upon (i.e. the person clearly states when they are acting in capacity of a Court Watch reporter for the sake of the conversation), it could definitely work. I've heard Jacque frame it as such to the interns before.
- That said, some attorneys may not want to comment further and we do want to avoid them reporting that we declined to comment or couldn't be reached -- so that's something to keep in mind in navigating/negotiating potential adaptations.

In sum, I think it's fine for you to reach out to him, but please let me know if you'd like to include me in the conversation or just fill me in afterward.

Thanks for always having a keen and thoughtful approach to matters.

Valerie

From: Calloway, Peter (PDR) <peter.calloway@sfgov.org>

Sent: Wednesday, July 21, 2021 8:40 AM

To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: RE: Without a Trial Courtroom, SF Judge Issues Case Continuances En Masse | Davis Vanguard

Thoughts on my reaching out to David? Very gently, of course. I think what they do is incredibly important, but these two issues should be raised.

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

From: Calloway, Peter (PDR)

Sent: Sunday, July 18, 2021 11:26 AM

To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>; Raju, Manohar (PDR) <manohar.raju@sfgov.org>; Tan, Stephanie (PDR) <Stephanie.Tan@sfgov.org>

Subject: RE: Without a Trial Courtroom, SF Judge Issues Case Continuances En Masse | Davis Vanguard

Thanks for flagging. I was actually considering reaching out to David about this. It would have been good to have been asked to comment--they pulled probably the worst quote from my argument, and there's much more to say isn't covered in the article. Also, I don't think they should be using our clients' names without asking us first, even though it's public information. Here, it adds nothing to the story.

If you agree, do you want to raise these points with him or should I?

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

From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Sent: Sunday, July 18, 2021 9:34 AM

To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>; Raju, Manohar (PDR) <manohar.raju@sfgov.org>;

Calloway, Peter (PDR) <peter.calloway@sfgov.org>; Tan, Stephanie (PDR) <stephanie.tan@sfgov.org>

Subject: Without a Trial Courtroom, SF Judge Issues Case Continuances En Masse | Davis Vanguard

FYI - All of you are quoted/mentioned in this:

<https://www.davisvanguard.org/2021/07/without-a-trial-courtroom-sf-judge-issues-case-continuances-en-masse/>

Sent from my iPhone

Subject: RE: Without a Trial Courtroom, SF Judge Issues Case Continuances En Masse | Davis Vanguard

Date: Wednesday, July 21, 2021 at 4:40:13 PM British Summer Time

From: Calloway, Peter (PDR)

To: Ibarra, Valerie (PDR)

Thoughts on my reaching out to David? Very gently, of course. I think what they do is incredibly important, but these two issues should be raised.

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

From: Calloway, Peter (PDR)

Sent: Sunday, July 18, 2021 11:26 AM

To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>; Raju, Manohar (PDR) <manohar.raju@sfgov.org>; Tan, Stephanie (PDR) <Stephanie.Tan@sfgov.org>

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Sent from my iPhone

Subject: Everyday Injustice - Left and Right Wing Coalition Urges President Biden to Grant Clemency to 4,000 - So Far He Hasn't

Date: Tuesday, July 20, 2021 at 7:00:18 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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"President Biden campaigned on the promise of second chances, and made it clear to the ACLU that he will be committed to reducing the federal prison population," said Udi Ofer, director of the ACLU's Justice Division.

Everyday Injustice Newsletter - July 20, 2021

Listen to my interview with Sajid Khan

Santa Clara Public Defender Sajid Khan recently announced he was running for District Attorney.

[Watch the podcast](#) - [listen to the podcast](#)

His announcement follows events of a year ago last summer when, in response a pointed column by Khan, Santa Clara DA Jeff Rosen threatened to initiate whistleblower retaliation proceedings against the Santa Clara County Deputy Public Defender.

"Santa Clara County needs a true progressive as its District Attorney. I will be that person," he said. "As District Attorney for all people, I will be committed to truth-telling about systemic racism, shrinking mass criminalization, addressing root causes of crime, and bringing the criminal legal system in line with basic notions of justice and humanity."

For the last 13 years, Khan has been a public defender serving Santa Clara County. He has fought for people's constitutional rights, against systemic racism, and against mass incarceration. He has sat in the county jails and juvenile hall, representing countless individuals.

Khan was born in San Jose to Muslim immigrants from Madras, India. His mother worked as a laboratory scientist at O'Connor Hospital, and his late father was a physicist in the semiconductor industry who established a mosque and later a school, both in Santa Clara.

Sajid Khan speaks to Everyday Injustice about his candidacy and his vision for transformative change in Santa Clara County.

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Join us for our Fall Events...

Tickets: [here](#).

Sponsorships are on a separate page - [here](#).

[Everyday Injustice Podcast Episode 116: Santa Clara DA Candidate Sajid Khan](#)

Criminal Justice News/ Commentary

Left and Right Wing Coalition Urges President Biden to Grant Clemency to 4,000 on COVID Home Confinement

The American Civil Liberties Union (ACLU) reported that a coalition of 20 right-wing and left-wing organizations sent a letter to the Biden administration Monday, pleading with him to lessen the severity of the

[Read More](#)

Louisville Police Might Be Withholding Body Cam Footage From Breonna Taylor's Shooting

A new lawsuit filed on behalf of the family of Breonna Taylor alleges that the Louisville Metro Police Department might have lied and misled regarding the existence of police body camera videos from the night of

[Read More](#)

California Attorney General to Launch Community Engagement Office

California Attorney General Rob Bonta last week announced the official establishment of the Office of Community Awareness, Response, and Engagement (CARE) within the Department of Justice.

[Read More](#)

News Media Now Protected By New Restrictions Passed by Attorney General – But There are Exceptions

Compulsory legal process is now prohibited to use as a form to obtain information from people involved with news media. Although there are lots of exceptions.

[Read More](#)

California Department of Justice Will Investigate Officer-Related Shooting on Hollywood Boulevard

The clock had not yet struck noon on Hollywood Boulevard before shots rang out in the morning of July 15. While responding to a 911 call about a man “armed with a gun,”

[Read More](#)

Nominations Now Open For the Vanguard Justice Awards!

September 8 is coming soon. That means you should purchase your tickets (since we only have 80 of them) for the Vanguard Justice Awards Gala. Should be a great event.

[Read More](#)

COVID CDCR and Jail Dashboards

CDCR Population & Staff Vaccination Rate Shows Little Improvement

Our daily run down on the COVID cases in the California Prison System (CDCR)

[Read More](#)

New COVID-19 Cases Continue to Emerge in Bay Area County Jails; Vaccine Uptake Remains Low

Our daily run down on the COVID cases in selective County Jails

[Read More](#)

Court Watch Coverage

Co-Defendant in Shoplifting Case Denied Offered Plea Because Not All Present

Early Monday morning in Sacramento County Superior Court, when one of the five defendants in a shoplifting case tried to take advantage of a plea deal previously offered by the District Attorney's office, the

[Read More](#)

Accused Defendant Bail Stays at \$1 Million – Charged with Exploiting Victim into Prostitution, Beating and Threatening Her

Dyrell Whyte's bail remains at a hefty \$1 million after a bail hearing here Monday in Sacramento County Superior Court, Dept. 63, for one of his two cases involving the same victim in which he allegedly exploited her

[Read More](#)

Stabbing Case Brought to Trial; Witness with Memory Lapse Questioned for More Than 90 Minutes

Assistant District Attorney Julia Gonzales spent 90 minutes questioning a trial witness—linked to suspect Jeffrey Eble in a stabbing case from May 2019—on Monday afternoon in San Francisco County Superior Court, Dept. 16.

[Read More](#)

Trial Tuesday: Four Inmates Allegedly Beat Another Inmate...with Guitar, Mop and Cane

Ruben Gonzalez Ramirez, Manuel Barbosa, Angel Jose Lopez, and Anthony Alexander Munoz, four incarcerated men in the same cell, were charged here in Riverside County Superior Court last week with allegedly

[Read More](#)

'In Light of Extensive Criminal History' Judge Denies Defendant's Request for Release

Terry Brown's request to be released was denied by Alameda County Superior Court Judge Jacob Blea Friday because of what the court described as an extensive criminal history, including multiple out-of-county warrants

[Read More](#)

Prosecution and Defense Argue over Officer's Investigation in DUI Case

In a drunken driving case here in Alameda County Superior Court last week, the defense filed a motion to suppress evidence based on what the defense attorney described as “a sloppy investigation” on Feb. 3, 2020.

[Read More](#)

Everyday Injustice - Podcast

see our podcasts

Everyday Injustice Podcast Episode 116: Santa Clara DA Candidate Sajid Khan

His announcement follows events of a year ago last summer when, in response a pointed column by Khan, Santa Clara DA Jeff Rosen threatened to initiate whistleblower retaliation proceedings against the Santa

[Read More](#)

Everyday Injustice Podcast Episode 115: Donald Watson's New Lease on Life Through SB 1437

Donald Watson was convicted of felony murder but thanks to SB 1437, the law by Nancy Skinner that allows people convicted of murder who were not the actual killer or major participants to petition for resentencing, Watson

[Read More](#)

Davis Vanguard | 530-400-2512 | [Email](#) | [Website](#)

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Yolo County Court Watch: <https://avanan.url-protection.com/v1/url?o=https%3A//www.facebook.com/groups/yolojudicialwatch/&g=YWZhNmNjOTg3YTliNGZhMQ==&h=NzlxNjMzODM5NzU1YTYxY2IxNDkwZTkzOWU1ZDIyMTVhYTZhZTQ3OGY1ZDUxMDRmMGYwNGMzZTI2NzM3MWFjMQ==&p=YXAzOnNmZHQyOmF2YW5hbJpvOjg0MDImMmEyYTE5NDkwNjRhMzlxZWQ5YzJkMWJmMmQ4OnYx>

Sacramento Court Watch: <https://avanan.url-protection.com/v1/url?o=https%3A//www.facebook.com/Sacramento-Court-Watch->

1432660796849531/&g=YjcwYTFhMzE2MTdmYzc1Ng==&h=OGFmN2U3ZTI1Yjg4ZTBINGlyM2NIMzRhMGM0MTViNDRIiNGEwOWU0OGI5NWJjOTg0ZDlwMmEyNzhhZTc5NzlyNg==&p=YXAzOnNmZHQyOmF2YW5hbGpvcjg0MDImMmEyYTE5NDkwNjRhMzlxZWQ5YzJkMWJjMmQ4OnYx

Twitter: <https://avanan.url-protection.com/v1/url?o=https%3A//twitter.com/DavisVanguard&g=MzExOGI5MTJmNTA0ZTYzMg==&h=ZTBjZDZlZGY5YVVmN2VIM2VjZjQyYTU0YWY0MWZjOTE4NGM3ZDk0NmViNDZlNTgxNDM1ODg0NjhjMjA1Yzc2OA==&p=YXAzOnNmZHQyOmF2YW5hbGpvcjg0MDImMmEyYTE5NDkwNjRhMzlxZWQ5YzJkMWJjMmQ4OnYx>

YouTube: <https://avanan.url-protection.com/v1/url?o=http%3A//www.youtube.com/davisvanguard&g=ZTAzMTdkN2I0N2YxOGYzNg==&h=OGE5ZmQ3MzI3ZDkxZmEyYjA1N2Q5YTMxNGQxMTAxNzgzYzcxZTg2ZjU5NzRlZWMyODY2Y2U0N2lyNDE3NzZiNW==&p=YXAzOnNmZHQyOmF2YW5hbGpvcjg0MDImMmEyYTE5NDkwNjRhMzlxZWQ5YzJkMWJjMmQ4OnYx>

The People's Vanguard of Davis | P.O. Box 4715, Davis, CA 95617-4715

[Unsubscribe valerie.ibarra@sfgov.org](mailto:unsubscribe.valerie.ibarra@sfgov.org)

[Constant Contact Data Notice](#)

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Subject: Re: Press release re: motion to recuse DA in Juan Jose's crim case?

Date: Monday, July 19, 2021 at 10:16:12 PM British Summer Time

From: Ibarra, Valerie (PDR)

To: Wells, Kelly (PDR)

CC: Ugarte, Francisco (PDR), Goossen, Carolyn (PDR)

Understood.

- Would love to find a time to have a media huddle around it so we can strategize a long game and bigger news outlets where we could pitch it.
- Still don't see any harm in reaching out to Farida now, as she might be interested in doing a short report on the recusal and it's implications. Reporters also like to know of upcoming dates, so knowing September 3rd is a good draw. [FYI - I will be on vacation September 3rd-7th, so if we wanted to prep a press release, we should work on it in advance.]

From: Wells, Kelly (PDR) <kelly.wells@sfgov.org>

Sent: Monday, July 19, 2021 1:52 PM

To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Cc: Ugarte, Francisco (PDR) <francisco.ugarte@sfgov.org>; Goossen, Carolyn (PDR)

<carolyn.goossen@sfgov.org>

Subject: RE: Press release re: motion to recuse DA in Juan Jose's crim case?

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I was thinking of reaching out to both of them individually, but I know that his criminal defense attorney would like a bigger push if that's possible and I also think that the more attention we can draw, the better—I really believe that the article Otis Taylor at the Chronicle did about CoCo County a few years ago made a difference in getting the county supes to end that contract (although maybe Carolyn or Danica knows more about how that actually happened). I know you're on a deadline today, and this is not time sensitive—the motion was filed last Thursday but the hearing isn't until September 3. Happy to talk through a potential strategy when you have some breathing room.

Best,
Kelly

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Fax: 415.553.9810

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Subject: Re: Press release re: motion to recuse DA in Juan Jose's crim case?

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I'm currently working on two projects today that I'm trying to get over the finish line, but I recognize the importance of this matter and happy to help where I can.

Francisco -- do you have a preference here?

Looping in Carolyn.

Talk soon,
Valerie

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We'd like to draw attention to this motion—which is pretty unusual—in the hopes both that it will pressure the DA to drop the charges, and that it will pressure ICE to end the contract with YCJ, where only 6 people are currently detained, anyway. Happy to talk further/collaborate on this if it's something we're able to take on.

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From: Daniel Olmos <dolmos@nbo.law>
Sent: Wednesday, July 14, 2021 6:55 PM
To: Wells, Kelly (PDR) <kelly.wells@sfgov.org>
Cc: Camden Vilkin <cvilkin@nbo.law>
Subject: Juan Jose

Kelly,

Enclosed you'll find the recusal motion and a declaration, which we e-filed today. We think they're very strong – thanks for your help.

I think it's worth sending this to the advocates, and also to media contacts at KQED, the Sac Bee, and whomever else you're in communication with. The AG will have to respond to this, and we'd like some public pressure before I make calls there to discuss the case.

Best,
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Daniel Olmos | Partner
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430 D Street, Davis, CA 95616
p: (530) 341-0576

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Subject: RE: Press release re: motion to recuse DA in Juan Jose's crim case?

Date: Monday, July 19, 2021 at 9:52:48 PM British Summer Time

From: Wells, Kelly (PDR)

To: Ibarra, Valerie (PDR)

CC: Ugarte, Francisco (PDR), Goossen, Carolyn (PDR)

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Subject: Re: Press release re: motion to recuse DA in Juan Jose's crim case?

Date: Monday, July 19, 2021 at 9:33:34 PM British Summer Time

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To: Wells, Kelly (PDR)

CC: Ugarte, Francisco (PDR), Goossen, Carolyn (PDR)

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Kelly,

Enclosed you'll find the recusal motion and a declaration, which we e-filed today. We think they're very strong – thanks for your help.

I think it's worth sending this to the advocates, and also to media contacts at KQED, the Sac Bee, and whomever else you're in communication with. The AG will have to respond to this, and we'd like some public pressure before I make calls there to discuss the case.

Best,
Daniel

Daniel Olmos | Partner
Nolan Barton & Olmos, LLP
600 University Avenue, Palo Alto, CA 94301
p: (650) 326-2980 | f: (650) 326-9704
430 D Street, Davis, CA 95616
p: (530) 341-0576

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Subject: Everyday Injustice - Podcast with Sajid Khan Santa Clara DA Candidate; Stanislaus Deputy Shooting of Homeless Man Poster Case for How Not to Handle Such Encounters

Date: Monday, July 19, 2021 at 7:00:32 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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"For more than eight minutes, Mr. Gonzalez refused to comply with lawful orders to surrender," the sheriff said. "After repeated attempts to de-escalate the situation, deputies used less lethal rounds and canine in an attempt to detain him."

Everyday Injustice Newsletter - July 19, 2021

Stanislaus Deputy Shooting of Homeless Man Poster Case for How Not to Handle Such Encounters

Ever want to see a case that screams for reimaging policing and either a co-responder or CAHOOTS model approach, watch the 12 minute video of Eloy Gonzalez getting by Stanislaus County Deputies.

Here's my column from this weekend...

Modesto, CA – Longtime Civil Rights Attorney John Burris held a press conference on Thursday regarding the 2020 shooting of Eloy Gonzalez by two Stanislaus County Sheriff Deputies. I have since watched the nearly 13-minute body cam footage. It's appalling.

There is absolutely no reason that a man should have been killed by sheriff's deputies in this encounter. I would argue this is a poster case for having trained mental health responders rather than armed police officers responding, or at least co-responding, to mental health cases.

There is a phrase you hear a lot regarding police shooting—lawful but awful. It reflects the fact that, in most states, use-of-force laws allow for the use of deadly force if the officer fears for his life.

In the video, the deputy mentions he thinks he sees a knife. They claim there was a hatchet he was reaching for. Under California law with stricter standards on when officers can shoot to kill, it is more gray as to whether it was lawful, but it was definitely awful and unnecessary.

Under California SB 1421, police agencies are required to turn over body cam footage of officer-involved shootings. One thing that stands out, Stanislaus County Sheriff Jeff Dirkse was able to try to frame the issue with an opening introduction rather than just showing the public the raw footage without editorial content.

That might be something the state legislature wants to look at.

The sheriff noted that deputies were responding to a break in call at a business park in unincorporated Stanislaus County just outside of Modesto. They came across Eloy Gonzalez.

"For more than eight minutes, Mr. Gonzalez refused to comply with lawful orders to surrender," the sheriff said. "After repeated attempts to de-escalate the situation, deputies used less lethal rounds and canine in an attempt to detain him.

"Mr. Gonzalez resisted and struggled, it was during this struggle that deputies suddenly saw a hatchet in his hand and he actively swung it at the deputies and the canine," he said.

I saw things quite a bit different. Don't take my word for it—see for yourself in the video ([here](#)).

As I saw it, watching the video, the deputies come across a homeless person. They have the light on him, his hands are up, there are no weapons on him. They order him out and he fails to comply with the order.

Read the full piece here - <https://www.davisvanguard.org/2021/07/my-view-stanislaus-deputy-shooting-of-homeless-man-poster-case-for-how-not-to-handle-such-encounters/>

Criminal Justice News/ Commentary

Monday Morning Thoughts: How Is This the Fault of the DA?

A Chronicle editorial points out that "visceral anecdotes drive crime news and perceptions." But, as we have pointed out several times over the last month, crime is not going up.

[Read More](#)

Everyday Injustice Podcast Episode 116: Santa Clara DA Candidate Sajid Khan

His announcement follows events of a year ago last summer when, in response a pointed column by Khan, Santa Clara DA Jeff Rosen threatened to initiate whistleblower retaliation proceedings against the Santa

[Read More](#)

Plea Tracker: What the Wilson Center Hopes to Learn from Plea Negotiations

Durham County (NC) District Attorney Satana Deberry and Berkshire County (MA) District Attorney Andrea Harrington have partnered with the Wilson Center for Science and Justice at Duke Law to help design and

[Read More](#)

FACTS VS FICTION: KPFA Episode Looks at Funding Fueling SF DA Chesa Boudin Recall Campaign

Last week, listener-funded talk radio and music radio station, 94.1 KPFA released an episode discussing the origins of the Chesa Boudin recall campaign.

[Read More](#)

California Department of Justice Will Investigate Officer-Related Shooting on Hollywood Boulevard

The clock had not yet struck noon on Hollywood Boulevard before shots rang out in the morning of July 15. While responding to a 911 call about a man “armed with a gun,”

[Read More](#)

Supervisors Delay Vote for Plan to Transfer ‘Serious’ Juvenile Offenders to Santa Clarita.

A motion instructing juvenile detention facilities, Camps Joseph Scott and Kenyon Scudder, both located in Santa Clarita, to be renovated within 90 days so that the facilities can be used by this juvenile offender

[Read More](#)

Nominations Now Open For the Vanguard Justice Awards!

September 8 is coming soon. That means you should purchase your tickets (since we only have 80 of them) for the Vanguard Justice Awards Gala. Should be a great event.

[Read More](#)

COVID CDCR and Jail Dashboards

Vaccinations for CDCR Population & Staff Remains Stagnant at 71% and 51% Respectively

Our daily run down on the COVID cases in the California Prison System (CDCR)

[Read More](#)

New COVID-19 Cases Continue to Emerge in Bay Area County Jails; Vaccine Uptake

Remains Low

Our daily run down on the COVID cases in selective County Jails

[Read More](#)

Court Watch Coverage

Bail Denied for Defendant in Retrial of Conviction from 2019 – ‘Safety’ of Community Cited

Defendant Sekou Honablezh, here Friday in Sacramento County Superior Court after his 2019 conviction and 25 years to life sentence were reversed, was denied bail because the court’s concerns about public safety.

[Read More](#)

Man Granted Pro-Per Status on the Eve of Murder Trial – Case Continued to August

On the eve of his co-defendant trial set for last Friday in Sacramento County Superior Court, Ledonne Drake Thursday requested to represent himself yet again after previously asking for counsel in 2019.

[Read More](#)

Victim Survives Being Shot 13 Times in Own Home – Testifies at Prelim for Alleged Shooter

A victim testified here in Alameda County Superior Court last week that he was shot a total of 13 times in the middle of making dinner in his trailer home, and that Daniel Louis Araiza, at his preliminary hearing here, is the one who shot

[Read More](#)

Defense Requests Felony be Reduced to Misdemeanor Because Client was in Wheelchair; Judge Declines Motion

Public Defender Madelina Zepida argued here in an Alameda County Superior Court preliminary hearing last week that Kent Harris, who was in a wheelchair with physical and mental health issues at the time of an

[Read More](#)

Judge Gets Irritated at Defense Counsel When Multiple Defendants Do Not Appear Despite the Court’s Order to Do So

Private Attorney Brian Vogel was in Ventura County Superior Court Dept. 14 Friday for several preliminary hearings for his clients – and he drew the judge's wrath.

[Read More](#)

Everyday Injustice - Podcast

see our podcasts

Everyday Injustice Podcast Episode 116: Santa Clara DA Candidate Sajid Khan

His announcement follows events of a year ago last summer when, in response a pointed column by Khan, Santa Clara DA Jeff Rosen threatened to initiate whistleblower retaliation proceedings against the Santa

[Read More](#)

Everyday Injustice Podcast Episode 115: Donald Watson's New Lease on Life Through SB 1437

Donald Watson was convicted of felony murder but thanks to SB 1437, the law by Nancy Skinner that allows people convicted of murder who were not the actual killer or major participants to petition for resentencing, Watson

[Read More](#)

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Yolo County Court Watch: <https://avanan.url-protection.com/v1/url?o=https%3A//www.facebook.com/groups/yolojudicialwatch/&g=MzMwNzgxM2RkNjNkNmJhZg==&h=OGJiMmRmNzdkNDNiMzczYTRhOGQzMGE1YTUxNTQ5N2IxNDVINDc2M2U4NGE3M2I4ZGQ2NWQ4MjIwZjQzYzUyZg==&p=YXAzOnNmZHQyOmF2YW5hbGpvOml4YzZhZDk4ODY5YWI1YjAxYTU1NDBmN2E2ZDhIOTdkOnYx>

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1432660796849531/&g=OWM2NjA1YmM5ZDAyZmE4Yw==&h=MWYzYTg3ZmYzNTZhMDczOTY3YjZIMDI5Y2M4NGEwZTFhN2Q2OTU4NjRiZWZmZTJlODVjMzZlZmZmNzBhMjVhNA==&p=YXAzOnNmZHQyOmF2YW5hbGpvOml4YzZhZDk4ODY5YWI1YjAxYTU1NDBmN2E2ZDhlOTdkOnYx

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Subject: Re: Join the The Vanguard Justice Award Gala
Date: Monday, July 19, 2021 at 6:26:30 PM British Summer Time
From: Rodarmel, Danica (PDR)
To: Goossen, Carolyn (PDR), Ibarra, Valerie (PDR)
Attachments: image001.png

No worries – let's just buy tix to the one event!

From: Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>
Date: Friday, July 16, 2021 at 1:44 PM
To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>, Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: Join the The Vanguard Justice Award Gala

I don't think we can get reimbursed for something like this unfortunately!

From: "Rodarmel, Danica (PDR)" <danica.rodarmel@sfgov.org>
Date: Thursday, July 15, 2021 at 10:23 AM
To: "Goossen, Carolyn (PDR)" <carolyn.goossen@sfgov.org>, "Ibarra, Valerie (PDR)" <valerie.ibarra@sfgov.org>
Subject: Re: Join the The Vanguard Justice Award Gala

Should we just do the Adachi Sponsorship level and see if the office will pay any portion?

https://davisvanguard.networkforgood.com/events/32033-the-vanguard-justice-award-gala-sponsorship?utm_campaign=dms_email_blast_1306940

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Date: Thursday, July 15, 2021 at 10:20 AM
To: Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>, Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: Join the The Vanguard Justice Award Gala

Me too!

From: Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>
Date: Wednesday, July 14, 2021 at 5:54 PM

To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>, Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: Join the The Vanguard Justice Award Gala

Yes! I'm happy to shell out the 100 bucks and go.

From: "Rodarmel, Danica (PDR)" <danica.rodarmel@sfgov.org>
Date: Wednesday, July 14, 2021 at 1:09 PM
To: "Ibarra, Valerie (PDR)" <valerie.ibarra@sfgov.org>, "Goossen, Carolyn (PDR)" <carolyn.goossen@sfgov.org>
Subject: FW: Join the The Vanguard Justice Award Gala

Some of us should definitely go, right?

From: David Greenwald <mail@networkforgood.com>
Date: Wednesday, July 14, 2021 at 1:00 PM
To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Subject: Join the The Vanguard Justice Award Gala

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The Vanguard is re-launching its Justice Awards with an in-person Gala at the classy Darling Aviary.

The Vanguard Justice Award Gala

Featuring Attorney Curtis Briggs on Chief Stankewitz wrongful incarceration

September 8, 2021 - 6 pm at Darling Aviary 712 K St, Sacramento, CA 95814 - Sacramento

Tickets are \$100 for general admission which includes complimentary drinks and appetizers.

Tickets

Tickets

Interested in being a sponsor for this event?

You can purchase a sponsorship level ticket here: tiny.cc/gala_spons

Sponsorship tickets will grant you recognition at the event, on the program, and on the Vanguard website.

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Subject: RE: Without a Trial Courtroom, SF Judge Issues Case Continuances En Masse | Davis Vanguard
Date: Sunday, July 18, 2021 at 7:26:14 PM British Summer Time
From: Calloway, Peter (PDR)
To: Ibarra, Valerie (PDR), Raju, Manohar (PDR), Tan, Stephanie (PDR)

Thanks for flagging. I was actually considering reaching out to David about this. It would have been good to have been asked to comment--they pulled probably the worst quote from my argument, and there's much more to say isn't covered in the article. Also, I don't think they should be using our clients' names without asking us first, even though it's public information. Here, it adds nothing to the story.

If you agree, do you want to raise these points with him or should I?

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

From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Sent: Sunday, July 18, 2021 9:34 AM

To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>; Raju, Manohar (PDR) <manohar.raju@sfgov.org>; Calloway, Peter (PDR) <peter.calloway@sfgov.org>; Tan, Stephanie (PDR) <stephanie.tan@sfgov.org>

Subject: Without a Trial Courtroom, SF Judge Issues Case Continuances En Masse | Davis Vanguard

FYI - All of you are quoted/mentioned in this:

<https://www.davisvanguard.org/2021/07/without-a-trial-courtroom-sf-judge-issues-case-continuances-en-masse/>

Sent from my iPhone

Subject: Automatic reply: Without a Trial Courtroom, SF Judge Issues Case Continuances En Masse | Davis Vanguard

Date: Sunday, July 18, 2021 at 5:34:16 PM British Summer Time

From: Tan, Stephanie (PDR)

To: Ibarra, Valerie (PDR)

Please note I will be out of office from Thursday, July 15 to Wednesday, July 21. I will respond to your email as soon as possible after I return.

Subject: Without a Trial Courtroom, SF Judge Issues Case Continuances En Masse | Davis Vanguard

Date: Sunday, July 18, 2021 at 5:34:13 PM British Summer Time

From: Ibarra, Valerie (PDR)

To: Ibarra, Valerie (PDR), Raju, Manohar (PDR), Calloway, Peter (PDR), Tan, Stephanie (PDR)

FYI - All of you are quoted/mentioned in this:

<https://www.davisvanguard.org/2021/07/without-a-trial-courtroom-sf-judge-issues-case-continuances-en-masse/>

Sent from my iPhone

Subject: Without a Trial Courtroom, SF Judge Issues Case Continuances En Masse | Davis Vanguard

Date: Sunday, July 18, 2021 at 5:34:12 PM British Summer Time

From: valerie.ibarra@sfgov.org

To: Valerie Ibarra, Manohar Raju, Peter Calloway, Stephanie Tan

FYI - All of you are quoted/mentioned in this:

<https://www.davisvanguard.org/2021/07/without-a-trial-courtroom-sf-judge-issues-case-continuances-en-masse/>

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Subject: Re: Join the The Vanguard Justice Award Gala
Date: Friday, July 16, 2021 at 9:44:35 PM British Summer Time
From: Goossen, Carolyn (PDR)
To: Rodarmel, Danica (PDR), Ibarra, Valerie (PDR)
Attachments: image001.png

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Date: Wednesday, July 14, 2021 at 1:09 PM
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Subject: Join the The Vanguard Justice Award Gala

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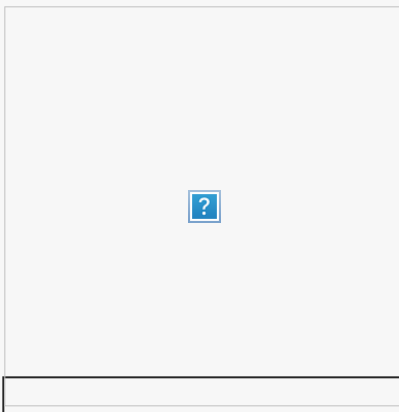


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Subject: Everyday Injustice - Family Sues Stanislaus County Sheriff For Killing Mentally Disturbed Homeless Man
Date: Friday, July 16, 2021 at 7:01:19 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"These officers wrongfully shot and killed an obviously mentally impaired homeless man. Instead of de-escalating the situation the officers were needlessly aggressive and confrontational, firing multiple gunshots into Mr. Gonzalez Jr.," Civil Rights Attorney John Burris charged.

Everyday Injustice Newsletter - July 16, 2021

Another Wrongful Conviction Case

The case of Lionel Tholmer goes back 35 years. It is a case punctuated by faulty investigations, bad police work, and both police and prosecutorial misconduct.

Vanguard Interns Lauren Smith, Alexander Ramirez and Ramneet Singh spent months going through the vast documents of this decades old case.

The Lionel Ernest Tholmer Story: Decades Incarcerated and Might Be Not Guilty

By Alexander Ramirez, Ramneet Singh and Lauren Smith

After about 35 years incarcerated, Lionel Ernest Tholmer, convicted of murdering a mother and her three-year-old child as well as his ex-wife's stepfather, may be not guilty.

According to the National Registry of Exonerations, if Tholmer were to be exonerated today, he would walk out of prison after having served more time than all but 18 of the 2,796 men and women who spent the longest time in prison for a wrongful conviction.

John Meadows

On November 7, 1985 the body of John Meadows was found in a brushy area near Foresthill Road. Tholmer, who was 27 at the time, claimed that Meadows lured him into the dark secluded area and drew a gun on him, forcing him to defend himself.

After a struggle over the weapon, Meadows was shot two times, with the weapon discharging three times. Tholmer stated that he then fled the area by car, having no idea what the extent of the injuries were.

The next day, Tholmer inquired around town as to whether any of Meadows' family or friends had seen the man, but when no one stated they had, he went back to the site of their altercation and found Meadows dead a relatively short distance from where the shooting had occurred.

Panicked that the police wouldn't believe that he shot Meadows in self-defense, Tholmer retrieved a can of gas from his trunk and burned Meadows' lifeless body in an effort to hide any potential evidence of his involvement.

Read the full article [here](#)

Criminal Justice News/ Commentary

Family Sues Stanislaus County Sheriff For Killing Mentally Disturbed Homeless Man

Instead of de-escalating the situation when called to respond to a potential burglary call, attorneys for the family of Eloy Gonzalez believe that the sheriff's deputies unnecessarily escalated the situation, and then

[Read More](#)

ACLU Helps Detroit Man Sue City After Facial Recognition Software Leads to Wrongful Arrest; Tech Appears to Fail People of Color More Often

A Detroit man who was falsely charged – using troubling facial recognition software – in 2019 for shoplifting at a Shinola store – now, with the ACLU's help, he's now suing Detroit police.

[Read More](#)

San Francisco Mayor, Police Chief Reassure Public City Safe Despite Faulty Reading of Crime Statistics

San Francisco Mayor London Breed and San Francisco Police Chief Bill Scott this week appeared together at a press conference to assure the public that most crime in the city is down or comparable to

[Read More](#)

Chesa Boudin's Podcast Returns for a Second Season

San Francisco District Attorney Chesa Boudin and Rachel Marshall this week premiered season two of their criminal justice podcast, Chasing Justice, with an important episode concerning life sentencing and the parole process.

[Read More](#)

CA Governor Signs API Equity Budget in Response to Rising Anti-AAPI Hate Crime

Ever since the beginning of the COVID-19 pandemic last year, anti-AAPI violence and hate crimes have skyrocketed and show no sign of stopping.

[Read More](#)

Nominations Now Open For the Vanguard Justice Awards!

September 8 is coming soon. That means you should purchase your tickets (since we only have 80 of them) for the Vanguard Justice Awards Gala. Should be a great event.

[Read More](#)

COVID CDCR and Jail Dashboards

Vaccinations for CDCR Population & Staff Remains Stagnant at 71% and 51% Respectively

Our daily run down on the COVID cases in the California Prison System (CDCR)

[Read More](#)

New COVID-19 Cases Continue to Emerge in Bay Area County Jails; Vaccine Uptake Remains Low

Our daily run down on the COVID cases in selective County Jails

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Court Watch Coverage

Judge Sets Bail for Alleged Stalker with Heavy Drinking Problem at \$52.5K, Cites Public Safety Concern

The defense and prosecution had a heated exchange over whether to set bail in the case of defendant Johnny Garcia here in Yolo County Superior Court this week – Garcia didn't make out too well.

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Interpreters for Non-English Speaking Defendants Exposes Toll of Language Barriers in Court Proceedings

On a particularly busy day here in Sacramento County Superior Court this week, several non-English defendants stood out, as the presence of barriers in communication caused delays in their court proceedings.

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All Defendants Not Created Equal – Two Robbery Suspects Free, But Other Defendant Facing \$1 Million Bail

All defendants are not created equal. Defendant Billy Fobbs found that out this week in Sacramento County Superior Court, where his lawyer's motion to reduce bail was denied, despite Fobbs allegedly

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Victim Impromptu Statement Refutes Defendant's Sobriety, Causes Judge to Change Order

A victim's impromptu statement to the judge here this week in San Francisco County Superior Court resulted in a change of circumstances for defendant William G. Brunner.

[Read More](#)

Judge Approves No Bail Motion, Cites Danger to Community and Victim

At a pre-preliminary hearing and arraignment for new felony charges, Fresno County Superior Court Judge Francine Zepeda this week granted a prosecution motion to set no bail for a defendant already accused of

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Genuine Confusion at Trial: Trial Delayed as Mental State of Alleged Victim's Mother Becomes Key to Clarifying Sex Assault Allegation

Complications involving a victim's sexual assault case arose in a jury trial here in Alameda County Superior Court – there was reference to spotty communication with the victim's mother, who struggles with

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Defense Charges Plea by Defendant 'Tantamount to Life Sentence,' Asks for Mercy – Judge Declines

Defendant Beau Mike Burnette was sentenced here Wednesday in Riverside County Superior Court to more than 30 years in jail for four crimes committed in 2018 – his lawyer said it would mean Burnette

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Parties Disagree over Necessity of 2nd Mental Health Evaluation for Military Vet Charged with Armed Robbery

At the preliminary hearing for Russell Wallace here Thursday, presided over by Santa Barbara County Superior Court Judge Brian Hill, Deputy District Attorney Adam Howland expressed the need for

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Everyday Injustice - Podcast

[see our podcasts](#)

Everyday Injustice Podcast Episode 115: Donald Watson's New Lease on Life

Through SB 1437

Donald Watson was convicted of felony murder but thanks to SB 1437, the law by Nancy Skinner that allows people convicted of murder who were not the actual killer or major participants to petition for resentencing, Watson

[Read More](#)

Everyday Injustice Podcast Episode 114 – Silverio Strong From Incarceration to Redemption

Silverio Strong spent 32 years incarcerated off and on from the time he was 12. Finally, he got involved in a robbery and attempted murder and received a 20 year sentence. On Everyday Injustice he talks about going from the

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[o=https%3A/www.facebook.com/davisvanguard/&g=MmU0MjMyYmE3NmMyOTM0ZA==&h=NGMzZmM4M2Y3MzJhNjliYTczOGVmZDhkMGFjNjA5NTIzZWZkMDYxNjM4N2NmYjM4M2lyZWVlNWwMxMDViNTUwMQ==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmFIYzZcwNWZhNWJiZGRlODJlM2E4ZWlwZDcxZDMxMzAyOnYx](https://avanan.url-protection.com/v1/url?o=https%3A/www.facebook.com/davisvanguard/&g=MmU0MjMyYmE3NmMyOTM0ZA==&h=NGMzZmM4M2Y3MzJhNjliYTczOGVmZDhkMGFjNjA5NTIzZWZkMDYxNjM4N2NmYjM4M2lyZWVlNWwMxMDViNTUwMQ==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmFIYzZcwNWZhNWJiZGRlODJlM2E4ZWlwZDcxZDMxMzAyOnYx)

Yolo County Court Watch: [https://avanan.url-protection.com/v1/url?](https://avanan.url-protection.com/v1/url?o=https%3A/www.facebook.com/groups/yolojudicialwatch/&g=NjlhMGNmOGM2MDBkZTk3ZQ==&h=ZDY0NTdkZmM0NGQyZmM0OTVhYThtINDE3NDZhY2YzNmE2ZTA4OGUzYmRiNWQ4OTJmNTVjZGUwNmU5OWI1YjZhMw==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmFIYzZcwNWZhNWJiZGRlODJlM2E4ZWlwZDcxZDMxMzAyOnYx)

[o=https%3A/www.facebook.com/groups/yolojudicialwatch/&g=NjlhMGNmOGM2MDBkZTk3ZQ==&h=ZDY0NTdkZmM0NGQyZmM0OTVhYThtINDE3NDZhY2YzNmE2ZTA4OGUzYmRiNWQ4OTJmNTVjZGUwNmU5OWI1YjZhMw==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmFIYzZcwNWZhNWJiZGRlODJlM2E4ZWlwZDcxZDMxMzAyOnYx](https://avanan.url-protection.com/v1/url?o=https%3A/www.facebook.com/groups/yolojudicialwatch/&g=NjlhMGNmOGM2MDBkZTk3ZQ==&h=ZDY0NTdkZmM0NGQyZmM0OTVhYThtINDE3NDZhY2YzNmE2ZTA4OGUzYmRiNWQ4OTJmNTVjZGUwNmU5OWI1YjZhMw==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmFIYzZcwNWZhNWJiZGRlODJlM2E4ZWlwZDcxZDMxMzAyOnYx)

Sacramento Court Watch: [https://avanan.url-protection.com/v1/url?](https://avanan.url-protection.com/v1/url?o=https%3A/www.facebook.com/Sacramento-Court-Watch-1432660796849531/&g=OTU2YWE1NGY1ZDQ5NjNhYg==&h=OWE2NjI0YmEzMThjNjAyY2I5YWM1NmYxYTthY2RjNTlmlNGVkdMDAxNzcyMWM3ZjM4ZWVlZWZkZDc2ZjFhNWY1ZGRkNg==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmFIYzZcwNWZhNWJiZGRlODJlM2E4ZWlwZDcxZDMxMzAyOnYx)

[o=https%3A/www.facebook.com/Sacramento-Court-Watch-1432660796849531/&g=OTU2YWE1NGY1ZDQ5NjNhYg==&h=OWE2NjI0YmEzMThjNjAyY2I5YWM1NmYxYTthY2RjNTlmlNGVkdMDAxNzcyMWM3ZjM4ZWVlZWZkZDc2ZjFhNWY1ZGRkNg==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmFIYzZcwNWZhNWJiZGRlODJlM2E4ZWlwZDcxZDMxMzAyOnYx](https://avanan.url-protection.com/v1/url?o=https%3A/www.facebook.com/Sacramento-Court-Watch-1432660796849531/&g=OTU2YWE1NGY1ZDQ5NjNhYg==&h=OWE2NjI0YmEzMThjNjAyY2I5YWM1NmYxYTthY2RjNTlmlNGVkdMDAxNzcyMWM3ZjM4ZWVlZWZkZDc2ZjFhNWY1ZGRkNg==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmFIYzZcwNWZhNWJiZGRlODJlM2E4ZWlwZDcxZDMxMzAyOnYx)

Twitter: [https://avanan.url-protection.com/v1/url?](https://avanan.url-protection.com/v1/url?o=https%3A/twitter.com/DavisVanguard&g=ZTc0NDk2ZjMxODQyZDFmYg==&h=MDVmZDVhYjlyM2M5YjhmMDMwYWE0MTAyMTJmMDczNWw2ZTlyMTljZmE3N2Q1MWFjY2VhN2Y4ZjJhN2Y2OWY0OQ==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmFIYzZcwNWZhNWJiZGRlODJlM2E4ZWlwZDcxZDMxMzAyOnYx)

[o=https%3A/twitter.com/DavisVanguard&g=ZTc0NDk2ZjMxODQyZDFmYg==&h=MDVmZDVhYjlyM2M5YjhmMDMwYWE0MTAyMTJmMDczNWw2ZTlyMTljZmE3N2Q1MWFjY2VhN2Y4ZjJhN2Y2OWY0OQ==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmFIYzZcwNWZhNWJiZGRlODJlM2E4ZWlwZDcxZDMxMzAyOnYx](https://avanan.url-protection.com/v1/url?o=https%3A/twitter.com/DavisVanguard&g=ZTc0NDk2ZjMxODQyZDFmYg==&h=MDVmZDVhYjlyM2M5YjhmMDMwYWE0MTAyMTJmMDczNWw2ZTlyMTljZmE3N2Q1MWFjY2VhN2Y4ZjJhN2Y2OWY0OQ==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmFIYzZcwNWZhNWJiZGRlODJlM2E4ZWlwZDcxZDMxMzAyOnYx)

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[o=http%3A/www.youtube.com/davisvanguard&g=NmUzNmEyOTcyNDkxOWNiYQ==&h=Y2JjZTUyNTU1NWNkODAwZjc3MTU5MzE2OGRiMGM2ODU1N2IwOTewZjExN2VjOTQ4YjJhN2YyYjZlN2UwM2Y5MA==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmFIYzZcwNWZhNWJiZGRlODJlM2E4ZWlwZDcxZDMxMzAyOnYx](https://avanan.url-protection.com/v1/url?o=http%3A/www.youtube.com/davisvanguard&g=NmUzNmEyOTcyNDkxOWNiYQ==&h=Y2JjZTUyNTU1NWNkODAwZjc3MTU5MzE2OGRiMGM2ODU1N2IwOTewZjExN2VjOTQ4YjJhN2YyYjZlN2UwM2Y5MA==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmFIYzZcwNWZhNWJiZGRlODJlM2E4ZWlwZDcxZDMxMzAyOnYx)

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Subject: RE: Public Defender Office Proposes New Guidelines for Police Stops in San Francisco | Davis Vanguard
Date: Friday, July 16, 2021 at 6:55:11 PM British Summer Time
From: Ibarra, Valerie (PDR)
To: Goossen, Carolyn (PDR)

I will. I'm trimming spelling for twitter, but will put it on all platforms. For FB, should we add some thanks/acknowledgements? If so, who?

From: Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>
Sent: Friday, July 16, 2021 10:54 AM
To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: Public Defender Office Proposes New Guidelines for Police Stops in San Francisco | Davis Vanguard

Please do across all social media!

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From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Sent: Friday, July 16, 2021 10:50:00 AM
To: Raju, Manohar (PDR) <manohar.raju@sfgov.org>; Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>
Cc: Cox, Brian (PDR) <brian.cox@sfgov.org>; PUBDEF-Integrity <PUBDEF-Integrity@sfgov.org>; Gonzalez, Matt (PDR) <matt.gonzalez@sfgov.org>; Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Subject: RE: Public Defender Office Proposes New Guidelines for Police Stops in San Francisco | Davis Vanguard

Will do. Thank you.

FINAL -

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<https://www.davisvanguard.org/2021/07/public-defenders-office-proposes-new-guidelines-for-police-stops-in-san-francisco/>

From: Raju, Manohar (PDR) <manohar.raju@sfgov.org>

Sent: Friday, July 16, 2021 10:45 AM

To: Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>

Cc: Cox, Brian (PDR) <brian.cox@sfgov.org>; Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>; PUBDEF-Integrity <PUBDEF-Integrity@sfgov.org>; Gonzalez, Matt (PDR) <matt.gonzalez@sfgov.org>; Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>

Subject: Re: Public Defender Office Proposes New Guidelines for Police Stops in San Francisco | Davis Vanguard

Looks good. Pls post Valerie.

Sent from my iPhone

On Jul 16, 2021, at 9:32 AM, Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org> wrote:

I made 3 small edits for the tweet:

Also fyi -- once we develop a strong community coalition to fight for this (which John Hamasaki and I are working on), we'll do something for the press in collaboration with John, who is our partner on this!

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From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Sent: Thursday, July 15, 2021 6:52 PM
To: Ibarra, Valerie (PDR); Raju, Manohar (PDR); PUBDEF-Integrity; Goossen, Carolyn (PDR); Gonzalez, Matt (PDR); Rodarmel, Danica (PDR)
Subject: Public Defender Office Proposes New Guidelines for Police Stops in San Francisco | Davis Vanguard

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Date: Friday, July 16, 2021 at 6:53:36 PM British Summer Time

From: Goossen, Carolyn (PDR)

To: Ibarra, Valerie (PDR)

Please do across all social media!

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Subject: Automatic reply: Public Defender Office Proposes New Guidelines for Police Stops in San Francisco | Davis Vanguard
Date: Friday, July 16, 2021 at 6:50:01 PM British Summer Time
From: Rodarmel, Danica (PDR)
To: Ibarra, Valerie (PDR)

Hello! I am out of the office until Monday July 19. If this is an urgent matter, please contact Carolyn Goosen at carolyn.goosen@sfgov.org

Warmly, Danica

Subject: RE: Public Defender Office Proposes New Guidelines for Police Stops in San Francisco | Davis Vanguard

Date: Friday, July 16, 2021 at 6:50:00 PM British Summer Time

From: Ibarra, Valerie (PDR)

To: Raju, Manohar (PDR), Goossen, Carolyn (PDR)

CC: Cox, Brian (PDR), PUBDEF-Integrity, Gonzalez, Matt (PDR), Rodarmel, Danica (PDR)

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To: Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>

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Subject: Re: Public Defender Office Proposes New Guidelines for Police Stops in San Francisco | Davis Vanguard

Date: Friday, July 16, 2021 at 6:45:29 PM British Summer Time

From: Raju, Manohar (PDR)

To: Goossen, Carolyn (PDR)

CC: Cox, Brian (PDR), Ibarra, Valerie (PDR), PUBDEF-Integrity, Gonzalez, Matt (PDR), Rodarmel, Danica (PDR)

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Subject: Public Defender Office Proposes New Guidelines for Police Stops in San Francisco | Davis Vanguard

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<https://www.davisvanguard.org/2021/07/public-defenders-office-proposes-new-guidelines-for-police-stops-in-san-francisco/>

Subject: Re: Public Defender Office Proposes New Guidelines for Police Stops in San Francisco | Davis Vanguard

Date: Friday, July 16, 2021 at 5:40:43 PM British Summer Time

From: Raju, Manohar (PDR)

To: Goossen, Carolyn (PDR)

CC: Cox, Brian (PDR), Ibarra, Valerie (PDR), PUBDEF-Integrity, Gonzalez, Matt (PDR), Rodarmel, Danica (PDR)

Ok. I'll respond after noon.

Sent from my iPhone

On Jul 16, 2021, at 9:32 AM, Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org> wrote:

I made 3 small edits for the tweet:

Also fyi -- once we develop a strong community coalition to fight for this (which John Hamasaki and I are working on), we'll do something for the press in collaboration with John, who is our partner on this!

*My office **proposed** new policies to end **racially biased pretextual** police traffic stops **that disproportionately impact** largely target **poor people and people of color**. ~~as a pretext for unlawful searches~~. We **must invest in our communities instead of ensnaring them in a destructive system over minor traffic issues**. ~~Offenses avenues for police to exercise racial bias remove their authority to exercise racial bias and ensnare people in the system~~. @sfdefender <https://www.davisvanguard.org/2021/07/public-defenders-office-proposes-new-guidelines-for-police-stops-in-san-francisco/>*

On Jul 15, 2021, at 7:08 PM, Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org> wrote:

Yes. Brian presented these ideas at police commission and we are now starting to build support for these changes. Happy to support on a social media post about this if helpful.

From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Sent: Thursday, July 15, 2021 6:52 PM

To: Ibarra, Valerie (PDR); Raju, Manohar (PDR); PUBDEF-Integrity; Goossen, Carolyn (PDR); Gonzalez, Matt (PDR); Rodarmel, Danica (PDR)

Subject: Public Defender Office Proposes New Guidelines for Police Stops in San Francisco | Davis Vanguard

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<https://www.davisvanguard.org/2021/07/public-defenders-office-proposes-new-guidelines-for-police-stops-in-san-francisco/>

Subject: RE: Public Defender Office Proposes New Guidelines for Police Stops in San Francisco | Davis Vanguard

Date: Friday, July 16, 2021 at 5:38:18 PM British Summer Time

From: Dillon, Zachary (PDR)

To: Goossen, Carolyn (PDR), Cox, Brian (PDR), Ibarra, Valerie (PDR)

I just want to point out that Greenwald might have used "sweeping" too much in that article

From: Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>

Sent: Friday, July 16, 2021 9:33 AM

To: Cox, Brian (PDR) <brian.cox@sfgov.org>; Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Cc: Raju, Manohar (PDR) <manohar.raju@sfgov.org>; PUBDEF-Integrity <PUBDEF-Integrity@sfgov.org>; Gonzalez, Matt (PDR) <matt.gonzalez@sfgov.org>; Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>

Subject: Re: Public Defender Office Proposes New Guidelines for Police Stops in San Francisco | Davis Vanguard

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Sent: Thursday, July 15, 2021 6:52 PM

To: Ibarra, Valerie (PDR); Raju, Manohar (PDR); PUBDEF-Integrity; Goossen, Carolyn (PDR); Gonzalez, Matt (PDR); Rodarmel, Danica (PDR)

Subject: Public Defender Office Proposes New Guidelines for Police Stops in San Francisco | Davis Vanguard

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<https://www.davisvanguard.org/2021/07/public-defenders-office-proposes-new-guidelines-for-police-stops-in-san-francisco/>

Subject: Re: Public Defender Office Proposes New Guidelines for Police Stops in San Francisco | Davis Vanguard

Date: Friday, July 16, 2021 at 5:32:39 PM British Summer Time

From: Goossen, Carolyn (PDR)

To: Cox, Brian (PDR), Ibarra, Valerie (PDR)

CC: Raju, Manohar (PDR), PUBDEF-Integrity, Gonzalez, Matt (PDR), Rodarmel, Danica (PDR)

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Sent: Thursday, July 15, 2021 6:52 PM
To: Ibarra, Valerie (PDR); Raju, Manohar (PDR); PUBDEF-Integrity; Goossen, Carolyn (PDR); Gonzalez, Matt (PDR); Rodarmel, Danica (PDR)
Subject: Public Defender Office Proposes New Guidelines for Police Stops in San Francisco | Davis Vanguard

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Subject: RE: Public Defender Office Proposes New Guidelines for Police Stops in San Francisco | Davis Vanguard
Date: Friday, July 16, 2021 at 4:42:05 PM British Summer Time
From: Cox, Brian (PDR)
To: Ibarra, Valerie (PDR), Goossen, Carolyn (PDR)
CC: Raju, Manohar (PDR), PUBDEF-Integrity, Gonzalez, Matt (PDR), Rodarmel, Danica (PDR)

Small edits:

My office has proposed new policies to end ~~pretextual police~~ traffic stops that disproportionately impact largely target poor people and people of color. as a pretext for unlawful searches. We must invest in our communities instead of ensnaring them in a destructive system over minor traffic offenses avenues for police to exercise racial bias remove their authority to exercise racial bias and ensnare people in the system.
@sfdefender
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Sent: Thursday, July 15, 2021 6:52 PM
To: Ibarra, Valerie (PDR); Raju, Manohar (PDR); PUBDEF-Integrity; Goossen, Carolyn (PDR); Gonzalez, Matt (PDR); Rodarmel, Danica (PDR)
Subject: Public Defender Office Proposes New Guidelines for Police Stops in San Francisco | Davis Vanguard

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Subject: Re: Public Defender Office Proposes New Guidelines for Police Stops in San Francisco | Davis Vanguard
Date: Friday, July 16, 2021 at 6:22:38 AM British Summer Time
From: Ibarra, Valerie (PDR)
To: Goossen, Carolyn (PDR)
CC: Raju, Manohar (PDR), PUBDEF-Integrity, Gonzalez, Matt (PDR), Rodarmel, Danica (PDR)

Tweet draft / thought — but I defer to those here who've worked closely on this to advise on the proper message / main point:

My office has proposed new policies to end police traffic stops which largely target people of color as a pretext for unlawful searches. We must remove their authority to exercise racial bias and ensnare people in the system.

@sfdefender

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To: Ibarra, Valerie (PDR); Raju, Manohar (PDR); PUBDEF-Integrity; Goossen, Carolyn (PDR); Gonzalez, Matt (PDR); Rodarmel, Danica (PDR)

Subject: Public Defender Office Proposes New Guidelines for Police Stops in San Francisco | Davis Vanguard

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Subject: Re: Public Defender Office Proposes New Guidelines for Police Stops in San Francisco | Davis Vanguard

Date: Friday, July 16, 2021 at 3:08:45 AM British Summer Time

From: Goossen, Carolyn (PDR)

To: Ibarra, Valerie (PDR), Raju, Manohar (PDR), PUBDEF-Integrity, Gonzalez, Matt (PDR), Rodarmel, Danica (PDR)

Yes. Brian presented these ideas at police commission and we are now starting to build support for these changes. Happy to support on a social media post about this if helpful.

From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Sent: Thursday, July 15, 2021 6:52 PM

To: Ibarra, Valerie (PDR); Raju, Manohar (PDR); PUBDEF-Integrity; Goossen, Carolyn (PDR); Gonzalez, Matt (PDR); Rodarmel, Danica (PDR)

Subject: Public Defender Office Proposes New Guidelines for Police Stops in San Francisco | Davis Vanguard

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<https://www.davisvanguard.org/2021/07/public-defenders-office-proposes-new-guidelines-for-police-stops-in-san-francisco/>

Subject: Public Defender Office Proposes New Guidelines for Police Stops in San Francisco | Davis Vanguard
Date: Friday, July 16, 2021 at 2:52:31 AM British Summer Time
From: Ibarra, Valerie (PDR)
To: Ibarra, Valerie (PDR), Raju, Manohar (PDR), PUBDEF-Integrity, Goossen, Carolyn (PDR), Gonzalez, Matt (PDR), Rodarmel, Danica (PDR)

Seems like it would be good do some social media with this one. Cc'ing Integrity for any insights.

<https://www.davisvanguard.org/2021/07/public-defenders-office-proposes-new-guidelines-for-police-stops-in-san-francisco/>

Subject: Public Defender Office Proposes New Guidelines for Police Stops in San Francisco | Davis Vanguard
Date: Friday, July 16, 2021 at 2:52:30 AM British Summer Time
From: valerie.ibarra@sfgov.org
To: Valerie Ibarra, Manohar Raju, PUBDEF-Integrity, Carolyn Goossen, Matt Gonzalez, Danica Rodarmel

Seems like it would be good do some social media with this one. Cc'ing Integrity for any insights.

<https://www.davisvanguard.org/2021/07/public-defenders-office-proposes-new-guidelines-for-police-stops-in-san-francisco/>

Subject: Re: Defendant Misses Court Date After Allegedly Being Kidnapped in El Salvador - Judge
Unsympathetic | Davis Vanguard

Date: Friday, July 16, 2021 at 1:56:58 AM British Summer Time

From: Saini, Nikita (PDR)

To: Ibarra, Valerie (PDR)

Thank you!!!

Sent from my iPhone

> On Jul 15, 2021, at 5:45 PM, Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org> wrote:

>

> Your case:

> <https://www.davisvanguard.org/2021/07/defendant-misses-court-date-after-allegedly-being-kidnapped-in-el-salvador-judge-unsympathetic/>

>

>

> Sent from my iPhone

Subject: Defendant Misses Court Date After Allegedly Being Kidnapped in El Salvador - Judge Unsympathetic
| Davis Vanguard

Date: Friday, July 16, 2021 at 1:45:21 AM British Summer Time

From: Ibarra, Valerie (PDR)

To: Ibarra, Valerie (PDR), Saini, Nikita (PDR)

Your case:

<https://www.davisvanguard.org/2021/07/defendant-misses-court-date-after-allegedly-being-kidnapped-in-el-salvador-judge-unsympathetic/>

Sent from my iPhone

Subject: Defendant Misses Court Date After Allegedly Being Kidnapped in El Salvador - Judge Unsympathetic
| Davis Vanguard

Date: Friday, July 16, 2021 at 1:45:20 AM British Summer Time

From: valerie.ibarra@sfgov.org

To: Valerie Ibarra, Nikita Saini

Your case:

<https://www.davisvanguard.org/2021/07/defendant-misses-court-date-after-allegedly-being-kidnapped-in-el-salvador-judge-unsympathetic/>

Sent from my iPhone

Subject: Everyday Injustice - Vanguard Investigation into 30 Year Old Homicide Case Finds Probable Wrongful Conviction
Date: Thursday, July 15, 2021 at 7:02:30 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Michelle Monterrosa, sister of Sean Monterrosa who was killed by a Vallejo police officer last year. "For far too long, California has needed a system that holds police officers accountable for their actions. This bill is necessary to protect the safety of communities, and we will not let up the pressure until this bill is passed and signed into law because police who harm us do not belong on our streets."

Everyday Injustice Newsletter - July 15, 2021

**CA Measure to
'Decertify' Law Enforcement Officers for Serious Misconduct
Receives Another Committee Test in the Assembly**

Passes Another Committee Test in the Assembly

The California State Assembly Public Safety Committee approved a measure here Wednesday that would “decertify” law enforcement officers who engage in serious misconduct and limit their immunity if sued in civil court.

Senate Bill 2, known as the Kenneth Ross Jr. Decertification Act, passed 6-2 and moved to the Assembly Appropriations Committee.

SB 2, a new incarnation of last year’s SB 731, is authored by State Senator Steve Bradford and co-sponsored by the Let Us Live Coalition – a coalition of families impacted by police violence and community, legal and advocacy organizations.

“Every person deserves to feel safe in their community,” said Ellie Virrueta, a member of the Let Us Live coalition and the CA S.T.O.P. Coalition.

“Yet, police officers are enabled to abuse their power and terrorize Black and Brown communities because there is no process to take them off the streets when they engage in misconduct. We cannot be safe in our communities as long as officers who harm us remain on our streets. California legislators did the right thing by voting to move SB 2 forward.”

According to the coalition, California is one of only four states that does not have a process to decertify police officers who engage in serious misconduct, including murder.

The coalition has charged this has “allowed cops who abuse their power to bounce from one police department to another and remain on our streets doing harm to our communities without consequence,” quoting a Yale study that documented “wandering officers” who move from one agency to the next are “significantly more likely than officers who have never been fired to incur complaints of serious misconduct.”

Proponents say SB 2 will create a multilayer system of due process protection fair to officers and ensures that a police badge can no longer serve as a shield for accountability by permanently removing officers who engage in serious misconduct from active duty.

The six-step process involves a community advisory board that while predominantly led by people with law enforcement experience also includes academics, non-profit representatives, and two members who have been impacted by police violence.

“This incorporation of community voice into the process is designed to ensure public trust in the process. As was recently seen in Washington State, making sure community representation is robust at the outset, will avoid California having to revisit the law in later years. SB 2 also ensures that officers no longer have absolute immunity protections for injuring people who are incarcerated, refusing to provide medical care and planting evidence,” said the coalition.

Full article [here](#).

Criminal Justice News/ Commentary

The Lionel Ernest Tholmer Story: Decades in Jail and Might be Not Guilty

After about 35 years incarcerated, Lionel Ernest Tholmer, convicted of murdering a mother and her three-year-old child, as well as his ex-wife’s stepfather, may be not guilty.

[Read More](#)

Commentary: Countering the Narrative on Crime Increase

Recently a pro-law enforcement publication (Law Officer) put out a blurb arguing that the 80 percent of the cities with the largest murder rate increase were led by Democratic Mayors. Meanwhile cities with Republican leaders

[Read More](#)

Senators Unveil Federal Marijuana Justice Measure – Still Grounded in Divisive Ideas

Legislative change allows for a big opportunity for marijuana justice, but drug testing provisions and exclusionary language in the current draft of the bill intended to be inclusive, might actually be excluding individuals.

[Read More](#)

Lamar Johnson Denied Petition to Overturn Murder Conviction – He Swears He Did Not Commit Crime, Confessed Shooters Even Say He Didn't Do It

After nearly 26 years of incarceration, Lamar Johnson, who has been serving life without parole, has been denied a petition to overturn his conviction for a murder he swears he didn't commit.

[Read More](#)

Key Committee OKs CA Senator Scott Wiener's Bill to Decriminalize Sex Work-Related Loitering

The Safer Streets for All Act – a measure that would decriminalize “loitering with the intent to engage in prostitution” – passed the Assembly Public Safety Committee here by a vote of 6-2.

[Read More](#)

CA Measure to ‘Decertify’ Law Enforcement Officers for Serious Misconduct Passes Another Committee Test in the Assembly

The California State Assembly Public Safety Committee approved a measure here Wednesday that would “decertify” law enforcement officers who engage in serious misconduct and limit their immunity if sued in civil court.

[Read More](#)

Nominations Now Open For the Vanguard Justice Awards!

September 8 is coming soon. That means you should purchase your tickets (since we only have 80 of them) for the Vanguard Justice Awards Gala. Should be a great event.

[Read More](#)

COVID CDCR and Jail Dashboards

Vaccinations for CDCR Population & Staff Remains Stagnant at 71% and 51% Respectively

Our daily run down on the COVID cases in the California Prison System (CDCR)

[Read More](#)

New COVID-19 Cases Continue to Emerge in Bay Area County Jails; Vaccine Uptake Remains Low

Our daily run down on the COVID cases in selective County Jails

[Read More](#)

Court Watch Coverage

DIRTY LAUNDRY: Business Owner, Police Officer Testify in Laundromat Burglary and Vandalism Trial

Earlier this year, on Jan. 6, a man entered a laundromat in Woodland at precisely 7 a.m. And, within minutes of the business opening for the day, the laundromat owner received a call from her alarm system

[Read More](#)

Defendant Misses Court Date After Allegedly Being Kidnapped in El Salvador – Judge Unsympathetic

Judge Richard Darwin of San Francisco County Superior Court refused Tuesday to provide any alternatives to a monetary bail for a defendant who claims he missed court because he was kidnapped in El

[Read More](#)

Craigslist Nightmare: Victim Assaulted Over Tool Sale

It might be called a “Craigslist Nightmare”—an unhappy buyer of a tool on Craigslist was in Sacramento County Superior Court Wednesday, accused of felony aggravated assault and battery on the 63-year-old seller of that tool.

[Read More](#)

Defendant Asks to Represent Self with Trial Less Than a Week Away – Trial Continued

With his trial set to start in less than a week, defendant Andrew Duenas informed Judge Joseph Orr in Dept. 63 of the Sacramento County Superior Court on Tuesday afternoon he was going to represent himself.

[Read More](#)

Defendant Violates DUI Probation Condition; Judge Deliberates Out Loud, Gives Defendant Another Chance to Avoid Jail

While Judge Julia Snyder from Ventura County Superior Court was reluctant to assign work release for defendant Chelsea Morgan Kennedy after she violated her probation trying to drive intoxicated, the judge

[Read More](#)

Restaurant Owner on Trial for Child Molestation: Wednesday Testimony

Nearly four years in the making, a jury trial began here in Riverside County Superior Court Wednesday for 53-year-old restaurant owner, Ronald Lynn Maestas, who is accused of sexually abusing a minor.

[Read More](#)

Judge Dismisses Case after Alleged Victim Admits She Falsely Accused Ex-Boyfriend of Rape

In a case from a year ago August, a defendant’s ex-girlfriend initially told the police that the defendant had raped her. But at the preliminary hearing here in Riverside County Superior Court Tuesday, she admitted she had lied.

[Read More](#)

Everyday Injustice - Podcast
see our podcasts

Everyday Injustice Podcast Episode 115:

Donald Watson's New Lease on Life Through SB 1437

Donald Watson was convicted of felony murder but thanks to SB 1437, the law by Nancy Skinner that allows people convicted of murder who were not the actual killer or major participants to petition for resentencing, Watson

[Read More](#)

Everyday Injustice Podcast Episode 114 – Silverio Strong From Incarceration to Redemption

Silverio Strong spent 32 years incarcerated off and on from the time he was 12. Finally, he got involved in a robbery and attempted murder and received a 20 year sentence. On Everyday Injustice he talks about going from the

[Read More](#)

Davis Vanguard | 530-400-2512 | [Email](#) | [Website](#)

Follow the Vanguard on social media

Vanguard on Facebook: [https://avanan.url-protection.com/v1/url?](https://avanan.url-protection.com/v1/url?o=https%3A//www.facebook.com/davisvanguard/&g=NjEwNmI3ZjRjOWYxMzE0OQ==&h=NGZkM2Y1MDFiY2ViY2ZhZjU5ZjhjMGFIMzM3NGQzMjFIZjMwNjc4ZDQ0ZTVINmNIZmVhODczYTE2MTZkZTNjZQ==&p=YXAzOnNmZHQyOmF2YW5hbJpvOjc4ZjVjYjUwYTM0YTM1ODlwZmVjZGZjZjUyMDMyOTBmOnYx)

[o=https%3A//www.facebook.com/davisvanguard/&g=NjEwNmI3ZjRjOWYxMzE0OQ==&h=NGZkM2Y1MDFiY2ViY2ZhZjU5ZjhjMGFIMzM3NGQzMjFIZjMwNjc4ZDQ0ZTVINmNIZmVhODczYTE2MTZkZTNjZQ==&p=YXAzOnNmZHQyOmF2YW5hbJpvOjc4ZjVjYjUwYTM0YTM1ODlwZmVjZGZjZjUyMDMyOTBmOnYx](https://avanan.url-protection.com/v1/url?o=https%3A//www.facebook.com/davisvanguard/&g=NjEwNmI3ZjRjOWYxMzE0OQ==&h=NGZkM2Y1MDFiY2ViY2ZhZjU5ZjhjMGFIMzM3NGQzMjFIZjMwNjc4ZDQ0ZTVINmNIZmVhODczYTE2MTZkZTNjZQ==&p=YXAzOnNmZHQyOmF2YW5hbJpvOjc4ZjVjYjUwYTM0YTM1ODlwZmVjZGZjZjUyMDMyOTBmOnYx)

Yolo County Court Watch: [https://avanan.url-protection.com/v1/url?](https://avanan.url-protection.com/v1/url?o=https%3A//www.facebook.com/groups/yolojudicialwatch/&g=MWUzODM3MzA3OWRmMWY4NA==&h=ZjE3YTM3OTUwZjhlYjc3YTNmNGFjZDg2N2MzNjQ3NjNiMjQzMzBIMDVhNml2NzY2ZWQ2NGExOTY3ZDYwY2RlZQ==&p=YXAzOnNmZHQyOmF2YW5hbJpvOjc4ZjVjYjUwYTM0YTM1ODlwZmVjZGZjZjUyMDMyOTBmOnYx)

[o=https%3A//www.facebook.com/groups/yolojudicialwatch/&g=MWUzODM3MzA3OWRmMWY4NA==&h=ZjE3YTM3OTUwZjhlYjc3YTNmNGFjZDg2N2MzNjQ3NjNiMjQzMzBIMDVhNml2NzY2ZWQ2NGExOTY3ZDYwY2RlZQ==&p=YXAzOnNmZHQyOmF2YW5hbJpvOjc4ZjVjYjUwYTM0YTM1ODlwZmVjZGZjZjUyMDMyOTBmOnYx](https://avanan.url-protection.com/v1/url?o=https%3A//www.facebook.com/groups/yolojudicialwatch/&g=MWUzODM3MzA3OWRmMWY4NA==&h=ZjE3YTM3OTUwZjhlYjc3YTNmNGFjZDg2N2MzNjQ3NjNiMjQzMzBIMDVhNml2NzY2ZWQ2NGExOTY3ZDYwY2RlZQ==&p=YXAzOnNmZHQyOmF2YW5hbJpvOjc4ZjVjYjUwYTM0YTM1ODlwZmVjZGZjZjUyMDMyOTBmOnYx)

Sacramento Court Watch: [https://avanan.url-protection.com/v1/url?](https://avanan.url-protection.com/v1/url?o=https%3A//www.facebook.com/Sacramento-Court-Watch-1432660796849531/&g=NDhiYzhmMTQ4ZTk0ZWE2Mg==&h=MWI4OTBkNTc0MWM1NTUwMzc0OTVlYjdkOTFhN2ViMDI3MTQ1Y2E0NjdlZjgzNDBjMTY3ZjZhNDc2OWYxODA4OQ==&p=YXAzOnNmZHQyOmF2YW5hbJpvOjc4ZjVjYjUwYTM0YTM1ODlwZmVjZGZjZjUyMDMyOTBmOnYx)

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Subject: Re: Join the The Vanguard Justice Award Gala
Date: Thursday, July 15, 2021 at 6:23:08 PM British Summer Time
From: Rodarmel, Danica (PDR)
To: Goossen, Carolyn (PDR), Ibarra, Valerie (PDR)
Attachments: image001.png

Should we just do the Adachi Sponsorship level and see if the office will pay any portion?

https://davisvanguard.networkforgood.com/events/32033-the-vanguard-justice-award-gala-sponsorship?utm_campaign=dms_email_blast_1306940

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Date: Thursday, July 15, 2021 at 10:20 AM
To: Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>, Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: Join the The Vanguard Justice Award Gala

Me too!

From: Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>
Date: Wednesday, July 14, 2021 at 5:54 PM
To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>, Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: Join the The Vanguard Justice Award Gala

Yes! I'm happy to shell out the 100 bucks and go.

From: "Rodarmel, Danica (PDR)" <danica.rodarmel@sfgov.org>
Date: Wednesday, July 14, 2021 at 1:09 PM
To: "Ibarra, Valerie (PDR)" <valerie.ibarra@sfgov.org>, "Goossen, Carolyn (PDR)" <carolyn.goossen@sfgov.org>
Subject: FW: Join the The Vanguard Justice Award Gala

Some of us should definitely go, right?

From: David Greenwald <mail@networkforgood.com>
Date: Wednesday, July 14, 2021 at 1:00 PM
To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Subject: Join the The Vanguard Justice Award Gala

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The Vanguard is re-launching its Justice Awards with an in-person Gala at the classy Darling Aviary.

The Vanguard Justice Award Gala

Featuring Attorney Curtis Briggs on Chief Stankewitz wrongful incarceration

September 8, 2021 - 6 pm at Darling Aviary 712 K St, Sacramento, CA 95814 - Sacramento

Tickets are \$100 for general admission which includes complimentary drinks and appetizers.

Tickets

Tickets

Interested in being a sponsor for this event?

You can purchase a sponsorship level ticket here: tiny.cc/gala_spons

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Subject: Re: Join the The Vanguard Justice Award Gala
Date: Thursday, July 15, 2021 at 6:20:11 PM British Summer Time
From: Rodarmel, Danica (PDR)
To: Goossen, Carolyn (PDR), Ibarra, Valerie (PDR)
Attachments: image001.png

Me too!

From: Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>
Date: Wednesday, July 14, 2021 at 5:54 PM
To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>, Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: Join the The Vanguard Justice Award Gala

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From: "Rodarmel, Danica (PDR)" <danica.rodarmel@sfgov.org>
Date: Wednesday, July 14, 2021 at 1:09 PM
To: "Ibarra, Valerie (PDR)" <valerie.ibarra@sfgov.org>, "Goossen, Carolyn (PDR)" <carolyn.goossen@sfgov.org>
Subject: FW: Join the The Vanguard Justice Award Gala

Some of us should definitely go, right?

From: David Greenwald <mail@networkforgood.com>
Date: Wednesday, July 14, 2021 at 1:00 PM
To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Subject: Join the The Vanguard Justice Award Gala

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Subject: Digest for covidhabeas@googlegroups.com - 2 updates in 2 topics

Date: Thursday, July 15, 2021 at 7:06:22 AM British Summer Time

From: covidhabeas@googlegroups.com

To: Digest recipients

covidhabeas@googlegroups.com

Google Groups

Topic digest

[View all topics](#)

- [FW: Join the The Vanguard Justice Award Gala](#) - 1 Update
- [FW: STATUS UPDATE FOR SAN QUENTIN INMATE - MR. WILLIE BOLDEN, E94314](#) - 1 Update

[FW: Join the The Vanguard Justice Award Gala](#)

"Rodarmel, Danica (PDR)" <danica.rodarmel@sfgov.org>: Jul 14 08:10PM

Hi Folks-

Just wanted to get this on everybody's radar. The Davis Vanguard did such a great job of covering the r

Danica

From: David Greenwald <mail@networkforgood.com>

Date: Wednesday, July 14, 2021 at 1:00 PM

To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>

Subject: Join the The Vanguard Justice Award Gala

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[Image]

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FW: STATUS UPDATE FOR SAN QUENTIN INMATE - MR. WILLIE BOLDEN, E94314

"O'Hanlon, Christine" <COHanlon@marincounty.org>: Jul 14 04:06PM

From: Janis Haynes <janis55@bellsouth.net>

Sent: Tuesday, July 13, 2021 5:37 PM

Subject: STATUS UPDATE FOR SAN QUENTIN INMATE - MR. WILLIE BOLDEN, E94314

Mr. Bolden has advised me to get this information regarding Covid-19 status at San Quentin State Prison.

A memorandum dated July 12, 2021 has been circulated among the inmates. Here is the gist of this memo:

The memo is dated July 12, 2021, from: Trina Yumang, PHN and being sent to: Allison Pachynski, CME

Subject: Covid-19 Case in North Block

"There has been 1 positive case reported in North block & Covid-19 tests are being offered to those who have not been vaccinated & any residents that would like to be tested. Please report if you are having the following symptoms: headaches, sneezing, runny nose, persistent cough, sore throat, & fever. Please continue to practice social distancing, wearing masks & sanitizing procedures."

Rumor has it that it is the "variant strain" of Covid.

PLEASE CONFIRM RECEIPT OF THIS EMAIL.

Thanks,

J. Haynes

Janis M. Haynes

318 518-2012 (cell)

Email: janis55@bellsouth.net<<mailto:janis55@bellsouth.net>>

Philippians 4:6-7

Email Disclaimer: <https://www.marincounty.org/main/disclaimers>

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Subject: Guest Commentary: Coerced Out of Justice – How Prosecutors Abuse Their Power to Secure Guilty Pleas | Davis Vanguard

Date: Thursday, July 15, 2021 at 6:18:35 AM British Summer Time

From: Ibarra, Valerie (PDR)

To: Ibarra, Valerie (PDR)

Mano retweeted. Add to roundup.

<https://www.davisvanguard.org/2021/07/guest-commentary-coerced-out-of-justice-how-prosecutors-abuse-their-power-to-secure-guilty-pleas/>

Sent from my iPhone

Subject: Guest Commentary: Coerced Out of Justice – How Prosecutors Abuse Their Power to Secure Guilty Pleas | Davis Vanguard

Date: Thursday, July 15, 2021 at 6:18:34 AM British Summer Time

From: valerie.ibarra@sfgov.org

To: Valerie Ibarra

Mano retweeted. Add to roundup.

<https://www.davisvanguard.org/2021/07/guest-commentary-coerced-out-of-justice-how-prosecutors-abuse-their-power-to-secure-guilty-pleas/>

Sent from my iPhone

Subject: Re: Vanguard Award Nominations

Date: Thursday, July 15, 2021 at 5:34:58 AM British Summer Time

From: Ibarra, Valerie (PDR)

To: David M. Greenwald

Thank you. I passed it around when I first saw it, but will circle it around again. Appreciate it.

Sent from my iPhone

On Jul 14, 2021, at 9:45 AM, David M. Greenwald <info@davisvanguard.org> wrote:

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Hi Val -

Thought you might want to pass this around - we are looking for nominations by August 7

<https://www.davisvanguard.org/2021/07/nominations-now-open-for-the-vanguard-justice-awards/>

--

David M. Greenwald
Executive Director
[The People's Vanguard of Davis](#)

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Log on daily to get the latest news, commentary, and information about the city of Davis, Yolo County, and the Sacramento Region.

"Journalism is printing what someone else does not want printed: everything else is public relations."
— George Orwell

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Follow us on Twitter: <https://twitter.com/DavisVanguard>

Subject: D11 on 7/26 at 9am - "Got mail?"

Date: Thursday, July 15, 2021 at 4:46:41 AM British Summer Time

From: Ibarra, Valerie (PDR)

To: David M. Greenwald

Hi David --

Wanted to tip off your crew for a nutty case being handled by DPD Patrick Geddes. The next court date is 7/26 at 9am in D11. Even if the client doesn't make it to court, Mr. Geddes will be making a record.

"Got mail?" -- The client is a homeless Black man who was masked and walking down the street in the middle of the afternoon when he encountered a female Postal Worker. The facts are not disputed: he put out his hand in an open begging gesture and said to her, "Got mail?" She kind of panicked and thought he was trying to rob her, so she handed him the mail she was carrying. Then he apparently looked at her satchel, which she took to mean that he wanted its contents, so she reached in and handed him the parcel. She ran back to her mail truck and called the police. It wasn't actually a stick up, but she got scared because he had "a crazy look" in his eye. He's being charged with 530.5 as a felony, and 496. Mail theft.

--

Valerie Ibarra
Public Information Officer
San Francisco Public Defender's Office
Valerie.Ibarra@sfgov.org
(628)249-7946
SFPublicDefender.org/Media

Subject: Re: Join the The Vanguard Justice Award Gala
Date: Thursday, July 15, 2021 at 1:54:53 AM British Summer Time
From: Goossen, Carolyn (PDR)
To: Rodarmel, Danica (PDR), Ibarra, Valerie (PDR)
Attachments: image001.png

Yes! I'm happy to shell out the 100 bucks and go.

From: "Rodarmel, Danica (PDR)" <danica.rodarmel@sfgov.org>
Date: Wednesday, July 14, 2021 at 1:09 PM
To: "Ibarra, Valerie (PDR)" <valerie.ibarra@sfgov.org>, "Goossen, Carolyn (PDR)" <carolyn.goossen@sfgov.org>
Subject: FW: Join the The Vanguard Justice Award Gala

Some of us should definitely go, right?

From: David Greenwald <mail@networkforgood.com>
Date: Wednesday, July 14, 2021 at 1:00 PM
To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Subject: Join the The Vanguard Justice Award Gala

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Image removed by sender. Image



The Vanguard is re-launching its Justice Awards with an in-person Gala at the classy Darling Aviary.

The Vanguard Justice Award Gala

Featuring Attorney Curtis Briggs on Chief Stankewitz wrongful incarceration

September 8, 2021 - 6 pm at Darling Aviary 712 K St, Sacramento, CA 95814 - Sacramento

Tickets are \$100 for general admission which includes complimentary drinks and appetizers.

Tickets

Tickets

Interested in being a sponsor for this event?

You can purchase a sponsorship level ticket here: tiny.cc/gala_spons

Sponsorship tickets will grant you recognition at the event, on the program, and on the Vanguard website.

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Subject: Re: Join the The Vanguard Justice Award Gala
Date: Thursday, July 15, 2021 at 12:01:52 AM British Summer Time
From: Goossen, Carolyn (PDR)
To: Rodarmel, Danica (PDR), Ibarra, Valerie (PDR)
Attachments: image001.png

No idea

Get [Outlook for iOS](#)

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Sent: Wednesday, July 14, 2021 3:58:50 PM
To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>; Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>
Subject: Re: Join the The Vanguard Justice Award Gala

Nope.

From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Date: Wednesday, July 14, 2021 at 3:53 PM
To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>, Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>
Subject: Re: Join the The Vanguard Justice Award Gala

Do you know if anyone from our office has been nominated or nominated anyone?

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Sent: Wednesday, July 14, 2021 1:09 PM
To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>; Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>
Subject: FW: Join the The Vanguard Justice Award Gala

Some of us should definitely go, right?

From: David Greenwald <mail@networkforgood.com>
Date: Wednesday, July 14, 2021 at 1:00 PM
To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Subject: Join the The Vanguard Justice Award Gala

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Image

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Subject: Re: Join the The Vanguard Justice Award Gala
Date: Wednesday, July 14, 2021 at 11:58:50 PM British Summer Time
From: Rodarmel, Danica (PDR)
To: Ibarra, Valerie (PDR), Goossen, Carolyn (PDR)
Attachments: image001.png

Nope.

From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Date: Wednesday, July 14, 2021 at 3:53 PM
To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>, Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>
Subject: Re: Join the The Vanguard Justice Award Gala

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Date: Wednesday, July 14, 2021 at 1:00 PM
To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Subject: Join the The Vanguard Justice Award Gala

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Subject: Re: Join the The Vanguard Justice Award Gala
Date: Wednesday, July 14, 2021 at 11:53:23 PM British Summer Time
From: Ibarra, Valerie (PDR)
To: Rodarmel, Danica (PDR), Goossen, Carolyn (PDR)
Attachments: image002.png

Do you know if anyone from our office has been nominated or nominated anyone?

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Sent: Wednesday, July 14, 2021 1:09 PM
To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>; Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>
Subject: FW: Join the The Vanguard Justice Award Gala

Some of us should definitely go, right?

From: David Greenwald <mail@networkforgood.com>
Date: Wednesday, July 14, 2021 at 1:00 PM
To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Subject: Join the The Vanguard Justice Award Gala

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Image

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Subject: FW: Join the The Vanguard Justice Award Gala
Date: Wednesday, July 14, 2021 at 9:09:33 PM British Summer Time
From: Rodarmel, Danica (PDR)
To: Ibarra, Valerie (PDR), Goossen, Carolyn (PDR)
Attachments: image002.png

Some of us should definitely go, right?

From: David Greenwald <mail@networkforgood.com>
Date: Wednesday, July 14, 2021 at 1:00 PM
To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Subject: Join the The Vanguard Justice Award Gala

Image

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Subject: Join the The Vanguard Justice Award Gala
Date: Wednesday, July 14, 2021 at 9:00:07 PM British Summer Time
From: David Greenwald
To: valerie.ibarra@sfgov.org

Image

Image

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Subject: Everyday Injustice - SF Public Defender Pushes To End Pretextual Stops; Arizona Judge Rules in Defendant's Favor to Stop Future Execution
Date: Wednesday, July 14, 2021 at 7:00:11 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"Almost any driver or pedestrian, if observed for long enough, will commit a low-level traffic infraction," the policy notes. "A traffic stop, then, can become a way for officers to investigate the driver or passengers for evidence of otherwise not obvious criminal activity."

Everyday Injustice Newsletter - July 14, 2021

Sajid Khan Is Running For DA, It Was a Year Ago He Published This Column

This past week Sajid Khan announced he was running for DA in Santa Clara County. On June 3, 2020, the Vanguard published his guest column "[Meet You at the DA's Office](#)." Little did he realize that this would cause such a furor, that it would lead the DA to claim he was being threatened, institute whistleblower retaliation charges against Khan, and ultimately cause the DA to bakdown.

I interviewed Sajid Khan yesterday for an upcoming podcast and he said that this incident was not the major reason for him running, rather it was an overall criticism of the office under DA Rosen.

Still this piece and what happened next forms an important context for what should be one of the more interesting DA races in the state and indeed the country over the next 12 months.

Here's a portion of that piece...

Guest Commentary: Meet You at the DA's Office

by Sajid Khan

In this moment, we appropriately unleash our anger and frustration at police departments across the country for their continued brutality, violence and harassment imposed upon black people. But to best honor George Floyd, we should fire our very righteous outrage, fury and ire at District Attorney's offices

too.

DA's offices everywhere are the umbrella organization tasked with enforcement of laws and the prosecution of crimes- police officers and the departments they work for are merely the agents of prosecutors. In combination and together, prosecutors and police form the machine of law enforcement that has exacted a massive toll on and dehumanized black communities in our country for centuries- police officers terrorizing and arresting black people and handing them in shackles to DA's offices for the ultimate and further stripping of their individual and collective humanity.

When police officers act flagrantly in violation of the constitution and our laws- when they illegally stop and frisk a black man walking on our city streets, when they racially profile and pull a car over driven by a black man without reasonable suspicion, when they beat, choke, punch, baton, tase, unleash dogs upon, shoot at and/or kill black men who pose no imminent threat- it is the DA's office that is responsible for prosecuting those police crimes or at the very least not endorsing that callous and illegal behavior by using the fruits of those unlawful police intrusions as part of their prosecutions.

But that's not what happens. Instead, DA's offices regularly and customarily overlook, justify and promote illegal, unconstitutional police misbehavior by using illegally collected evidence in their prosecutions and by actively and stubbornly opposing 4th amendment suppression motions brought by public defenders and defense attorneys in our courts. They regularly and customarily do not prosecute police officers who use unreasonable, excessive force and brutal violence against black men. In fact, prosecutors actively and affirmatively protect and shield the police from liability by prosecuting the very black victims of police violence on trumped up crimes like resisting arrest and assault on a police officer. If George Floyd had somehow survived Derek Chauvin squeezing the life out of him, the local DA's office surely would've prosecuted Mr. Floyd for resisting arrest and likely for assaulting the cop. So be mad at the police, but be even madder at the DA's offices that perpetuate and protect them.

For the rest - [go here](#).

Criminal Justice News/ Commentary

Public Defenders Office Proposes New Guidelines For Police Stops in San Francisco

In a sweeping policy proposal the San Francisco Public Defender's Office last week submitted a policy proposal to the Department of Police Accountability (DPA) with a goal of ending racist traffic stops in San Francisco.

[Read More](#)

Small Business Owners Challenge Tennessee Law Discriminating Against Transgender and Intersex People

A federal judge in Tennessee has blocked a law requiring businesses to post a warning sign if they allow transgender people to use public restrooms that match their gender.

[Read More](#)

Arizona Judge Rules in Defendant's Favor to Stop Future Execution.

Arizona Supreme Court Chief Justice Brutinel Monday vacated, and refused to modify, a briefing schedule filed in May that could have resulted in an execution warrant.

[Read More](#)

California Attorney General Rob Bonta Files Amicus Brief in Support of Voting Protections

California Attorney General Rob Bonta has filed a friend-of-the-court amicus brief in *City of Santa Monica v. Pico Neighborhood Association* to urge the California Supreme Court to affirm key protections included in

[Read More](#)

Nominations Now Open For the Vanguard Justice Awards!

September 8 is coming soon. That means you should purchase your tickets (since we only have 80 of them) for the Vanguard Justice Awards Gala. Should be a great event.

[Read More](#)

COVID CDCR and Jail Dashboards

Vaccinations for CDCR Population & Staff Remains Stagnant at 71% and 51% Respectively

Our daily run down on the COVID cases in the California Prison System (CDCR)

[Read More](#)

New COVID-19 Cases Continue to Emerge in Bay Area County Jails; Vaccine Uptake Remains Low

Our daily run down on the COVID cases in selective County Jails

[Read More](#)

Court Watch Coverage

Defendant with Mental Disabilities Held in Jail After Alleged Felony Stalking of Grandfather's Roommate

Defendant Robert Husted's intellectual disabilities did not prevent Yolo County Superior Court Judge David Reed this week from holding Husted to account for stalking his grandfather's roommate, but the judge

[Read More](#)

Judge Won't Set Bail – even \$200K – for Defendant with 'Egregious' Rap Sheet

Bail was denied defendant Dreyshawn Augustus because of his "egregious" rap sheet – according to prosecutor Ashley Pane – here Monday in Sacramento County Superior Court, Dept. 61.

[Read More](#)

Man Lured Into Pulling Over to Help Stranded Family, Ends Up Robbed at Gunpoint – Suspect Held Without Bail

Earlier this year, a man pulled over on the highway to help what seemed to be a stranded family. In the end, he ended up being robbed of \$1,500 at gunpoint.

[Read More](#)

Preliminary Goes Good, and Bad for Suspect; Now Facing Drug Trial

The good news for defendant Ronald Nelson here in a preliminary hearing at San Francisco County Superior Court is that afterwards the heroin charge was dismissed – the bad news is that he now has a fentanyl charge.

[Read More](#)

Creative Defense Counsel Successfully Convinces Judge to Reduce DUI Suspensions

Defense Attorney Bill Mackler – using a creative argument that, in the end, benefitted his clients – argued Monday that the punishments being imposed by the Santa Barbara County Superior Court were

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Trial Wraps Up; Cellphone Victim Said Took Blow to Head – Defendant Argues It Was Self Defense

[Read More](#)

see our podcasts

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Page 693 of 1838

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Subject: Vanguard Award Nominations

Date: Wednesday, July 14, 2021 at 5:45:12 PM British Summer Time

From: David M. Greenwald

To: Ibarra, Valerie (PDR)

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Hi Val -

Thought you might want to pass this around - we are looking for nominations by August 7

<https://www.davisvanguard.org/2021/07/nominations-now-open-for-the-vanguard-justice-awards/>

--

David M. Greenwald

Executive Director

[The People's Vanguard of Davis](#)

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Check out our Facebook page: <https://www.facebook.com/davisvanguard>

Follow us on Twitter: <https://twitter.com/DavisVanguard>

Subject: Davis Vanguard covered one of your bail hearings

Date: Wednesday, July 14, 2021 at 4:53:44 PM British Summer Time

From: valerie.ibarra@sfgov.org

To: Martina Avalos

<https://www.davisvanguard.org/2021/07/public-defender-blasts-sf-judge-over-no-bail-policy-in-courtroom-that-harkens-back-to-decades-ago/>

Sent from my iPhone

Subject: Everyday Injustice - How Will Changing Landscape Impact Reformer DA Candidates in 2022?
Date: Tuesday, July 13, 2021 at 7:00:33 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"We saw what happened at Neiman Marcus on Monday," Supervisor Ahsha Safai said, referring to a viral video of thieves bolting out of the Union Square store with luxury handbags. "I have personally witnessed people going in to drugstores with bags and emptying shelves. That is what is increasing."

Everyday Injustice Newsletter - July 13, 2021

Nominations Now Open For the Vanguard Justice Awards!

September 8 is coming soon. That means you should purchase your tickets (since we only have 80 of them) for the Vanguard Justice Awards Gala. Should be a great event.

We are now taking nominations until August 7 for nine categories:

Youth Social Justice
Formerly Incarcerated
Organization Award
Law School Award
Wrongful Conviction Award
Elected Official Award
Distinguished Attorney Away
Civil Rights Award
Lifetime Achievement Award.

When we first started our event back in 2011, we had Awards for groups like: the Northern California Innocence Project, the UC Davis Immigration Law Clinic, Cruz Reynoso and Jeff Adachi.

We even gave an award to the activists who were Pepper Sprayed at UC Davis back in 2011.

So send us your nominations today.

Nominate here: http://tiny.cc/gala_nominate

ALSO...

Get your tickets and consider becoming a sponsor for both of our great events this fall.

We only have about 80 tickets, they are \$100 each, get yours as soon as you can, because this event is easily going to sell out.

Tickets: [here](#).

Sponsorships are on a separate page - [here](#).

Criminal Justice News/ Commentary

Commentary: How Will Changing Landscape Impact Reformer DA Candidates in 2022?

In 2018, there were a number of progressive candidates for DA in California that emerged, but ultimately only Diana Becton of Contra Costa was successful. That was before a wave swept through the country by 2020, when

[Read More](#)

Criminal Justice Advocates Plead for President Biden to Abolish Death Penalty

Opposing President Joe Biden's stance surrounding the death penalty, his justice department recently endorsed the execution of Dzhokhar Tsarnaev and his older brother for the bombing of the Boston Marathon.

[Read More](#)

SF DA Criticizes Delay of Measure to Authorize Pilot Overdose Program for SF, Oakland, LA

It will be January before a pilot overdose program—authored by state Sen. Scott Wiener—will be heard in the Assembly Health Committee. The delay was criticized by San Francisco District Attorney Chesa Boudin and the bill's proponents.

[Read More](#)

Civil Rights Organizations Concerned About Police Accountability and Senate Legislation

A number of prominent civil rights organizations have sent a letter to Senate negotiators concerning police officer qualified immunity. They fear current Senate legislation may lead to "less police accountability, not more."

[Read More](#)

Vanguard Webinar: Featuring Special Guest Tony Serra (July 13)

Tony Serra is a legend and a one-of-a-kind, iconoclast attorney. Described as a courtroom brawler for the downtrodden, for the disenfranchised, for the impoverished, and the marginalized.

[Read More](#)

COVID CDCR and Jail Dashboards

Vaccinations for CDCR Population & Staff Remains Stagnant at 71% and 51% Respectively

Our daily run down on the COVID cases in the California Prison System (CDCR)

[Read More](#)

New COVID-19 Cases Continue to Emerge in Bay Area County Jails; Vaccine Uptake Remains Low

Our daily run down on the COVID cases in selective County Jails

[Read More](#)

Court Watch Coverage

Prosecutor Apologizes to Defendant Accused of Vehicular Manslaughter After DA is Unable to Secure Pre-Trial Resolution

In a very unusual scene at a pre-trial hearing held in Sacramento County Superior Court Monday, a prosecutor apologized to a defendant accused of vehicular manslaughter, as the prosecution was unable

[Read More](#)

Defendant Announces He's Representing Self Just Before Preliminary Hearing

Cordell Jones was charged with domestic violence, inflicting corporal injury to a spouse resulting in traumatic condition before Judge Augustin R. Jimenez in Sacramento County Superior Court Dept. 36 Monday.

[Read More](#)

Possible Revocation of Defendant's Plea Deal after Court Confuses Misdemeanor and Felony Probation

It all comes down to a do-over in Alameda County Superior Court Monday, after defendant Kevin Lagarde, here for a probation revocation hearing, took a plea deal only to find the court and prosecution confused his felony probation with

[Read More](#)

Cop 'Trained' Defendant Evaded Deputies on Rooftops during Chase

Chance William Morris was charged here in Riverside County Superior Court last week with allegedly violating probation terms and a restraining order—but before the self-described former police academy attendee was

[Read More](#)

Deputy Public Defender Blasts SF Judge Over No-Bail Policy in Courtroom that 'Harkens Back to Decades Ago'

San Francisco Deputy Public Defender Martina Avalos appeared to take Judge Richard C. Darwin to task for his ordering no bail for defendant Eric Anthony Jones last week here in San Francisco County Superior Court, Dept. 9.

[Read More](#)

Everyday Injustice - Podcast

[see our podcasts](#)

Everyday Injustice Podcast Episode 115: Donald Watson's New Lease on Life Through SB 1437

Donald Watson was convicted of felony murder but thanks to SB 1437, the law by Nancy Skinner that allows people convicted of murder who were not the actual killer or major participants to petition for resentencing, Watson

[Read More](#)

Everyday Injustice Podcast Episode 114 – Silverio Strong From Incarceration to

Redemption

Silverio Strong spent 32 years incarcerated off and on from the time he was 12. Finally, he got involved in a robbery and attempted murder and received a 20 year sentence. On Everyday Injustice he talks about going from the

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Yolo County Court Watch:

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Subject: Tony Serra Webinar Tomorrow, Sign Up Now!

Date: Monday, July 12, 2021 at 9:00:06 PM British Summer Time

From: David Greenwald

To: valerie.ibarra@sfgov.org

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Image

Vanguard Webinar: **Featuring Special Guest Tony Serra**

Image

Tony Serra is a legend and a one-of-a-kind,

iconoclast attorney. Described as a courtroom brawler for the downtrodden, for the disenfranchised, for the impoverished, and the marginalized.

Join the Vanguard Webinar on July 13 at noon for this one of a kind, living legend discussing his work and thoughts on the criminal legal system.

**July
13, 2021**

12 PM - 1 PM

Event is free –
[please register here](#)

RSVP

The Vanguard is re-launching its Justice Awards with an in-person Gala at the classy Darling Aviary.

Featuring Attorney Curtis Briggs on Chief Stankewitz wrongful incarceration

***September 8, 2021 - 6 pm at Darling
Aviary 712 K St, Sacramento, CA 95814
- Sacramento***

Purchase tickets here:
[***tiny.cc/vanguard_gala***](https://tiny.cc/vanguard_gala)

Interested in being a sponsor?
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Subject: Everyday Injustice - Public Defender Challenges Santa Clara DA; Judge Rules Against Sacramento
Date: Monday, July 12, 2021 at 7:00:36 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"I am running to be your district attorney because I am a commitment to healing, systemic racism," Khan said. "I am running to be your district attorney because I am a commitment to ending mass incarceration. I am running to be your district attorney because I am a commitment to ending mass incarceration."

Everyday Injustice Newsletter - July 12, 2021

Two AMAZING Fall Fundraising Events - Better Jump Quick

Back in 2011, we had our first annual event - it was a Dinner and Awards Ceremony. It combined a speaker program and awards for social justice contributions. It was great - but it was a long event and so by 2015, we decided to streamline the event and eliminated the awards.

But with the expansion of the Vanguard, this year we decided to bring them back - as separate events.

So -- on September 8 at 6 pm at the Darling Aviary in Sacramento, we are having an in-person Awards Gala.

The event will feature Curtis Briggs talking about the Chief Stankewitz case and we will give out 9 Vanguard Justice Awards. The nominations will begin next week and close on August 7.

We only have about 80 tickets, they are \$100 each, get yours as soon as you can, because this event is

easily going to sell out.

Tickets: [here](#).

Sponsorships are on a separate page - [here](#).

The second event is online, it is webinar style. We have pretty much unlimited capacity for that and it's only \$25.

On October 28, 2021, at 6 pm the Vanguard will have a separate 11th Annual Fundraiser - The Future of Criminal Justice Reform is Here

A webinar featuring:

Dr. Melina Abdullah, Co-Founder Black Lives Matter LA

Chesa Boudin, SF District Attorney

Jonathan Rapping, Founder and President of Gideon's Promise

Jody Armour - Professor of Law at USC

Want to attend them both? We have a discount: \$110. Again click [here](#).

Also, sponsorships are for both events! They start at \$250. But you get tickets for both plus recognition. And as you go up in sponsorship level, you get more tickets for each event.

Sponsorships are on a separate page - [here](#).

These events will help continue to fund our expanding programs. Space is very limited for September 8, so get your tickets as soon as possible.

Next week, I will likely to be emailing and contacting many of you for tickets and sponsorships.

Thanks for reading.

Criminal Justice News/ Commentary

Public Defender Will Challenge Rosen for Santa Clara District Attorney

A year ago last summer after a pointed column by Public Defender Sajid Khan, DA Jeff Rosen threatened to initiated whistleblower retaliation proceedings against the Santa Clara County Deputy Public

[Read More](#)

City of Sacramento Shot Down by Court in Attempt to Chill Free Speech of Critical Progressive Activist

The city of Sacramento's latest gambit to infringe on the rights of those expressing opinions city leaders don't like has failed – a Sacramento County Superior Court judge issued a tentative ruling Friday in favor of City Councilwoman

[Read More](#)

Everyday Injustice Podcast Episode 115: Donald Watson's New Lease on Life Through SB 1437

Donald Watson was convicted of felony murder but thanks to SB 1437, the law by Nancy Skinner that allows people convicted of murder who were not the actual killer or major participants to petition for resentencing, Watson

[Read More](#)

Is SF Crime Up THAT Much? Law Professor Sparks Discussion Surrounding Lack of Objective Journalism in Today's News Media

Responding to what he calls the San FranciscoChronicle's media sensationalism, criminal law professor Carissa Byrne Hessick took to Twitter to criticize various media outlets for their failure to

[Read More](#)

Despite Recall Campaign, District Attorney Chesa Boudin Refuses to Be Distracted

an Francisco District Attorney Chesa Boudin late last week held his first in-person event since the start of the pandemic in order to address questions from an audience at Manny's, a small cafe

[Read More](#)

Texas Bail Reform Bill Attracts Critics: Alec Karakatsanis and the Houston Chronicle

Texas Senators assembled late last week in a special session called by Gov. Greg Abbott to discuss 11 topics on his agenda—and Texas Republicans advanced a bail reform bill this weekend

[Read More](#)

ACLU, Legal Services of NorCal Oppose Plan in Chico to Force Homeless to Relocate to Airport Tarmac

The city of Chico has passed laws that required houseless people to relocate to a tarmac next to an airport runway outside of the city, an area that faces high temperatures, and is completely open to the elements as

[Read More](#)

Vanguard Webinar: Featuring Special Guest Tony Serra (July 13)

Tony Serra is a legend and a one-of-a-kind, iconoclast attorney. Described as a courtroom brawler for the downtrodden, for the disenfranchised, for the impoverished, and the marginalized.

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Vaccinations for CDCR Population & Staff Remains Stagnant at 71% and 51% Respectively

Our daily run down on the COVID cases in the California Prison System (CDCR)

[Read More](#)

New COVID-19 Cases Continue to Emerge in Bay Area County Jails; Vaccine Uptake Remains Low

Our daily run down on the COVID cases in selective County Jails

[Read More](#)

Court Watch Coverage

Judge Denies Second Request for Defendant in Sexual Assault Case to be Allowed to Work, Prioritizes Victim's Well-Being and Community's Safety

Julio Cesar Martinez appeared over Zoom before Judge Helena R. Gweon of the Sacramento County Superior Court for a preliminary hearing last Friday facing a host of charges, including three

[Read More](#)

Trial Proceeds – Wife Testifies Husband Assaulted Her While Driving Vehicle on Freeway

David Whittney Afuinau's wife shared her testimony regarding the alleged abuse she has experienced from her husband over the years at a trial here of Afuinau—facing battery and vandalism charges—in

[Read More](#)

Off-Record Work by All Parties on Display in Otherwise Slow Day in SF Court

San Francisco Superior Court Judge Harry Dorfman ruled on several cases involving probation programs and diversion efforts here Friday, but generally it was a slow day in Dept. 21.

[Read More](#)

Man Claims Changed Mind, Asks for Leniency – Judge Still Sentences Him to Two Years for Attempted Robbery

Judge Bruce Young here in Ventura County Superior Court last Friday considered compelling interpretations of the significance of where an attempted robbery took place as well as the defendant's criminal

[Read More](#)

Defendant Asks for 1 Cent Bail – Judge Makes Bail \$10,000 After Alleged Wrong Way Driving in Construction Zone

Alleged “wrong way” driver Robert Rosal asked for one penny bail – instead, Alameda County Superior Court Judge Stuart Hing last Friday set bail \$10,000 after determining Rosal “poses a risk to public safety.”

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Everyday Injustice - Podcast

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Everyday Injustice Podcast Episode 114 – Silverio Strong From Incarceration to Redemption

Silverio Strong spent 32 years incarcerated off and on from the time he was 12. Finally, he got involved in a robbery and attempted murder and received a 20 year sentence. On Everyday Injustice he talks about going from the

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Survivors Bear Witness

Earlier this season on Everyday Injustice, we spoke with Flint Taylor who highlighted his years of fighting to expose the Chicago Torture Scandal. We also spoke with former Illinois Governor George Ryan who ended the death penalty

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Subject: Defendant Accused of Sexual Assault Has Similar Prior – Hearing Sidetracked with Whether Counsel Needed to Wear Mask | Davis Vanguard

Date: Saturday, July 10, 2021 at 1:24:23 AM British Summer Time

From: Ibarra, Valerie (PDR)

To: Ibarra, Valerie (PDR)

Check Gideon

<https://www.davisvanguard.org/2021/07/defendant-accused-of-sexual-assault-has-similar-prior-hearing-sidetracked-with-whether-counsel-needed-to-wear-mask/>

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Subject: Defendant Accused of Sexual Assault Has Similar Prior – Hearing Sidetracked with Whether Counsel Needed to Wear Mask | Davis Vanguard

Date: Saturday, July 10, 2021 at 1:24:22 AM British Summer Time

From: valerie.ibarra@sfgov.org

To: Valerie Ibarra

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Subject: Jury Sees Through Charges, Acquits Young Woman of Reckless Driving and 'Child Endangerment' | Davis Vanguard

Date: Saturday, July 10, 2021 at 1:12:08 AM British Summer Time

From: Ibarra, Valerie (PDR)

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Date: Saturday, July 10, 2021 at 1:12:07 AM British Summer Time

From: valerie.ibarra@sfgov.org

To: Valerie Ibarra

<https://www.davisvanguard.org/2021/07/jury-sees-through-charges-acquits-young-woman-of-reckless-child-endangerment/>

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Subject: Everyday Injustice - Critical Step To Eliminating the DP; CA Appeals Court Reverses Defendant's Firearm Conviction, Evidence Called Insufficient

Date: Friday, July 9, 2021 at 7:01:00 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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"The decision of this important committee and the detailed report it has approved will allow the legislature to take a serious look at our failed system and resolve to put an abolition measure on the ballot to end state killing once and for all," said Mike Farrell, President of Death Penalty Focus

Everyday Injustice Newsletter - July 9, 2021

Boudin Staffer Has It Right - Critics Are Using Racially Encoded Imagery To Attack the Progressive Policies

By David Greenwald

A little bit of a firestorm (see this article from [the Chronicle](#)) - I will confess, I have worked with Kate Chatfield in the past, partnered with her on a 1437 project, and yes, I admire the work that she does. I also think she was spot on here.

The Chronicle reports: "Kate Chatfield, the senior director of legislation and policy in the office of San Francisco District Attorney Chesa Boudin, locked her Twitter account hours after comparing political opponents to "The Birth of a Nation," a highly controversial 1915 film that depicts Ku Klux Klan members as heroes."

They add, "Chatfield was responding to a tweet from Michelle Tandler, a self-described "Moderate Dem" who has been vocal on Twitter in her criticisms of Boudin, a progressive prosecutor who has become one of the most polarizing local politicians in the country."

Oh yeah, let's not pretend to be even handed here calling Boudin one of the most polarizing local politicians in a country that is as divided as this one is somewhat absurd not to mention unnecessary, but I digress.

Tandler wrote, "Anecdotally, every single one of my friends right now is considering leaving SF" due to crime, adding, "My friends are scared for their children, and their husbands are scared for their wives."

As we have pointed out, this whole line is a bit absurd. Even if you believe crime is rising (in San Francisco in particular) - it is still near 40 year lows. And the data on crime rising is mixed at best and probably false.

Chatfield tweeted, "your reminder that the 'crime surge' crowd shares the same ideology as The Birth of a Nation."

Chatfield told me that she got a ton of very insulting and largely sexist messages - so the defense of being called a racist is apparently to be a sexist. Interesting.

"The declamation from the Boudin Campaign today is that you subscribe to the KKK ideology if you oppose what he is doing to the legal system in San Francisco," tweeted one of the recall pages. "Absurd extremist language."

But Melina Abdullah, the BLM President in LA is exactly right: "Let's be clear. Language from white people about the need for husbands to protect their wives from crime is code language that has justified police brutality, mass incarceration, and the killing of Black people in this country for centuries."

The fact that Tandler is a moderate Democrat is no defense here. The language of threats to wives and children from crime is a heavily encoded racist message.

Opponents are criticizing Boudin for rising crime rates and blaming it on his progressive policies even though the crime data is far more mixed. The SF Chronicle did acknowledge: "Crime statistics show that overall, violent crime has fallen under Boudin, but homicides and burglaries have increased."

More importantly, the crime data is part of a nationwide trend and likely therefore, not tied to any local policies.

And Tandler should know better than to use such imagery to make the point. For years, this kind of imagery has led to crime policies that disproportionately target Black and Brown people.

Thanks for reading.

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Criminal Justice News/ Commentary

Guest Commentary: A Big Step Toward Ending Capital Punishment in California

When the story is told about how the death penalty was abolished in California, the work of a little-known legislative committee will deserve an entire chapter.

[Read More](#)

Measure Governing Police Safe Use of Police Projectiles, Chemical Agents Approved to Further Protect Protestors

Legislation that would set new requirements and standards for law enforcement when it comes to using police projectile weapons and chemical agents against protestors was approved by the Senate Public Safety

[Read More](#)

CA Appeals Court Reverses Defendant's Firearm Conviction, Evidence Called Insufficient

The California Court of Appeals granted a reversal of defendant German Sanchez's jury conviction in 2019, arguing that the evidence used against Sanchez on one count was insufficient to support a guilty verdict.

[Read More](#)

Man Who Attacked BLM Sympathizer Cyclist Arrested from 2020 Protests

Richard "Richie" Goodwin has been arrested and charged for assaulting a cyclist who had shown solidarity with the Black Lives Matter protests in June of last year.

[Read More](#)

Authorities Still Searching and Arresting Participants in the Attack on US Capitol Six Months Later, FBI Asking for Help

Over the past two weeks, COVID-19 cases in Santa Rita Jail (SRJ) have remained low. However, roughly only 26 percent of the incarcerated population is fully vaccinated, and 1 percent is partially vaccinated.

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Vanguard Webinar: Featuring Special Guest Tony Serra (July 13)

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Our daily run down on the COVID cases in selective County Jails

[Read More](#)

Court Watch Coverage

Misgendered Trans Woman Found Guilty of Violation of Parole For Possession of Pornography

Thomas Jones appeared Tuesday in Yolo County Superior Court for violating her parole by allegedly viewing pornography while on parole – the defense called the parole section unconstitutional, but the judge

[Read More](#)

Judge Grants Defendant's Request for More Jail Time, No Probation

Most people would want to avoid spending time in custody, but a select few actually request more jail time. Fewer would expect a judge to go along with it.

[Read More](#)

Remorseful and Apologetic Defendant Asks for Peaceful Contact With Family – Judge Grants It

In a sentencing hearing for defendant Lue Yang here Tuesday in Fresno County Superior Court, the judge found his remorseful and apologetic behavior helpful in considering his sentencing outcome.

[Read More](#)

Defendant Denies All 12 Allegations of Child Molestation Involving Three Victims – Judge Sets Trial

After hearing officer testimony at a preliminary hearing detailing the experiences of multiple young victims of alleged child molestation, Sacramento County Superior Court Judge Delbert W. Oros Tuesday found

[Read More](#)

Over DA Objection, Defendant Charged In Sexual Offense of a Minor Released on Bail – Defense Claims Police Don't Believe Alleged Victim

A Sacramento County Superior Court judge here this week granted the bail release of a defendant charged in the sexual offense of a minor after defense counsel argued the evidence was conflicting and weak.

[Read More](#)

Psychology Tests Used in Court To Show Defendant's Supposed 'Low Risk' for Sex Crimes

An expert psychology witness was the focus in an Alameda County Superior Court trial Tuesday in the David Arias's child molestation proceedings.

[Read More](#)

Judge Rejects Defendant Pleas for Lower Bail to Support Four Underage Children

Defendant Christopher Lemar Black pleaded for a lower bail when he appeared at court here this week, citing his need to take care of four underage children at home with his meager salary.

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Everyday Injustice - Podcast

[see our podcasts](#)

Everyday Injustice Podcast Episode 114 – Silverio Strong From Incarceration to

Redemption

Silverio Strong spent 32 years incarcerated off and on from the time he was 12. Finally, he got involved in a robbery and attempted murder and received a 20 year sentence. On Everyday Injustice he talks about going from the

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Subject: RE: Police Commission
Date: Thursday, July 8, 2021 at 9:50:04 PM British Summer Time
From: Cox, Brian (PDR)
To: David M. Greenwald
CC: Ibarra, Valerie (PDR)
Attachments: Final Draft (7.8.21).pdf, image001.jpg, image004.jpg, image005.jpg

Hi David,

We finally have a finished final draft. Please find it attached. Let me know if you have any questions.

- Brian

From: David M. Greenwald <info@davisvanguard.org>
Sent: Thursday, June 24, 2021 8:00 AM
To: Cox, Brian (PDR) <brian.cox@sfgov.org>
Cc: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: Police Commission

Hey Brian - Checking in again.

Thanks.

On Wed, Jun 16, 2021 at 9:21 AM Cox, Brian (PDR) <brian.cox@sfgov.org> wrote:

Hi David,

We haven't met yet as a group to finalize the memo. It's finished but want input from my colleagues before sharing. Will keep you posted.

- Brian

From: David M. Greenwald <info@davisvanguard.org>
Sent: Tuesday, June 15, 2021 6:44 PM
To: Cox, Brian (PDR) <brian.cox@sfgov.org>
Cc: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: Police Commission

Hi Brian - just checking to see where things are. Thanks.

On Thu, Jun 10, 2021 at 3:02 PM David M. Greenwald <info@davisvanguard.org> wrote:

Very good if you wouldn't mind sharing with me when it's completed I would greatly appreciate it

On Thu, Jun 10, 2021 at 3:01 PM Cox, Brian (PDR) <brian.cox@sfgov.org> wrote:

Likely early next week. We are meeting on Monday or Tuesday to finalize it.

From: David M. Greenwald [mailto:info@davisvanguard.org]

Sent: Thursday, June 10, 2021 2:58 PM

To: Cox, Brian (PDR) <brian.cox@sfgov.org>

Cc: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: Re: Police Commission

Brian -

When are you anticipating that memo being ready for distribution?

Thanks!

David

On Thu, Jun 10, 2021 at 2:56 PM Cox, Brian (PDR) <brian.cox@sfgov.org> wrote:

Hi David,

I do. I'm working on a memo to share with the Board of Supervisors and other allies that goes into much more depth. I've attached what I submitted to DPA a few months back. I'm happy to discuss it with you if you like.

- Brian

From: David M. Greenwald [mailto:info@davisvanguard.org]

Sent: Thursday, June 10, 2021 8:38 AM

To: Cox, Brian (PDR) <brian.cox@sfgov.org>

Cc: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: Police Commission

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Hi Brian -

I work with Jacque in your office on a Court Watch project and also run a non-profit news site.

I came across this on Twitter yesterday...

S.F. Public Defender Recommendations

Eliminate "Quality of Car" Stops

Quality of Car stops include:

- License plate violations,
- Broken taillights
- Tinted windows
- Registration expired by less than 6 months.

Why?

- Enables and encourages racial profiling
- Disproportionately impacts POC
- Needle-in-haystack

Eliminate Jaywalking & Loitering Detentions

For 1,000 Black adults, 42.6 receive citation for non-traffic local ordinance. For 1,000 White adults, 9.5 receive citations.

"Pretextual"

An excuse to stop and search many of our clients based oftentimes on implicit or explicit biases, which do not appear in the police report.

End Basel known as

Black and Brown of consent search between White nearly identical

Yield rate for Li significantly low (30%).

SFPD officers rarely search Black or white drivers. Project)

Was wondering if there was additional documentation on the recommendations. Interested in doing a story.

Thanks in advance,

David
530-400-2512

--

Sent from Gmail Mobile

--



David M. Greenwald
Executive Director
[The People's Vanguard of Davis](#)

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— George Orwell

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Subject: Jury Sees Through Charges, Acquits Young Woman of Reckless Driving and 'Child Endangerment' | Davis Vanguard

Date: Thursday, July 8, 2021 at 8:37:40 PM British Summer Time

From: valerie.ibarra@sfgov.org

To: Manohar Raju, Latisha McCray, Mark Jacobs, Matt Gonzalez, Carolyn Goossen

The Davis Vanguard reported on our press release: <https://www.davisvanguard.org/2021/07/jury-sees-through-charges-acquits-young-woman-of-reckless-child-endangerment/>

Mano is going to talk about it on KIQI 1010AM tomorrow morning as well.

Subject: Everyday Injustice - SF Misconceptions About Crime; ACLU Files Lawsuit Against Maricopa County Coerced Pleas

Date: Thursday, July 8, 2021 at 7:01:00 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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Somil Trivedi, a senior staff attorney for the ACLU's Criminal Law Reform Project, said "For too long, too many prosecutors have used pressure tactics and threats to extract quick, low-cost pleas and keep the crooked assembly line of mass incarceration moving. These tactics — like MCAO's policy of punishing people simply for asserting their rights — mock the Constitution and hit marginalized communities the hardest."

Everyday Injustice Newsletter - July 8, 2021

Boudin Staffer Has It Right - Critics Are Using Racially Encoded Imagery To Attack the Progressive Policies

By David Greenwald

A little bit of a firestorm (see this article from [the Chronicle](#)) - I will confess, I have worked with Kate Chatfield in the past, partnered with her on a 1437 project, and yes, I admire the work that she does. I also think she was spot on here.

The Chronicle reports: "Kate Chatfield, the senior director of legislation and policy in the office of San Francisco District Attorney Chesa Boudin, locked her Twitter account hours after comparing political opponents to "The Birth of a Nation," a highly controversial 1915 film that depicts Ku Klux Klan members as heroes."

They add, "Chatfield was responding to a tweet from Michelle Tandler, a self-described "Moderate Dem" who has been vocal on Twitter in her criticisms of Boudin, a progressive prosecutor who has become one of the most polarizing local politicians in the country."

Oh yeah, let's not pretend to be even handed here calling Boudin one of the most polarizing local politicians in a country that is as divided as this one is somewhat absurd not to mention unnecessary, but I digress.

Tandler wrote, "Anecdotally, every single one of my friends right now is considering leaving SF" due to crime, adding, "My friends are scared for their children, and their husbands are scared for their wives."

As we have pointed out, this whole line is a bit absurd. Even if you believe crime is rising (in San Francisco in particular) - it is still near 40 year lows. And the data on crime rising is mixed at best and probably false.

Chatfield tweeted, "your reminder that the 'crime surge' crowd shares the same ideology as The Birth of a Nation."

Chatfield told me that she got a ton of very insulting and largely sexist messages - so the defense of being called a racist is apparently to be a sexist. Interesting.

"The declamation from the Boudin Campaign today is that you subscribe to the KKK ideology if you oppose what he is doing to the legal system in San Francisco," tweeted one of the recall pages. "Absurd extremist language."

But Melina Abdullah, the BLM President in LA is exactly right: "Let's be clear. Language from white people about the need for husbands to protect their wives from crime is code language that has justified police brutality, mass incarceration, and the killing of Black people in this country for centuries."

The fact that Tandler is a moderate Democrat is no defense here. The language of threats to wives and children from crime is a heavily encoded racist message.

Opponents are criticizing Boudin for rising crime rates and blaming it on his progressive policies even though the crime data is far more mixed. The SF Chronicle did acknowledge: "Crime statistics show that overall, violent crime has fallen under Boudin, but homicides and burglaries have increased."

More importantly, the crime data is part of a nationwide trend and likely therefore, not tied to any local policies.

And Tandler should know better than to use such imagery to make the point. For years, this kind of imagery has led to crime policies that disproportionately target Black and Brown people.

Thanks for reading.

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Twitter: <https://twitter.com/DavisVanguard>
YouTube: <http://www.youtube.com/davisvanguard>

Criminal Justice News/ Commentary

San Francisco Misconceptions and Important Crime Statistics – What Do They Show and Why Should We Care?

Amid public debates concerning police funding and differing approaches to criminal justice, particularly for that of San Francisco District Attorney Chesa Boudin, a growing number of individuals have begun to

[Read More](#)

ACLU Files Lawsuit Against Maricopa County Policy of Using ‘Substantially Harsher’ Threat if Defendant Doesn’t Jump at First Offer

The American Civil Liberties Union national office and the ACLU of Arizona have filed a federal class action lawsuit here against the Maricopa County Attorney’s Office policy of making plea offers “substantially harsher” if

[Read More](#)

LA Times Podcast about Gascón Recall Interviews Critics, Supporters, Gascón

A recent episode of the LA Times daily news podcast looked at George Gascón— the current LA district attorney—as a case study for the wave of progressive DAs that has swept across the country.

[Read More](#)

Authorities Still Searching and Arresting Participants in the Attack on US Capitol Six Months Later, FBI Asking for Help

Six months have passed since the Jan. 6 attack on the U.S. Capitol and authorities are still making arrests. The U.S. Attorney’s Office for the District of Columbia and the FBI’s Washington Field Office

[Read More](#)

Abuse-Trauma Prison

Every life is impacted by trauma. One in five Americans has been molested; one in four grew up with alcoholics; one in three couples have engaged in physical violence. Seventy percent of California prisoners spent time in the foster

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Vanguard Webinar: Featuring Special Guest Tony Serra (July 13)

Tony Serra is a legend and a one-of-a-kind, iconoclast attorney. Described as a courtroom brawler for the downtrodden, for the disenfranchised, for the impoverished, and the marginalized.

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COVID CDCR and Jail Dashboards

Vaccinations for CDCR Population & Staff Stagnates at 71% and 51% Respectively

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Vaccine Uptake Remains Stagnant at Alameda County's Santa Rita Jail; Only 27 Percent Is Fully Vaccinated

Our daily run down on the COVID cases in selective County Jails

[Read More](#)

Court Watch Coverage

Jury Sees Through Charges, Acquits Young Woman of Reckless Driving and 'Child Endangerment'

Sometimes juries can see through unfair charges, and believe not everyone is a serial killer, despite what law enforcement or district attorneys may suggest.

[Read More](#)

Defendant Accused of Sexual Assault Has Similar Prior – Hearing Sidetracked with Whether Counsel Needed to Wear Mask

Judge Christopher Hite presided over pre-trial motions here in San Francisco Superior Court Wednesday prior to the start of a jury trial for Santana Duane West0—discussion included motions in limine,

[Read More](#)

Defendant Released until Trial after Being in Custody for Over 20 Months; Attorney Hammers Probation Dept.

A man here in Yolo County Superior Court who has been in custody in jail and state hospital facilities for more than 20 months was released pretrial Tuesday after his public defender orchestrated his care, and

[Read More](#)

No Bail Is Set for Three Men Accused of Shooting Murder in Hotel Public Parking Lot

Three men accused of shooting and killing one person, and injuring another, in a hotel parking lot will continue to be held with no bail after a hearing this week at Sacramento County Superior Court.

[Read More](#)

Father and Son Stabbed by Angry Neighbor, Family Claims

— A Sacramento man allegedly stabbed and physically abused his neighbors over what seems to be a misunderstanding in front of their apartment complex, according to a preliminary hearing Wednesday in

[Read More](#)

No Guarantee Defendant Will Not ‘Settle Score Upon Release, So Judge Won’t Release Man

In a bail hearing late last week here in Alameda County Superior Court, defendant Ruben Martinez’s bail status was set to “no bail” because the court felt there is no clear evidence that would guarantee Martinez would

[Read More](#)

Domestic Violence with Mop? Judges Reduces Charges, Suggests Prosecution Re-Consider Case After Mother Denies Argument with Son Wasn’t Serious

Judge Ryan J. Wright reduced domestic violence charges, and suggested the prosecution re-consider the case against Robert Barba here in Ventura County Superior Court late last Friday after the defendant’s

[Read More](#)

Everyday Injustice - Podcast
[see our podcasts](#)

Everyday Injustice Podcast Episode 114 –

Silverio Strong From Incarceration to Redemption

Silverio Strong spent 32 years incarcerated off and on from the time he was 12. Finally, he got involved in a robbery and attempted murder and received a 20 year sentence. On Everyday Injustice he talks about going from the

[Read More](#)

Everyday Injustice Podcast Episode 113: Chicago Torture Victims and Death Row Survivors Bear Witness

Earlier this season on Everyday Injustice, we spoke with Flint Taylor who highlighted his years of fighting to expose the Chicago Torture Scandal. We also spoke with former Illinois Governor George Ryan who ended the death penalty

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Sacramento Court Watch: https://url.avanan.click/v2/___https://www.facebook.com/Sacramento-Court-Watch-1432660796849531/___YXAzOnNmZHQyOmE6bzpmZjdiNzdmNjdIMjYzZjBjMWI4NGE0MjJkZjNkNDQwMzo0OjExOTg6NDhiYmE3YTlxNzBhYjQwYzhiN2RkYTU3ZGRjNDc0OThmZDA5N2U2OTc5YjdiMWNiZjNiOTRjMjg2NzY1NzFmNA

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Subject: Tony Serra Webinar Next Tuesday

Date: Thursday, July 8, 2021 at 7:00:00 PM British Summer Time

From: David M. Greenwald

To: undisclosed-recipients;;

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Tony Serra is a legend and a one-of-a-kind, iconoclast attorney. Described as a courtroom brawler for the downtrodden, for the disenfranchised, for the impoverished, and the marginalized.

Join the Vanguard Webinar on July 13 at noon for this one of a kind, living legend discussing his work and thoughts on the criminal legal system.

Event is free – please register here – https://us02web.zoom.us/webinar/register/WN_owBdxr_oSOCePHIDMbxsQ

--

David M. Greenwald
Executive Director
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Subject: FOR IMMEDIATE RELEASE: SF Jury Acquits Young Woman of Child Endangerment and Reckless Driving
Date: Thursday, July 8, 2021 at 12:14:16 AM British Summer Time
From: Ibarra, Valerie (PDR)
To: Ibarra, Valerie (PDR), PUBDEF-Media Relations
Attachments: PR - 7.7.21 - SF Jury Acquits Young Woman of Child Endangerment and Reckless Driving.pdf

FOR IMMEDIATE RELEASE: July 7, 2021

CONTACT: SF Public Defender's Office - Valerie.Ibarra@sfgov.org - (628)249-7946

****PRESS RELEASE****

SF Jury Acquits Young Woman of Child Endangerment and Reckless Driving

SAN FRANCISCO – Deputy Public Defender Latisha McCray won an acquittal for her 20-year-old client who was pulled over for speeding on the Bay Bridge last August. Rather than ticketing her, CHP arrested her and she was booked into SF County Jail. She was later charged with two misdemeanors for reckless driving and child endangerment, as her friend and passenger in the car was 16 years old.

Video evidence showed that she did not cause any disruption on the bridge, and both the driver and the passenger had their seat belts fastened. There was very little traffic on the bridge at the time due to the pandemic and the late time of day.

“Our client should have never been arrested nor charged criminally. This is a case that should have, at worst, gone to traffic court,” said San Francisco Public Defender Mano Raju. “Something of this nature never should have been taking up space in criminal court, which is currently impacted by an enormous backlog of cases due to the pandemic. I am proud of Ms. McCray for her advocacy in this case.”

“My client was not willing to take a bad deal on a case that grossly overcharged her, nor accept the conditions of a settlement which could have marred her record and impacted her career aspirations. I am glad that the jury understood that she was not guilty of the charges,” said Deputy Public Defender McCray.

##

To view this press release online, visit SFPublicDefender.org/media.

--

Valerie Ibarra
Public Information Officer
San Francisco Public Defender's Office
Valerie.Ibarra@sfgov.org
(628)249-7946
SFPublicDefender.org/Media

Subject: Valerie, You're invited to our next webinar!

Date: Wednesday, July 7, 2021 at 9:00:20 PM British Summer Time

From: David Greenwald

To: valerie.ibarra@sfgov.org

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Image

Join the Vanguard Webinar

Featuring Special Guest Tony Serra

Image

Valerie!

You're invited to the Vanguard's next webinar!

Tony Serra is a legend and a one-of-a-kind, iconoclast attorney. Described as a courtroom brawler for the downtrodden, for the disenfranchised, for the impoverished, and the marginalized.

Join us on July 13 at noon for this one of a kind, living legend discussing his work and thoughts on the criminal legal system.

**July
13, 2021**

12 PM - 1:00 PM

FREE EVENT

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Subject: Everyday Injustice - Mentally Ill Man Kept in Cage for Year, Forgotten by Court and Justice System; Kamlager's Reform Package Advances
Date: Wednesday, July 7, 2021 at 7:03:17 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"Everyone deserves due process. It is simple as that," said Senator Kamlager. "I'm encouraged to see AB 333 pass out of committee today. By ensuring gang enhancements are only used when necessary and fair, we're closer to creating a fair application of the law for everyone."

Everyday Injustice Newsletter - July 7, 2021

Good News Bad News on Federal Executions

by David Greenwald

Earlier this week, Attorney General Merrick B. Garland issued a memorandum imposing a moratorium on federal executions while a review of the Justice Department's policies and procedures is pending.

"The Department of Justice must ensure that everyone in the federal criminal justice system is not only afforded the rights guaranteed by the Constitution and laws of the United States, but is also treated fairly and humanely," said Attorney General Garland. "That obligation has special force in capital cases."

While this is a welcome change – it really doesn't go far enough. We had a moratorium on capital punishment that lasted nearly two decades. The Trump administration then ended that moratorium and executed an alarming number of people – none of whom there was a compelling reason to do so and many of whom there was a compelling reason (aside from simple opposition to the death penalty) to not do

so.

The bottom line is that Candidate Biden promised to go much further than this.

"Biden can and must do something about our flawed capital punishment system," write DC Attorney General Karl Racine, Virginia Prosecutor Parisa Dehghani-Fahti and Miriam Krinsky of Fair and Just Prosecution the day before the moratorium was announced. "We urge him to keep his campaign pledge and end the federal death penalty now by commuting all federal capital sentences, directing the Justice Department to no longer seek these sentences and dismantling the government's machinery of death."

They argue, "This is a necessary step on the road to addressing systemic racism. If we can do this, we will finally begin building the justice system that we all deserve: one grounded in equity, fairness and proven strategies to keep communities safe."

The problem with the interim step is that it can be reversed if and when another administration takes over. Commuting the existing sentences is a permanent fix to the current population. In its final six months, the Trump administration executed **13 federal prisoners**, seven of whom were people of color.

Of those who remain on death row in the federal system, 60 percent are those of people of color. As the authors point out, "while Black Americans are only 13 percent of the nation's population, they make up 40 percent of federal death row prisoners."

The problem of wrongful convictions is not a small either.

"A **new documentary**, for example, offers compelling evidence that Carlos DeLuna was executed in Texas in 1989 for a crime he did not commit. His conviction was based on a cross-ethnic eyewitness identification made at night, a type of evidence that is **notoriously unreliable**. And both police and prosecutors, in their quest to see DeLuna executed, failed to turn over physical evidence and an audio recording pointing directly to another suspect," they write.

The DeLuna case is far from unusual.

"**One study found** that at least 1 in 25 people sentenced to death in this country is likely innocent. That risk is unacceptable in a nation that aspires to be an example of justice and freedom to the world." Moreover wrongful convictions are not the only problem. Look no further than the massive prosecutorial misconduct in the Bill Cosby case, even though there was overwhelming evidence of guilt there, to see how far prosecutors are willing to go even in cases that should be slam dunks. Now imagine the pressure in cases where the evidence is not as strong.

Thanks for reading.

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Criminal Justice News/ Commentary

**Kamlager's Criminal Justice Legislative
Package Advances, Passing Out of
Committees**

Last week, Senator Sydney Kamlager's seminal bill on police accountability was signed into law by Senator Newsom. Her momentum continued this week as three major criminal justice bills authored by the Senator,

[Read More](#)

Mentally Ill Man Kept in Cage for Year, Forgotten by Court and Justice System

A Texas man arrested for possession of meth was kept in a cage without a hearing for more than a year, according to a thread on Twitter posted Monday by the founder and executive director of the Civil Rights Corps, Alec

[Read More](#)

California Legislature OKs Bill Holding District Attorney Group Accountable for Misusing Nearly \$3 Million in Restricted Funds

As they left the Capitol this past holiday weekend, the California State Legislature voted to pass AB/SB 157, a bill drafted to address the recently discovered misappropriation of about \$3 million restricted state funds

[Read More](#)

Institute for Innovation in Prosecution Creates 11 Recommendations for Prosecutors to Follow when Creating Police Disclosure Lists.

In order to create a formal system to track police misconduct, the Institute for Innovation in Prosecution at John Jay College here interviewed high-ranking prosecutors across the country and created a guide

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Abuse-Trauma Prison

Every life is impacted by trauma. One in five Americans has been molested; one in four grew up with alcoholics; one in three couples have engaged in physical violence. Seventy percent of California prisoners spent time in the foster

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Looking Back at COVID in Sac County Jails – How Staff Behavior Failed to Meet Official Protocol

As of July 3, there have been a total of 49,410 confirmed COVID-19 cases in the CDCR system – 25 of them emerged in the last two weeks. 25 cases are active in custody, while 606 have been released while active.

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Vanguard Webinar: Featuring Special Guest Tony Serra (July 13)

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Our daily run down on the COVID cases in the California Prison System (CDCR)

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Vaccine Uptake Remains Stagnant at Alameda County's Santa Rita Jail; Only 27 Percent Is Fully Vaccinated

Our daily run down on the COVID cases in selective County Jails

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Court Watch Coverage

Defense Questions Technical Detail in Armed Robbery Pretrial – Judge Denies

Co-defendants Jorge Espinal Casares and Ernie Figueroa were charged with armed robbery and appeared in San Francisco County Superior Court here Tuesday for their pre-trial hearing. Both were ordered to

[Read More](#)

Evidence of Prior Sexual Assault Conviction Disputed in Ongoing Child Molestation Case

Just before the 4th of July holiday, in an ongoing child molestation case, a Riverside County Superior Court judge debated the use of a prior sexual assault conviction in the upcoming jury retrial.

[Read More](#)

In Rare Feat, Judge and Prosecution Both Agree to Defendant's Suggestion of What His Sentence Should Be for Crimes

In a rare occasion of the judge and prosecution accepting a modification to the sentence of a defendant—from the defendant—Curtis Sanders agreed to take a plea deal here in Sacramento Superior Court

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Murder Retrial Defense Closing Statement Slams Victim's Last Words

"There's something holy and haunting about statements of the deceased," said Alameda Public Defender Tammy Yeun Friday in Alameda County Superior County Court, adding, "But this is a jury trial, we are not

[Read More](#)

'512 Days of Immense Trauma,' Domestic Violence Victim States at Former Boyfriend's Sentencing – She Calls It 'Slap' on the Wrist

Raymond Michael Rodriguez was sentenced here last Friday at Ventura County Superior Court following his abusive behavior toward his former partner—Rodriguez was sentenced to 12 days in the county jail, as

[Read More](#)

Judge Takes Mercy on Repeat DUI Offender Who Was Coping with His Failed Marriage

Jesus Vasquez appeared here in Fresno County Superior Court Tuesday over two recent DUI charges, both of which involved car crashes, and one that involved hit-and-run property damage.

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Everyday Injustice - Podcast
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Everyday Injustice Podcast Episode 114 –

Silverio Strong From Incarceration to Redemption

Silverio Strong spent 32 years incarcerated off and on from the time he was 12. Finally, he got involved in a robbery and attempted murder and received a 20 year sentence. On Everyday Injustice he talks about going from the

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Everyday Injustice Podcast Episode 113: Chicago Torture Victims and Death Row Survivors Bear Witness

Earlier this season on Everyday Injustice, we spoke with Flint Taylor who highlighted his years of fighting to expose the Chicago Torture Scandal. We also spoke with former Illinois Governor George Ryan who ended the death penalty

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From: Ibarra, Valerie (PDR)
To: David M. Greenwald
Attachments: image.png

Felony

DPT	DEFENSE TEAM	COURT NO	TOP CHARGE	PROGRESS
10	Camacho Tang Van Aken	19011742	273.5a	settled
13	Ward AvalosCruz Morgan Kingston Larsen Murphy	19008981	273.5a	1st dismissal
16	Avalos Faulkner So Van Aken	20007787	422	17(b) granted
16	Raja Gosewehr Kingston So Felming Gonzalez	19011976	245a1	Voir Dire
21	Hathaway Fox-Lent Le Hite	14031086	261a2	MIL
24	Natividad Phillips C Ersoy Chan	20000347	20001a	17(b) granted
25	Solomon Helvestine Thompson Conn Conroy	20004694	187	Voir Dire
27	Harris Villaran Miller Caffese	20004050	187	D case

Valerie Ibarra
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Subject: Everyday Injustice - Formerly Incarcerated Podcast Series; Yolo DA Candidate Urges Opposition to AB 1542
Date: Tuesday, July 6, 2021 at 7:00:39 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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Cynthia Rodriguez: "AB 1542 would force Yolo citizens with drug and alcohol dependencies into a coerced treatment program that is no different from, or more humane than, existing policies that harm a medically vulnerable population."

Everyday Injustice Newsletter - July 6, 2021

Podcast on the Formerly Incarcerated

Monday marked the first of a series of podcasts on the formerly incarcerated. Over the last few weeks we have been talking with folks who have been able to turn their lives around and give back to their communities.

It is a powerful story.

First off, my conversation with Silverio Strong. Silverio is an inspirational speaker, he works with currently and formerly incarcerated people and he himself spent 20 years in prison in his last term for robbery and attempted murder.

His story is powerful and he has been able to turn it to the advantage of helping others.

He is now a spokesperson and board member for Hustle 2.0, a group that is led by formerly incarcerated to help the currently incarcerated. "Hustle 2.0 reduces crime, violence, and recidivism through evidence-based correspondence programs that equip incarcerated people with the tools to transform their lives by changing their thoughts and behaviors."

Thanks for reading.

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Criminal Justice News/ Commentary

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Silverio Strong spent 32 years incarcerated off and on from the time he was 12. Finally, he got involved in a robbery and attempted murder and received a 20 year sentence. On Everyday Injustice he talks about going from the

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Letter: Yolo DA Candidate Urges Opposition to AB 1542

If you have seen my local media interviews or have stopped by one of my campaign events you've probably already heard that I believe the forced treatment program being spearheaded by the District Attorney is the wrong way to go.

[Read More](#)

Oakland Activist Commends City Council for Redirecting Funds from PD To Reconstructing Public Safety

In the aftermath of the brutal murder of George Floyd at the hands of a police officer, the “defund the police” movement gained immense traction – the Oakland Police Department no less of a target.

[Read More](#)

U.S. Supreme Court Allows Further Voting Restrictions, Voting Along Party Lines in Arizona Case

Two Arizona voting restrictions Friday were found to not be racially discriminatory nor in violation of Voting Rights Act of 1965 Section Two, following a current furthering of racially discriminatory voting restrictions.

[Read More](#)

EXPERTS: Bill Cosby Sexual Assault Conviction Overturned Due to DA's Lack of Transparency

Bill Cosby's sexual assault conviction was overturned by the Pennsylvania Supreme Court largely due to former Montgomery County district attorney Bruce Castor's lack of transparency regarding an alleged non-

[Read More](#)

DA Krasner Urges PA Supreme Court To Rule Police Use of Force Must Comply with Constitution

District Attorney Larry Krasner filed a brief with the Pennsylvania Supreme Court arguing that Pennsylvania's statute 18 Pa.C.S. § 508(a)(1) regarding use of force by law enforcement should be revised to meet Constitutional

[Read More](#)

Looking Back at COVID in Sac County Jails – How Staff Behavior Failed to Meet Official Protocol

Incarcerated populations across the United States have been disproportionately impacted by COVID-19 due to overcrowded correctional settings, poor healthcare and negligence by jail staff.

[Read More](#)

Vanguard Webinar: Featuring Special Guest Tony Serra (July 13)

Tony Serra is a legend and a one-of-a-kind, iconoclast attorney. Described as a courtroom brawler for the downtrodden, for the disenfranchised, for the impoverished, and the marginalized.

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COVID CDCR and Jail Dashboards

Vaccinations for CDCR Population & Staff Stagnates at 71% and 51% Respectively

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Vaccine Uptake Remains Stagnant at Alameda County's Santa Rita Jail; Only 27 Percent Is Fully Vaccinated

Our daily run down on the COVID cases in selective County Jails

[Read More](#)

Court Watch Coverage

SF Court aThe Vanguard Week in Review: Court Watch (June 28 to July 2, 2021)Focuses on 'Diversion' to Keep Low Level Offenders Out of Jail, System

The Vanguard is an online news forum that provides coverage of criminal justice reform and courts throughout California and the nation. In 2006, the Davis Vanguard began to cover Davis and Yolo County groundbreaking, local

[Read More](#)

Former Substitute Teacher Under Heavy Surveillance, \$250K Bail After Being Charged with Sex Crimes

In a preliminary hearing here in Sacramento County Superior Court late last week, a former substitute teacher charged with six counts of sexual assault and allegedly in possession of child pornography, was

[Read More](#)

Social Media Influencer Files Restraining Order Against Internet Researcher

Sacramento County Superior Court YouTube court livestreams may get a dozen viewers for cases – but Dept. 12 last week drew about 350 people who tuned in to see Zayn Silmi attempt to obtain a permanent

[Read More](#)

Defendant Motion to Suppress Evidence Denied – PD Calls Police Actions a ‘Fishing Expedition’

Defendant Erica Aguirre’s motion to suppress evidence was denied here in Sacramento County Superior Court, Dept. 28 last Friday after the judge determined the defense failed to establish that officers didn’t have

[Read More](#)

Judge Lowers Bail from \$60,000 to \$50,000 and Orders a Stay Away in Strip Mall Shooting

The judge in a violent felony case here last Friday in Alameda County Superior Court didn’t release a defendant, but lowered bail from \$60,000 to \$50,000 after Deputy Public Defender Michael Wasserman asked the

[Read More](#)

Judge Hears Motions in Limine for Oakland Homicide and Carjacking Case

Judge Tina Thompson, in reviewing in limine motions here in Alameda County Superior Court, had some doubt as to some photos to be used by the prosecution for an ongoing trial about a 2019 Oakland homicide and carjacking.

[Read More](#)

Judge Balances Powerful Impact Statements with Sentencing Rules in DUI Death

Judge Bruce Young here in Ventura County Superior Court last week listened to very moving impact statements by the victim’s family, but felt he had to balance that with the law in sentencing first-time offender Anthony Macias.

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Everyday Injustice - Podcast

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Silverio Strong spent 32 years incarcerated off and on from the time he was 12. Finally, he got involved in a robbery and attempted murder and received a 20 year sentence. On Everyday Injustice he talks about going from the

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Subject: Everyday Injustice - San Leandro Police Officer Held for Voluntary Manslaughter after Fatal Shooting
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From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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Steven Bradford: "I see a need for something like this because as you stated, the majority of people who go to prison who go there with an addiction usually get out with that same addiction because we don't have real rehabilitation in our prison system or jail system so this affords an opportunity for the rehabilitation I would hope for and reduced recidivism."

Everyday Injustice Newsletter - July 2, 2021

**San Leandro Police
Officer Held for Voluntary Manslaughter after Fatal Shooting**

The following is from our Alameda Court Watch

by Sydney Kaplan

SAN LEANDRO, CA – San Leandro Police Officer Jason Fletcher is being held for trial after his preliminary hearing Wednesday here in Alameda County Superior Court for voluntary manslaughter in the fatal shooting of 33-year-old African American Steven Taylor that occurred just outside a Walmart in April of 2020.

Witnesses called to the stand included a security guard at Walmart who claims to have witnessed the entire interaction between Fletcher and the victim.

This witness was called by the defense led by defense attorneys Michael Logan Rains and Julia Fox. The prosecution was led by Deputy District Attorney, Matthew Rupert Golde.

Allegedly, tension first rose when the victim, who happened to be holding a baseball bat, displayed signs of shoplifting. A verbal altercation occurred between the victim and a security officer. This verbal altercation alerted other security officers to the scene.

According to the testifying witness, the victim refused to return the merchandise. After the initial altercation with a Walmart employee, another altercation between the victim and an elderly man took place. These altercations combined with the victim's refusal to return the stolen goods led to the security officers calling the police.

"I told [him] the police were coming and to just calm down because... of all the stuff with Black men and the police," the testifying witness, who was also a young African American male, said, "He [just kept saying] I don't give a f*ck, they're going to have to kill me."

Despite these statements, the testifying witness did not seem to be concerned about the victim's mental health. "We hear 'I don't care, call [the police]' all the time," The witness said when questioned by the defense, "I just didn't think too much about it."

The victim, who was almost exclusively referred to as "man with a bat" by the defense, had allegedly been swinging the bat in the store and around the elderly man. "They were home-run swings but with golf swing force," the testifying witness described, although he admitted to never witnessing any of the initial swings.

Officer Jason Fletcher was the first police officer to respond to the scene. The witness said the security team at Walmart was familiar with Officer Fletcher; he would often be the responding officer for shoplifting cases. According to this witness, Fletcher approached the victim and said "Hey brother, let me talk to you for a second."

Fletcher entered the Walmart alone and was speaking with the victim. The witness was a few steps back and offset from the two with an "unobstructed view."

Full article - [here](#).

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Criminal Justice News/ Commentary

San Leandro Police Officer Held for Voluntary Manslaughter after Fatal Shooting

San Leandro Police Officer Jason Fletcher is being held for trial after his preliminary hearing Wednesday here in Alameda County Superior Court for voluntary manslaughter in the fatal shooting of 33-year-old

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McCarty's Drug Treatment Bill Clears Another Key Hurdle, Senate Public Safety Committee

Four weeks after the bill sailed through the Assembly on a 65-1 vote, Assemblymember Kevin McCarty's AB 1542, passed through the Senate Public Safety Committee with no opposition votes.

[Read More](#)

70 Criminal Justice Leaders File Brief Calling for an End to the Unnecessary Use of Deadly Force by PA Police

In the year following the death of George Floyd at the hands of officer Derek Chauvin, the public has had an increased awareness of officers who have needlessly inflicted violence on residents without fear of

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Prosecutors and Law Enforcement Officers Unite Against Laws Criminalizing Transgender People

Fair and Just Prosecution (FJP), an organization made up of newly elected local prosecutors, recently issued a press release discussing harmful legislation criminalizing trans folks.

[Read More](#)

Introduction of The People's Response Act Supported by 20 State Officials and Over 70 Organizations

Congresswomen Cori Bush, Ayanna Pressley, Jan Schakowsky, and Pramila Jayapal this week introduced the People's Response Act – a piece of legislation that looks to create a public safety division within the

[Read More](#)

Bill to Decriminalize Psychedelics Awaits

Assembly Hearings – Senator Gathers Support from Diverse Stakeholders

In his press conference on Jun. 28, California State Senator Scott Wiener reiterated his unwavering support for decriminalizing psychedelic drugs including hallucinogenic substances such as magic

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Ninth Circuit Concludes Inadequate Counsel led to Death Penalty Sentence

Danny Lee Jones' previously denied petition challenging his death sentence due to inadequate counsel, was reversed and approved by the Ninth Circuit Court this week.

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Vanguard Webinar: Featuring Special Guest Tony Serra (July 13)

Tony Serra is a legend and a one-of-a-kind, iconoclast attorney. Described as a courtroom brawler for the downtrodden, for the disenfranchised, for the impoverished, and the marginalized.

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Vaccinations for CDCR Population & Staff Stagnates at 71% and 51% Respectively

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Vaccine Uptake Remains Stagnant at Alameda County's Santa Rita Jail; Only 27 Percent Is Fully Vaccinated

Our daily run down on the COVID cases in selective County Jails

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Court Watch Coverage

SF Court Focuses on 'Diversion' to Keep Low Level Offenders Out of Jail, System

It was a busy day Tuesday Judge Gale Dekreon's San Francisco County Superior Courtroom – a common thread throughout several of the cases the court heard involved the plan, called "pretrial diversion," to divert people out

[Read More](#)

Defense Wins, but Loses: Judge Denies Felony Reduction Motion in Firearm Threat Case

At the preliminary hearing for an alleged firearm, Yolo County Superior Court Judge Stephen L. Mock presided over witness testimony of three officers and denied a motion to reduce one of the defendant's two felony charges to a

[Read More](#)

Work Project Not Prison, Despite Compelling Impact Statement of Victim Left with Three Broken Ribs

Sometimes, victim impact statements have, well, an "impact" on courts. Sometimes not too much. In the case of Larry Gasaway, despite a victim statement that outlined a horrific attack that affected the life of the victim

[Read More](#)

Prosecution Alleges Sacramento Woman Possessed Meth, Exposed Her Three Children to Drugs

In a case heard here this week in Sacramento County Superior Court, a defendant was confronted with drug charges, which she may not have been selling—however, the troublesome charge involves child

[Read More](#)

Judge Quips She is Not a Babysitter, Refuses to Continue Probation for Defendant after Ninth Probation Violation

Ventura County Superior Court Judge Julia Snyder Tuesday was frustrated, and when faced with a defendant who violated his probation nine times, quipped, "I am not in the babysitting business."

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Everyday Injustice Podcast Episode 113:

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Date: Friday, July 2, 2021 at 3:07:12 AM British Summer Time
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To: David M. Greenwald

Thanks for the correction :)

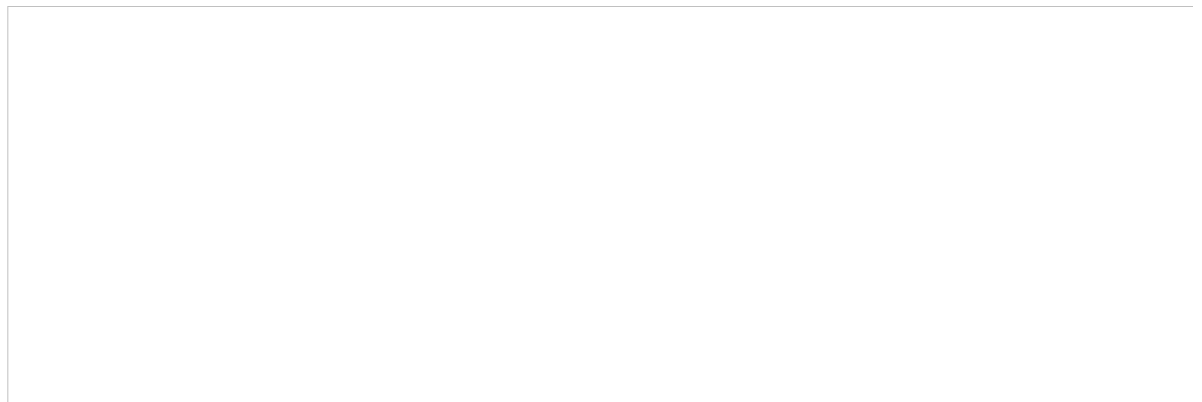
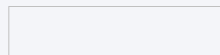
From: Ibarra, Valerie (PDR)
Sent: Wednesday, June 30, 2021 10:23 AM
To: David M. Greenwald <info@davisvanguard.org>
Subject: Quick correction

Hi David -- I sent this to Alexandra Pray, but this was actually Martina Avalos's case. Alexandra was doing calendar stuff in the same courtroom right beforehand, but this article should say Martina Avalos. Thanks!
<https://www.davisvanguard.org/2021/06/more-than-3-years-later-mans-stolen-phone-charge-dismissed-after-public-transit-dragnet/>

Valerie Ibarra
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Hello Valerie,

Thank you for registering for Vanguard Webinar: Featuring Special Guest Tony Serra. You can find information about the webinar below.

Vanguard Webinar: Featuring Special Guest Tony Serra

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Thank you!



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To: undisclosed-recipients;;

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Tony Serra is a legend and a one-of-a-kind, iconoclast attorney. Described as a courtroom brawler for the downtrodden, for the disenfranchised, for the impoverished, and the marginalized.

Join the Vanguard Webinar on July 13 at noon for this one of a kind, living legend discussing his work and thoughts on the criminal legal system.

Event is free – please register here – https://us02web.zoom.us/webinar/register/WN_owBdxr_oSOcePHIDMbxosQ

--

David M. Greenwald
Executive Director
[The People's Vanguard of Davis](#)

530.400.2512

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Subject: Everyday Injustice - Bad Journalism and Bad Data Fueling Criminal Justice Push Back in SF
Date: Thursday, July 1, 2021 at 7:00:08 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"It is cruel to keep thousands of people in the dark about whether or not they'll return to prison," FAMM President Kevin Ring said.

Everyday Injustice Newsletter - July 1, 2021

The Headline is Alarming, But the Journalism Is Bad

By David Greenwald

The headline in Bay Area media is glaring: "[San Francisco Residents](#) Consider Relocating As Crime

Worsens, Quality Of Life In A Decline.”

But reading the article, it is not really clear what they are citing.

“As San Francisco tries to bounce back from the devastating impact of the COVID-19 pandemic, crime and homelessness now rank among the highest levels of concerns among local residents, many who are contemplating relocating, according to a new poll,” CBS SF reports. “The poll was released by the SF Chamber of Commerce and based on feedback from more than 500 San Francisco residents who are registered to vote.”

But wait, is that a scientific poll? How was it conducted? Is it a survey or simply feedback? Did they randomly survey the voters - in other words is this a poll of 500 randomly selected San Francisco voters or a survey of members who happened to be registered to vote in San Francisco? It makes a huge difference.

Especially when you consider the findings: “It found that more than 40 percent say they plan to move out of the city in the next few years.”

“80% of residents say crime has worsened in recent years, 70% feel that quality of life has declined, and 88% say homelessness has worsened. 76% also believe that increasing the number of police officers in high crime neighborhoods should be a high priority.”

I asked Chesa Boudin about it, he was not familiar with the poll but did say, “I’m sure given local press coverage a lot of people are scared in ways disconnected from the data.”

The data actually shows crime as a whole, and shoplifting in particular are going down.

According to the SF Chronicle, 710 shoplifting incidents were reported in the city from January to April of 2021 in comparison to 933 shoplifting periods from the same period in 2019, an actual decrease. Shoplifting decreased in San Francisco during the pandemic – some suggest mainly because many stores being temporarily or permanently shut down.

And a recent survey conducted by the SF Chronicle found that 22 major U.S. retailers had an average 41 percent decrease in shoplifting overall from 2019-2020 but increased by eight percent for non- major stores.

And yet, we have seen the right making much of the closure of Walgreens - even though it was planned pre-pandemic - as evidence that criminal justice reform efforts like Prop 47 are leading to increases in shoplifting and closure of stores.

It is all relative.

I attempted to track down the polling cited in the CBS news story, but the Chamber page had largely the same story, no link to the actual poll and limited information. This is a perfect example of not only bad journalism but how bad journalism and lack of adequate data analysis are fueling a pushback against policies that have been enacted in recent years.

Thanks for reading.

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Sacramento Court Watch: <https://www.facebook.com/Sacramento-Court-Watch-1432660796849531/>

San Francisco Court Watch: <https://www.facebook.com/SF-Court-Watch-577413429452441/>

Twitter: <https://twitter.com/DavisVanguard>

YouTube: <http://www.youtube.com/davisvanguard>

Criminal Justice News/ Commentary

**Landmark Police Accountability Bill Signed
by Governor Newsom**

On Monday, Governor Newsom signed into law, AB 127, key legislation that removes barriers to police accountability. The bill was authored by Senator Sydney Kamlager while she was still in the Assemblymember,

[Read More](#)

Pennsylvania Supreme Court Overturns Cosby Conviction over 'Non-Prosecution Agreement'

The Pennsylvania Supreme Court Wednesday overturned Bill Cosby's sexual assault convictions on the grounds of "prosecutorial misconduct" in a 6-1 vote and have barred a retrial.

[Read More](#)

Are Shoplifting Rates in San Francisco Rising? Data Says Nope

In mid-June, reporter Lynn Mendelez posted a video at Walgreens in San Francisco that would garner more than six million views on Twitter – the photo showed a man putting items inside a trash bag and leaving

[Read More](#)

Organizations Call on President Biden to Grant Clemency to Thousands on COVID Home Confinement

Families Against Mandatory Minimums, the American Civil Liberties Union and the Justice Action Network urged President Biden to prevent thousands of people currently living on Covid home confinement from being

[Read More](#)

SFDA Office Hires Francis Chan to Lead Community Affairs and Support AAPI Community

San Francisco's District Attorney's Office this week welcomed a new Director of Community Affairs, Francis Chan, during a pivotal moment in which the call for Asian American Pacific Islander (AAPI) community

[Read More](#)

Vanguard Webinar: Featuring Special Guest Tony Serra (July 13)

Tony Serra is a legend and a one-of-a-kind, iconoclast attorney. Described as a courtroom brawler for the downtrodden, for the disenfranchised, for the impoverished, and the marginalized.

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COVID CDCR and Jail Dashboards

Vaccinations for CDCR Population & Staff Stagnates at 71% and 51% Respectively

Our daily run down on the COVID cases in the California Prison System (CDCR)

[Read More](#)

Vaccine Uptake Remains Stagnant at Alameda County's Santa Rita Jail; Only 27 Percent Is Fully Vaccinated

Our daily run down on the COVID cases in selective County Jails

[Read More](#)

Court Watch Coverage

SF Court Focuses on 'Diversion' to Keep Low Level Offenders Out of Jail, System

It was a busy day Tuesday Judge Gale Dekreon's San Francisco County Superior Courtroom – a common thread throughout several of the cases the court heard involved the plan, called "pretrial diversion," to divert people out

[Read More](#)

Defense Wins, but Loses: Judge Denies Felony Reduction Motion in Firearm Threat Case

At the preliminary hearing for an alleged firearm, Yolo County Superior Court Judge Stephen L. Mock presided over witness testimony of three officers and denied a motion to reduce one of the defendant's two felony charges to a

[Read More](#)

Work Project Not Prison, Despite Compelling Impact Statement of Victim Left with Three Broken Ribs

Sometimes, victim impact statements have, well, an “impact” on courts. Sometimes not too much. In the case of Larry Gasaway, despite a victim statement that outlined a horrific attack that affected the life of the victim

[Read More](#)

Prosecution Alleges Sacramento Woman Possessed Meth, Exposed Her Three Children to Drugs

In a case heard here this week in Sacramento County Superior Court, a defendant was confronted with drug charges, which she may not have been selling—however, the troublesome charge involves child

[Read More](#)

Judge Quips She is Not a Babysitter, Refuses to Continue Probation for Defendant after Ninth Probation Violation

Ventura County Superior Court Judge Julia Snyder Tuesday was frustrated, and when faced with a defendant who violated his probation nine times, quipped, “I am not in the babysitting business.”

[Read More](#)

Everyday Injustice - Podcast

[see our podcasts](#)

Everyday Injustice Podcast Episode 113: Chicago Torture Victims and Death Row Survivors Bear Witness

Earlier this season on Everyday Injustice, we spoke with Flint Taylor who highlighted his years of fighting to expose the Chicago Torture Scandal. We also spoke with former Illinois Governor George Ryan who ended the death penalty

[Read More](#)

Everyday Injustice Podcast Episode 112: Prosecutor Accountability in New York

Prosecutorial misconduct continues to be widespread in the courts across the country. As a report from a decade ago discovered, with over 800 instances of documented prosecutorial misconduct—much of it serious with grave

[Read More](#)

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Yolo County Court Watch:

https://url.avanan.click/vz/___https://www.facebook.com/groups/yolojudicialwatch/___YXAzOnNmZHQyOmE6bzo0MDJIM2ZkOTcyZDZkMmYyNDg3YjM3ZjNINTIzODU4Zjo0OjI2YTk6MDg4MDUxMmZlODI5M2UwZjY1ZjlyMDZlZWY1NWM4OTgyNWQ2YmU4ZWw2OTE4MwY4NWl1MmE4NDdlYWUxOTYxMA

Sacramento Court Watch: https://url.avanan.click/v2/___https://www.facebook.com/Sacramento-Court-Watch-

1432660796849531/____.YXAzOnNmZHqYOmE6bo0MDJIM2ZkOTcyZDZkMmYyNDg3YjM3ZjNINTIz
ODU4Zjo0OjAwMWU6N2lyZDZkOTMzMmJkMzlkYTdkNDUzYTM4YTk4ZDIjYWJmZWZhOWM1NDh
mNjU3ZjkwNjk4ZWExZjRjNWNhZWlxYw

Twitter:

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YouTube: https://url.avanan.click/v2/___http://www.youtube.com/davisvanguard___YXAzOnNmZHQyOmE6bzo0MDJIM2ZkOTcyZDZkMmYyNDg3YjM3ZjNINTlZODU4ZjJo0QjEzNmQ6ZTMwMWFIZmE4ODUyNWwMzZjOTA5YmZjYTFmOTBkMjNjMGU5MmNiODAxZjM5MDIyNzEwODU4MmQ0MTEzZTc2MQ

The People's Vanguard of Davis | P.O. Box 4715, Davis, CA 95617-4715

[Unsubscribe valerie.ibarra@sfgov.org](mailto:valerie.ibarra@sfgov.org)

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Subject: RE: Police Commission
Date: Thursday, July 1, 2021 at 4:20:05 PM British Summer Time
From: Cox, Brian (PDR)
To: David M. Greenwald
CC: Ibarra, Valerie (PDR)
Attachments: image001.jpg, image004.jpg, image005.jpg

Hi David,

We are still working through a draft. We were scheduled to have a meeting yesterday but Comm. Hamasaki was ill. When it's finished, I'll happily share it with you.

- Brian

From: David M. Greenwald <info@davisvanguard.org>
Sent: Thursday, June 24, 2021 8:00 AM
To: Cox, Brian (PDR) <brian.cox@sfgov.org>
Cc: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: Police Commission

Hey Brian - Checking in again.

Thanks.

On Wed, Jun 16, 2021 at 9:21 AM Cox, Brian (PDR) <brian.cox@sfgov.org> wrote:

Hi David,

We haven't met yet as a group to finalize the memo. It's finished but want input from my colleagues before sharing. Will keep you posted.

- Brian

From: David M. Greenwald <info@davisvanguard.org>
Sent: Tuesday, June 15, 2021 6:44 PM
To: Cox, Brian (PDR) <brian.cox@sfgov.org>
Cc: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: Police Commission

Hi Brian - just checking to see where things are. Thanks.

On Thu, Jun 10, 2021 at 3:02 PM David M. Greenwald <info@davisvanguard.org> wrote:

Very good if you wouldn't mind sharing with me when it's completed I would greatly appreciate it

On Thu, Jun 10, 2021 at 3:01 PM Cox, Brian (PDR) <brian.cox@sfgov.org> wrote:

Likely early next week. We are meeting on Monday or Tuesday to finalize it.

From: David M. Greenwald [mailto:info@davisvanguard.org]
Sent: Thursday, June 10, 2021 2:58 PM
To: Cox, Brian (PDR) <brian.cox@sfgov.org>
Cc: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: Police Commission

Brian -

When are you anticipating that memo being ready for distribution?

Thanks!

David

On Thu, Jun 10, 2021 at 2:56 PM Cox, Brian (PDR) <brian.cox@sfgov.org> wrote:

Hi David,

I do. I'm working on a memo to share with the Board of Supervisors and other allies that goes into much more depth. I've attached what I submitted to DPA a few months back. I'm happy to discuss it with you if you like.

- Brian

From: David M. Greenwald [mailto:info@davisvanguard.org]
Sent: Thursday, June 10, 2021 8:38 AM
To: Cox, Brian (PDR) <brian.cox@sfgov.org>
Cc: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Police Commission

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Hi Brian -

I work with Jacque in your office on a Court Watch project and also run a non-profit news site.

I came across this on Twitter yesterday...

S.F. Public Defender Recommendations

Eliminate "Quality of Car" Stops

Quality of Car stops include:

- License plate violations,
- Broken taillights
- Tinted windows
- Registration expired by less than 6 months.

Why?

- Enables and encourages racial profiling
- Disproportionately impacts POC
- Needle-in-haystack

Eliminate Jaywalking & Loitering Detentions

For 1,000 Black adults, 42.6 receive citation for non-traffic local ordinance. For 1,000 White adults, 9.5 receive citations.

"Pretextual"

An excuse to stop and search many of our clients based oftentimes on implicit or explicit biases, which do not appear in the police report.

End Basel known as

Black and Brown of consent search between White nearly identical

Yield rate for Li significantly lower (30%).

SFPD officers rarely search Black or white drivers. Project)

Was wondering if there was additional documentation on the recommendations. Interested in doing a story.

Thanks in advance,

David
530-400-2512

--

Sent from Gmail Mobile

--



David M. Greenwald
Executive Director
[The People's Vanguard of Davis](#)

530.400.2512

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David M. Greenwald

Executive Director

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Subject: RE: San Francisco Jury Told Don't 'Fix Tragedy by Causing Tragedy' in Corner-Store Shootout Trial | Davis Vanguard
Date: Thursday, July 1, 2021 at 1:27:06 AM British Summer Time
From: Villaran, Sierra (PDR)
To: Ibarra, Valerie (PDR)

I am just tired and am being an asshole, tho, so don't mind me.

Sierra Villaran
Deputy Public Defender
Pronouns: She/Her/Hers
San Francisco Public Defender's Office
555 Seventh Street
San Francisco, CA 94103
Tel: (415) 575.8819
Fax: (415) 553.9810

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From: Villaran, Sierra (PDR)
Sent: Wednesday, June 30, 2021 5:26 PM
To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: RE: San Francisco Jury Told Don't 'Fix Tragedy by Causing Tragedy' in Corner-Store Shootout Trial | Davis Vanguard

They also didn't get the attorneys questioning correctly. It is not a big deal, overall, but kind of sloppy journalism.

Sierra Villaran
Deputy Public Defender
Pronouns: She/Her/Hers

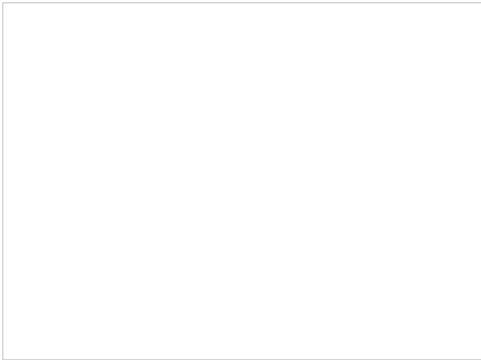
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555 Seventh Street
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From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Sent: Wednesday, June 30, 2021 2:55 PM
To: Villaran, Sierra (PDR) <sierra.villaran@sfgov.org>
Subject: Re: San Francisco Jury Told Don't 'Fix Tragedy by Causing Tragedy' in Corner-Store Shootout Trial | Davis Vanguard

Agreed. I'm going to inquire as to whether there was a follow up on the rest of his testimony. It may still be in the works & under review as the volume of cases have ramped up.

Here's the next installment, this time focusing on the witness and the memory expert:
<https://www.davisvanguard.org/2021/06/defense-questions-viability-of-eyewitnesses-in-continuing-omar-herrera-murder-trial/>



[Defense Questions Viability of Eyewitnesses in Continuing Omar Herrera Murder Trial | Davis Vanguard](https://www.davisvanguard.org/2021/06/defense-questions-viability-of-eyewitnesses-in-continuing-omar-herrera-murder-trial/)

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www.davisvanguard.org

From: Villaran, Sierra (PDR) <sierra.villaran@sfgov.org>
Sent: Wednesday, June 30, 2021 1:10 PM
To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: RE: San Francisco Jury Told Don't 'Fix Tragedy by Causing Tragedy' in Corner-Store Shootout Trial | Davis Vanguard

Thanks for sending this! It definitely is not a complete version of his testimony...he finished Monday morning after finishing talking about the day, the aftermath, and cross examination. Not sure it really matters, but is

sort of a weird place for the article to end when the testimony was concluded on Monday by noon.

Sierra Villaran
Deputy Public Defender
Pronouns: She/Her/Hers
San Francisco Public Defender's Office
555 Seventh Street
San Francisco, CA 94103
Tel: (415) 575.8819
Fax: (415) 553.9810

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From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Sent: Wednesday, June 30, 2021 10:47 AM
To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>; Harris, Danielle (PDR) <danielle.harris@sfgov.org>; Villaran, Sierra (PDR) <sierra.villaran@sfgov.org>
Cc: Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>
Subject: Re: San Francisco Jury Told Don't 'Fix Tragedy by Causing Tragedy' in Corner-Store Shootout Trial | Davis Vanguard

Latest coverage:

<https://www.davisvanguard.org/2021/06/murder-defendant-takes-stand-provides-context-to-killing-charge/>

From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Sent: Thursday, June 17, 2021 2:47 PM
To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>; Harris, Danielle (PDR) <danielle.harris@sfgov.org>; Villaran, Sierra (PDR) <sierra.villaran@sfgov.org>
Cc: Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>
Subject: Re: San Francisco Jury Told Don't 'Fix Tragedy by Causing Tragedy' in Corner-Store Shootout Trial | Davis Vanguard

He made some changes, but if there are other corrections that need to be made, please let me know. I haven't been able to come to any of the case conferences for this case, and wasn't able to zoom in for opening.

<https://www.davisvanguard.org/2021/06/san-francisco-jury-told-dont-fix-tragedy-by-causing-tragedy-in-corner-store-shootout-trial/>

Thank you,
Valerie

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Sent: Wednesday, June 16, 2021 10:18 AM
To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>; Harris, Danielle (PDR) <danielle.harris@sfgov.org>;

Villaran, Sierra (PDR) <sierra.villaran@sfgov.org>

Cc: Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>

Subject: Re: San Francisco Jury Told Don't 'Fix Tragedy by Causing Tragedy' in Corner-Store Shootout Trial | Davis Vanguard

At first glance:

- He didn't "allegedly aided in a first-degree murder"
- DH is referred to as an "Assistant Public Defender" which isn't a thing...

I can't read the whole thing right now, but those are in the first 2 paragraphs. It does seem like we should have a good method for monitoring and correcting errors in reporting from court watch.

Also – as I have expressed before: I'm generally not sure that this kind of coverage is helpful overall... but I digress.

From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Date: Wednesday, June 16, 2021 at 8:42 AM

To: Harris, Danielle (PDR) <danielle.harris@sfgov.org>, Villaran, Sierra (PDR) <sierra.villaran@sfgov.org>

Cc: Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>, Rodarmel, Danica (PDR)

<danica.rodarmel@sfgov.org>

Subject: Re: San Francisco Jury Told Don't 'Fix Tragedy by Causing Tragedy' in Corner-Store Shootout Trial | Davis Vanguard

If there are any specific factual corrections needed, please let me know if you'd like me to pass them along; or if you'd like to convey anything directly with their supervisor, David Greenwald can be reached at info@davisvanguard.org.

From: Harris, Danielle (PDR) <danielle.harris@sfgov.org>

Sent: Wednesday, June 16, 2021 8:30 AM

To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>; Villaran, Sierra (PDR) <sierra.villaran@sfgov.org>

Cc: Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>; Rodarmel, Danica (PDR)

<danica.rodarmel@sfgov.org>

Subject: RE: San Francisco Jury Told Don't 'Fix Tragedy by Causing Tragedy' in Corner-Store Shootout Trial | Davis Vanguard

They could really use some editing help! Not sure if or how to convey . . .

There's also a lot of errors. I'm not worried for our case, but generally.

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

From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Sent: Wednesday, June 16, 2021 7:48 AM

To: Harris, Danielle (PDR) <danielle.harris@sfgov.org>; Villaran, Sierra (PDR) <sierra.villaran@sfgov.org>

Cc: Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>

Subject: San Francisco Jury Told Don't 'Fix Tragedy by Causing Tragedy' in Corner-Store Shootout Trial | Davis Vanguard

<https://www.davisvanguard.org/2021/06/san-francisco-jury-told-dont-fix-tragedy-by-causing-tragedy-in-corner-store-shootout-trial/>

Sent from my iPhone

Subject: RE: San Francisco Jury Told Don't 'Fix Tragedy by Causing Tragedy' in Corner-Store Shootout Trial | Davis Vanguard

Date: Thursday, July 1, 2021 at 1:25:47 AM British Summer Time

From: Villaran, Sierra (PDR)

To: Ibarra, Valerie (PDR)

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Sierra Villaran
Deputy Public Defender
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From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Sent: Wednesday, June 30, 2021 2:55 PM

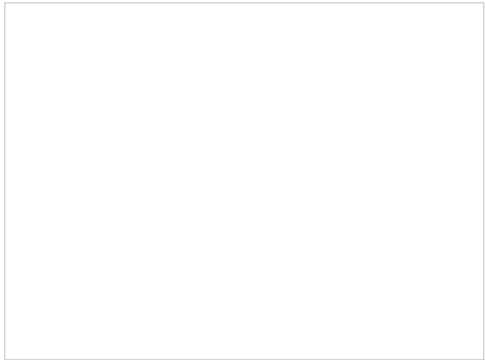
To: Villaran, Sierra (PDR) <sierra.villaran@sfgov.org>

Subject: Re: San Francisco Jury Told Don't 'Fix Tragedy by Causing Tragedy' in Corner-Store Shootout Trial | Davis Vanguard

Agreed. I'm going to inquire as to whether there was a follow up on the rest of his testimony. It may still be in the works & under review as the volume of cases have ramped up.

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[Defense Questions Viability of Eyewitnesses in Continuing Omar Herrera Murder Trial | Davis Vanguard](https://www.davisvanguard.org/2021/06/defense-questions-viability-of-eyewitnesses-in-continuing-omar-herrera-murder-trial/)

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Sent: Wednesday, June 30, 2021 1:10 PM

To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: RE: San Francisco Jury Told Don't 'Fix Tragedy by Causing Tragedy' in Corner-Store Shootout Trial | Davis Vanguard

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Sent from my iPhone

Subject: Danielle's case

Date: Wednesday, June 30, 2021 at 10:59:25 PM British Summer Time

From: Ibarra, Valerie (PDR)

To: David M. Greenwald

Hi David -- I'm sure things have ramped up with the court openings, etc. I shared the first couple of articles about the case with Danielle and Sierra's team, and we were wondering if someone was working on a follow up piece about the rest of Omar's testimony? The article about it ends in suspense and doesn't get into the details of his story about the incident. No rush, just curious.

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Valerie Ibarra
Public Information Officer
San Francisco Public Defender's Office

Valerie.Ibarra@sfgov.org
(628)249-7946
[SFPublicDefender.org/Media](https://www.sfpd.org/Media)

Subject: Re: San Francisco Jury Told Don't 'Fix Tragedy by Causing Tragedy' in Corner-Store Shootout Trial | Davis Vanguard
Date: Wednesday, June 30, 2021 at 10:55:03 PM British Summer Time
From: Ibarra, Valerie (PDR)
To: Villaran, Sierra (PDR)

Agreed. I'm going to inquire as to whether there was a follow up on the rest of his testimony. It may still be in the works & under review as the volume of cases have ramped up.

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Subject: Join the Vanguard's Free Webinar! Featuring Tony Serra
Date: Wednesday, June 30, 2021 at 9:00:23 PM British Summer Time
From: David Greenwald
To: valerie.ibarra@sfgov.org

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Image



Join the Vanguard's Next Webinar

Featuring Special Guest Tony Serra

Image

Hello Valerie!

Join this month's free webinar, featuring guest speaker Tony Serra.

Tony Serra is a legend and a one-of-a-kind, iconoclast attorney. Described as a courtroom brawler for the downtrodden, for the disenfranchised, for the impoverished, and the marginalized.

Join the Vanguard Webinar on July 13 at noon for this one of a kind, living legend discussing his work and thoughts on the criminal legal system.

July 13, 2021
12 PM

The event is free, please register below.

RSVP

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Davis, CA 95616
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Subject: Everyday Injustice - Accusations of Prosecutorial Misconduct in Sac; Formerly Incarcerated Share Their Stories

Date: Wednesday, June 30, 2021 at 7:00:36 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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"(I am) particularly disturbed by the DA's granting of immunity to this perpetrator of domestic violence and their reluctance to grant immunity to the defense witness who would call into question his version of events, not to mention limit the ability of the defense to explore prior domestic violence."

Everyday Injustice Newsletter - June 30, 2021

Governor Signs AB 127

By David Greenwald

Chesa Boudin approached Senator Sydney Kamlager (actually at the time she was Assemblymember) and noted that there were barriers to holding police accountable. When I interviewed her two weeks ago, she was not sure of why Boudin pushed for this - but while this was a highly technical bill, but Kamlager and Boudin see it as removing critical "obstacles to prosecutors holding police accountable."

For his part, Chesa Boudin told the Vanguard that he did not have a specific issue or case in mind when he pitched it to Kamlager, he just saw this as a potential barrier to police accountability.

AB 127 will make it easier to secure arrest warrants against officers who break the law. One obstacle to prosecution of police officers is the frequent unwillingness of law enforcement officers to assist in the prosecution of one of their own.

This can lead to law enforcement officers refusing to provide the necessary information to support an arrest warrant.

The law will expand who can attest to probable cause for arrest when the subject of that arrest is a peace officer. This will remove a common barrier to police prosecutions.

"I am thrilled that Governor Newsom has signed AB 127 into law to ensure that California is eliminating obstacles to police accountability," said District Attorney Boudin. "The murder of George Floyd and so many others around the state of California and the nation has reminded us of the need to promote justice for victims of police violence and police misconduct. AB 127 remedies the problem that exists when law enforcement officers refuse to assist in the prosecution of a fellow officer—which can leave prosecutors unable to pursue charges against police who break the law. I am so proud to have cosponsored this bill and thank Senator Kamlager for her authorship and leadership on this important issue."

"We can't let a 'snitches get stitches' policy strong-arm our criminal legal system. AB 127 fights against this practice and will dramatically help in holding police officers accountable in California," said Senator Kamlager. "By signing AB 127 into law, we're showing that procedural barriers or an officer's unwillingness to speak out do not override the due process a victim of police violence or misconduct is entitled to. Thank you to Governor Newsom, my legislative colleagues, and San Francisco District Attorney Chesa Boudin for recognizing the bureaucratic hurdles that have been used to shield law enforcement and for all your work that led to this momentous occasion."

"I am pleased to see that California is taking important steps to ensure that police officers who break the trust we place in them can be held accountable," said District Attorney Boudin. "In California, just as in San Francisco, we must ensure that no one is above the law," said District Attorney Boudin.

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San Francisco Court Watch: <https://www.facebook.com/SF-Court-Watch-577413429452441/>
Twitter: <https://twitter.com/DavisVanguard>
YouTube: <http://www.youtube.com/davisvanguard>

Criminal Justice News/ Commentary

Defense Attorney Accuses DA of 'Prosecutorial Misconduct' After Prosecution of 'Hero' Who Stopped Domestic Violence 'Victim'

A former prosecutor, and now defense attorney, has a bone to pick with the Sacramento District Attorney's Office on behalf of a client the attorney describes as a hero.

[Read More](#)

Formerly Incarcerated Awarded For Giving Back and Turning Their Lives Around – Part III

The stories of formerly incarcerated people – some wrongly convicted and others turning their lives around after getting caught up in the system were on full display last week during an awards ceremony hosted by non-

[Read More](#)

Supreme Court Rules Ruling Revives St. Louis Excessive Force Case Involving Death in a Police Holding Cell

In a 6-3 ruling, the US Supreme Court this week vacated the summary judgment of the Eight Circuit in the excessive force inquiry in a suit brought by the parents of Nicholas Gilbert, he died as the result of the use of force

[Read More](#)

Chesa Boudin Asked to Recuse Self in Petition Case that Includes Ones to Recall DA

Man Kit Lam, the victim in a petition meddling case, is asking San Francisco District Attorney Chesa Boudin to recuse himself from the case and pass it on to the California Attorney General because a petition to recall the DA was

[Read More](#)

Fair and Just Prosecution Brief Describes

Impact of Civilian Oversight in Modern Times

In the wake of the recent protests and civil unrest that occurred throughout the globe in 2020, crises between governments and their citizens were revealed, and brought under the mainstream political spotlight.

[Read More](#)

NY Court Ruling Allows Defendants to Appeal 'Unjust and Unnecessary' Protective Orders

Based on a protective order case that left Shamika Crawford homeless and separated from her family, the New York Court of Appeals ruled that courts across the state are now required to review and justify

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COVID CDCR and Jail Dashboards

One-Fourth of CDCR Facilities Still Report At Least One Active COVID-19 Case

Our daily run down on the COVID cases in the California Prison System (CDCR)

[Read More](#)

Vaccine Uptake Remains Stagnant at Alameda County's Santa Rita Jail; Only 27 Percent Is Fully Vaccinated

Our daily run down on the COVID cases in selective County Jails

[Read More](#)

Court Watch Coverage

Defense Questions Viability of

Eyewitnesses in Continuing Omar Herrera Murder Trial

Defense witnesses took the stand in San Francisco County Superior Court Tuesday for the ongoing trial of Omar Herrera, who is charged with committing first-degree murder last year when he was only 19.

[Read More](#)

Sacramento Teen Pleads No Contest to Attempted Murder of Another Teen in Yolo County

Teen Oleg Igoroviech Lavrenko here Monday in Yolo County Superior Court accepted a plea deal for attempted murder of another teen in a case that made the local headlines last September.

[Read More](#)

20 Years, Multiple Alleged Assaults Later Defendant Charged with Stalking, Contempt of Court

After a nearly 20 year history of alleged harassment, Robert Husted found himself this week in a pretrial conference in Yolo County Superior Court, charged with misdemeanor stalking and contempt of court.

[Read More](#)

Despite Conflicting Evidence, Nephew Accused of Strangling and Battery on 77 Year Old Wheelchair-Bound Uncle

Despite apparent conflicting evidence of injury, and no witnesses, defendant Khampher Phakeovilay is now set to stand trial for allegedly strangling and battering his 77 year-old wheelchair-bound uncle.

[Read More](#)

Two Defendants Face Consequences of Participating in Illegal Pot Market

Sacramento County Superior Court Judge Geoffrey Goodman warned two defendants facing illegal marijuana manufacturing felony charges of the severity of the charges – but both pleaded no contest.

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Everyday Injustice Podcast Episode 113: Chicago Torture Victims and Death Row Survivors Bear Witness

Earlier this season on *Everyday Injustice*, we spoke with Flint Taylor who highlighted his years of fighting to expose the Chicago Torture Scandal. We also spoke with former Illinois Governor George Ryan who ended the death penalty

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Everyday Injustice Podcast Episode 112: Prosecutor Accountability in New York

Prosecutorial misconduct continues to be widespread in the courts across the country. As a report from a decade ago discovered, with over 800 instances of documented prosecutorial misconduct—much of it serious with grave

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Yolo County Court Watch:

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DExMmNiZjo0Oml4ZWU6MTgyOWU2NzZhNjc5NmFhZWJkMGRhMTNkZjE1ZDAzMU5ODU5MWZj
ZDc0MTEzOTMwYmRhYWlxOWVlZGFkODQ0MA

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Subject: Re: San Francisco Jury Told Don't 'Fix Tragedy by Causing Tragedy' in Corner-Store Shootout Trial | Davis Vanguard

Date: Wednesday, June 30, 2021 at 6:46:49 PM British Summer Time

From: Ibarra, Valerie (PDR)

To: Rodarmel, Danica (PDR), Harris, Danielle (PDR), Villaran, Sierra (PDR)

CC: Goossen, Carolyn (PDR)

Latest coverage:

<https://www.davisvanguard.org/2021/06/murder-defendant-takes-stand-provides-context-to-killing-charge/>

From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Sent: Thursday, June 17, 2021 2:47 PM
To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>; Harris, Danielle (PDR) <danielle.harris@sfgov.org>; Villaran, Sierra (PDR) <sierra.villaran@sfgov.org>
Cc: Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>
Subject: Re: San Francisco Jury Told Don't 'Fix Tragedy by Causing Tragedy' in Corner-Store Shootout Trial | Davis Vanguard

He made some changes, but if there are other corrections that need to be made, please let me know. I haven't been able to come to any of the case conferences for this case, and wasn't able to zoom in for opening.

<https://www.davisvanguard.org/2021/06/san-francisco-jury-told-dont-fix-tragedy-by-causing-tragedy-in-corner-store-shootout-trial/>

Thank you,
Valerie

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Sent: Wednesday, June 16, 2021 10:18 AM
To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>; Harris, Danielle (PDR) <danielle.harris@sfgov.org>; Villaran, Sierra (PDR) <sierra.villaran@sfgov.org>
Cc: Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>
Subject: Re: San Francisco Jury Told Don't 'Fix Tragedy by Causing Tragedy' in Corner-Store Shootout Trial | Davis Vanguard

At first glance:

- He didn't "allegedly aided in a first-degree murder"
- DH is referred to as an "Assistant Public Defender" which isn't a thing...

I can't read the whole thing right now, but those are in the first 2 paragraphs. It does seem like we should have a good method for monitoring and correcting errors in reporting from court watch.

Also – as I have expressed before: I'm generally not sure that this kind of coverage is helpful overall... but I digress.

From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Date: Wednesday, June 16, 2021 at 8:42 AM
To: Harris, Danielle (PDR) <danielle.harris@sfgov.org>, Villaran, Sierra (PDR) <sierra.villaran@sfgov.org>
Cc: Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>, Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Subject: Re: San Francisco Jury Told Don't 'Fix Tragedy by Causing Tragedy' in Corner-Store Shootout Trial | Davis Vanguard

If there are any specific factual corrections needed, please let me know if you'd like me to pass them

along; or if you'd like to convey anything directly with their supervisor, David Greenwald can be reached at info@davisvanguard.org.

From: Harris, Danielle (PDR) <danielle.harris@sfgov.org>
Sent: Wednesday, June 16, 2021 8:30 AM
To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>; Villaran, Sierra (PDR) <sierra.villaran@sfgov.org>
Cc: Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>; Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Subject: RE: San Francisco Jury Told Don't 'Fix Tragedy by Causing Tragedy' in Corner-Store Shootout Trial | Davis Vanguard

They could really use some editing help! Not sure if or how to convey . . .

There's also a lot of errors. I'm not worried for our case, but generally.

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

From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Sent: Wednesday, June 16, 2021 7:48 AM
To: Harris, Danielle (PDR) <danielle.harris@sfgov.org>; Villaran, Sierra (PDR) <sierra.villaran@sfgov.org>
Cc: Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>
Subject: San Francisco Jury Told Don't 'Fix Tragedy by Causing Tragedy' in Corner-Store Shootout Trial | Davis Vanguard

<https://www.davisvanguard.org/2021/06/san-francisco-jury-told-dont-fix-tragedy-by-causing-tragedy-in-corner-store-shootout-trial/>

Sent from my iPhone

Subject: Quick correction

Date: Wednesday, June 30, 2021 at 6:23:49 PM British Summer Time

From: Ibarra, Valerie (PDR)

To: David M. Greenwald

Hi David -- I sent this to Alexandra Pray, but this was actually Martina Avalos's case. Alexandra was doing calendar stuff in the same courtroom right beforehand, but this article should say Martina Avalos. Thanks!
<https://www.davisvanguard.org/2021/06/more-than-3-years-later-mans-stolen-phone-charge-dismissed-after-public-transit-dragnet/>

Valerie Ibarra
Public Information Officer
San Francisco Public Defender's Office
Valerie.Ibarra@sfgov.org
(628)249-7946
SFPublicDefender.org/Media

Subject: FOR IMMEDIATE RELEASE: New CA Bill Pilots Higher Compensation for Low-Income Jurors in San Francisco
Date: Wednesday, June 30, 2021 at 4:04:00 PM British Summer Time
From: Ibarra, Valerie (PDR)
To: Ibarra, Valerie (PDR), PUBDEF-Media Relations
Attachments: PR - 6.30.2021 - New CA Bill Pilots Higher Compensation for Low-Income Jurors in San Francisco.pdf

FOR IMMEDIATE RELEASE: June 30, 2021

CONTACT:

Valerie Ibarra - SF Public Defender's Office - (628) 249-7946 - Valerie.Ibarra@sfgov.org
Anne Stuhldreher - SF Financial Justice Project - (415) 596-6138 - Anne.Stuhldreher@sfgov.org
Rachel Marshall - SF District Attorney's Office - (415) 416-4468 - Rachel.Marshall@sfgov.org
Nannette Miranda - Assemblymember Ting's Office - (415) 557-2312 - Nannette.Miranda@asm.ca.gov

****PRESS RELEASE****

New CA Bill Pilots Higher Compensation for Low-Income Jurors in San Francisco

AB 1452 authorizes the "Be The Jury" pilot program to compensate low-income jurors \$100 a day to remove barriers to serving and to increase economic and racial diversity of juries.

SAN FRANCISCO - Yesterday, AB 1452, establishing the "Be the Jury" pilot program, passed out of the [California Senate Public Safety Committee](#). AB 1452, authored by Assemblymember Phil Ting, would authorize a first-of-its-kind pilot program in San Francisco Superior Court. The program will compensate low-income jurors \$100 a day for their jury service with the goal of establishing juries that are more reflective of San Francisco's diverse communities.

AB 1452 is co-sponsored by San Francisco Treasurer José Cisneros, Public Defender Mano Raju, and District Attorney Chesa Boudin.

"The 'Be The Jury' pilot program will make the civic duty of serving on a jury accessible to all San Franciscans, regardless of the size of their wallet," **said San Francisco Treasurer José Cisneros**. "The nominal juror compensation provided under current law places a significant financial burden that prevents too many low-income people from serving on a jury."

Because income inequality is strongly correlated with race and ethnicity, juries have become less racially diverse due to an inability to afford to participate, and tend to be composed of people who can afford to serve unpaid or who have employers who will pay them while they are serving.

"The right to a jury of one's peers is at the core of our justice system, but it's common for my office, and our clients, to see juries that do not reflect the diversity of our city and our communities," **said San Francisco Public Defender Mano Raju**. "I began raising this issue as a line deputy public defender, based on what we were seeing in court and based on what we were hearing from the community. After becoming the elected Public Defender of San Francisco, I approached the Treasurer and suggested this concrete step to address what is really a nationwide problem. After years of hard work, I am pleased that it has now evolved into a bill that will bring us one step closer towards providing fairer trials. It will also hopefully increase civic engagement opportunities for potential jurors

who are otherwise deprived of the right to serve.”

“As a champion for promoting diversity in our jury pools, I am proud to co-sponsor AB 1452. Justice and fairness demand that the jurors tasked with making decisions on behalf of the community actually reflect the diversity of our city. The pilot project established by AB 1452 would be an important step towards advancing diverse jury pools in San Francisco and I urge the legislature to pass this bill,” **said San Francisco District Attorney Chesa Boudin.**

In San Francisco, a survey by the Administrative Office of the Courts of California found that 35 percent of jurors report that jury service imposed a financial hardship. While California law requires employers to provide time off for employees who are summoned to jury duty, employers are not required to compensate employees who serve on a jury. If a juror’s employer does not cover their salary while serving, jurors earn nothing on their first day of service and \$15 per day after that. In California, approximately two-thirds of employers, primarily public and large private employers, provide some compensation to employees summoned for jury service.

“Economic hardship shouldn’t deter people from serving on juries. On top of lost wages, the \$15 per day that jurors are paid barely covers their transportation and meal expenses,” **said Assemblymember Phil Ting (D-San Francisco),** author of AB 1452. “Higher compensation for jury duty will help ensure that our jury pools are more reflective of the communities they are serving. This legislation helps put us on a path to more diverse and inclusive juries.”

The “Be The Jury” program will compensate jurors with low-to-moderate incomes \$100 per day for jury service in criminal trials in San Francisco Superior Court for the duration of the pilot. Jurors are eligible if their household income is less than 80% Area Median Income (\$71,700 for a single person; \$102,500 for a household of four) and if they meet one of the following criteria: (1) their employer does not compensate for jury service; (2) their employer does not compensate for the estimated duration of jury service; (3) they are self-employed; or (4) they are unemployed. Stakeholders will conduct an evaluation of the pilot program once it is completed.

The “Be The Jury” pilot program is funded by philanthropic dollars raised by the San Francisco Treasurer’s Financial Justice Project.

###

To view this press release online, please visit SFPublicDefender.org/media

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Valerie Ibarra
Public Information Officer
San Francisco Public Defender's Office
Valerie.Ibarra@sfgov.org
(628)249-7946
SFPublicDefender.org/Media

Subject: Everyday Injustice - OC Sheriff Covered for Deputy; Formerly Incarcerated Heal Themselves and Their Community
Date: Tuesday, June 29, 2021 at 7:01:37 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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Scott Sanders: "The omission from the internal criminal report of other instances of evidence related misconduct by Leflore was clearly designed to control the process and help deliver impunity for a member of the agency who seemingly should have been held to a higher standard, considering he was engaged in this behavior after investigating others for the same class of misconduct."

Everyday Injustice Newsletter - June 29, 2021

Why Judge Cahill Sentence Chauvin For 22.5 Years

Hennepin County District Judge Peter Cahill sentenced former Minneapolis Police Officer Derek Chauvin to 22.5 years in prison for the murder of George Floyd.

The judge in his sentencing memo wrote the following:

For a defendant like Mr. Chauvin with zero criminal history points, the guidelines and presumptive range for unintentional second-degree murder — the most serious charge of which Mr. Chauvin was found guilty by the jury and on which he is being convicted and sentenced by this Court — is 128 to 180 months, with the presumptive sentence being 150 months.

Consideration of a sentence outside the presumptive guidelines range involves a two-stage process:

(1) In the first stage, either a jury or the district court must make a factual finding that there are one or more aggravating factors present in the commission of the crime apart from the prima facie elements of the charged crime.

(2) In the second stage, the district court is required to explain why the presence of any such aggravating factors creates a substantial and compelling reason to impose a sentence outside the presumptive guidelines range.

In the Court's Verdict and Findings of Fact Regarding Aggravated Sentencing Factors, this Court found

that the evidence at trial proved beyond a reasonable doubt the following four aggravated sentencing factors:

- (i) That Mr. Chauvin abused a position of trust and authority;
- (ii) That Mr. Chauvin treated George Floyd with particular cruelty;

This Court found that the fifth factor urged by the State, that George Floyd was particularly vulnerable, had not been proved beyond a reasonable doubt.

- (iii) That children were present during the commission of the offense; and

- (iv) That Mr. Chauvin committed the crime as a group with the active participation of three other individuals, former Minneapolis Police Officers Thon Thao, Thomas Lane, and J. Alexander Kueng, who all actively participated with Mr. Chauvin in the crime in various ways.

Judge Cahill noted: "Mr. Chauvin seeks a probationary sentence (a dispositional departure from the presumptive prison sentence under the sentencing guidelines) or, alternatively, a downward durational departure from the presumptive guidelines range for a prison sentence. This Court concludes neither is appropriate in this case."

Further: "A mitigated dispositional departure (i.e. probation) is not appropriate because there has been no persuasive showing that Mr. Chauvin is particularly amenable to probation."

He noted r. Chauvin's continuing insistence that he believed "he was simply performing his lawful duty in assisting other officers in the arrest of George Floyd" and was acting "in good faith reliance [on] his own experience as a police officer and the training he had received," "was rejected by every supervisory and training officer of the Minneapolis Police Department who testified at trial as well as by the jury."

Judge Cahill the following factors:

- (1) Mr. Chauvin "abused his position of authority" by using unreasonable force to hold "a handcuffed George Floyd in a prone position on the street"—"a position that Defendant knew from his training and experience carried with it a danger of Mr. Chauvin argues that "abuse of a position of trust and authority"...
- (2) "Defendant's placement of his knee on the back of George Floyd's neck was an egregious abuse of the authority to subdue and restrain because the prolonged use of this maneuver was employed after George Floyd had already been handcuffed and continued for more than four and a half minutes after Mr. Floyd had ceased talking and had become unresponsive."
- (3) Mr. Chauvin "abused his position of trust and authority by not rendering aid, by declining two suggestions from one of his fellow officers to place George Floyd on his side, and by preventing bystanders, including an off-duty Minneapolis firefighter, from assisting."
- (4) That "failure to render aid became particularly abusive after Mr. Floyd had passed out, and was still being restrained in the prone position, with Mr. Chauvin continuing to kneel on the back of Mr. Floyd's neck with one knee and on his back with another knee, for more than two and a half minutes after one of his fellow officers announced he was unable to detect a pulse."

Thanks for reading.

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San Francisco Court Watch: <https://www.facebook.com/SF-Court-Watch-577413429452441/>
Twitter: <https://twitter.com/DavisVanguard>
YouTube: <http://www.youtube.com/davisvanguard>

Formerly Incarcerated Awarded for Giving Back and Turning Their Lives Around – Part II

The stories of formerly incarcerated people—some wrongly convicted and others turning their lives around after getting caught up in the system—were on full display last week during an awards ceremony hosted by

[Read More](#)

OC Public Defender Accuses Sheriff's Department of Protecting Deputy from Charges of Misconduct

Assistant Public Defender Scott Sanders last week filed a motion to compel discovery in a case of Brittany Shahbakhti, alleging misconduct by Detective Matthew LeFlore for his involvement in the evidence scandal

[Read More](#)

Re-Imagine L.A. Coalition Reacts to Judge Ruling Against Measure J Fund to Provide \$2.1 Million to Address Racial Injustice

Re-Imagine L.A. Coalition leaders and community members responded strongly here last week to a decision by L.A. County Judge Mary Strobel ruling that struck down Measure J as unconstitutional on June 17.

[Read More](#)

Chesa Boudin Criticized, but Still Says He Fights for San Francisco's Unhoused Residents

Rory Fleming has published an article in The Filter Magazine titled, "Scapegoating of Chesa Boudin Reflects Ugly Attitudes to Unhoused People," a piece which began to unpack the dialogue driving much of the

[Read More](#)

AG Announces Plan to Increase Efforts to Dismantle Human Trafficking and Children Exploitation in California

As human trafficking cases increased, California Attorney General Rob Bonta launched the Human Trafficking and Sexual Predator Apprehension Teams (HT/SPAT) within the California Department of Justice on this month.

[Read More](#)

110 Suffolk County Convictions Reversed After Mistakes at Corrupted Crime Laboratory – Tens of Thousands of Other Cases Also Tossed

Suffolk County District Attorney Rachael Rollins was permitted by the Supreme Judicial Court to vacate last week another 100 drug convictions linked to chemist Annie Dookhan, who admitted in 2013 to falsifying evidence at

[Read More](#)

Vanguard Webinar: Featuring Special Guest Tony Serra (July 13)

Tony Serra is a legend and a one-of-a-kind, iconoclast attorney. Described as a courtroom brawler for the downtrodden, for the disenfranchised, for the impoverished, and the marginalized.

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COVID CDCR and Jail Dashboards

One-Fourth of CDCR Facilities Still Report At Least One Active COVID-19 Case

Our daily run down on the COVID cases in the California Prison System (CDCR)

[Read More](#)

Over One-Thousand People in Sacramento County Jail Custody Received COVID-19 Vaccines; Cases Remain in Single-Digits

Our daily run down on the COVID cases in selective County Jails

[Read More](#)

Court Watch Coverage

Hundreds of Defendants Await Trial Despite SF Courts Reopening

Throughout the pandemic, San Francisco has been a positive example for how to effectively prevent the spread of COVID-19. With no large outbreaks and the number of cases kept to a small number

[Read More](#)

Murder Defendant Takes Stand, Provides Context to Killing Charge

Most defendants don't take the stand in serious felony trials – but Monday, Omar Herrera did just that in San Francisco County Superior Court, providing emotional testimony and context to his charges of first-

[Read More](#)

Trial Starts After Judge Excludes Evidence in Restraining Order Violation Case – 1 Defense Win, 1 Prosecution Win

Defendant William Raymond West was in Yolo County Superior Court Monday for a pre-trial oral argument concerning two potentially important pieces of recently discovered evidence.

[Read More](#)

Public Defender Takes 15-Minute Break to Talk to Aggravated Defendant Who Repeatedly Interrupted Court Proceedings

Yolo County Superior Court Judge Tom Dyer knew something was brewing when an arraignment hearing regarding the custody status of defendant Kurt Obermueller last Friday was punctuated by outbursts from the defendant.

[Read More](#)

'I'm The One With the Harsh Sentence,' Charges Victim, Then Demands Restitution After DUI Car Accident

Defendant Trevor Behnke expected only a time-served, probation sentence Monday in Sacramento County Superior Court Dept. 63 after being held in custody for 93 days on a felony driving under the influence charge.

[Read More](#)

Everyday Injustice - Podcast

[see our podcasts](#)

Everyday Injustice Podcast Episode 113: Chicago Torture Victims and Death Row Survivors Bear Witness

Earlier this season on Everyday Injustice, we spoke with Flint Taylor who highlighted his years of fighting to expose the Chicago Torture Scandal. We also spoke with former Illinois Governor George Ryan who ended the death penalty

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Prosecutorial misconduct continues to be widespread in the courts across the country. As a report from a decade ago discovered, with over 800 instances of documented prosecutorial misconduct—much of it serious with grave

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Sacramento Court Watch: https://url.avanan.click/v2/___https://www.facebook.com/Sacramento-Court-Watch-1432660796849531/___YXAzOnNmZHQyOmE6bzpjOTM4ZDRkYjE4NmZjNzlyMml4Yjc5MWUxZTA5NmZjYTo0OjNiMjU6ZWRhYmlyNTQ5MDk0YWQzNmQ2NDJjMGM3YTE2Yjg2YTEzNzI3NGQ2YTU5ZDc3YTJmNTI5MDdiYWl2NjAxNjlkOA

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YouTube: https://url.avanan.click/v2/___http://www.youtube.com/davisvanguard___YXAzOnNmZHQyOmE6bzpjOTM4ZDRkYjE4NmZjNzlyMml4Yjc5MWUxZTA5NmZjYTo0OmRhZTE6OTg0MmEwMjU5YmZkYmMzZmViYjg2YTJjMDk5MTM3ODU3MTM3ODE0NDliOGQ3NGI1MWE2NWU4YzU0ZjM3MjJIMQ

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Subject: Everyday Injustice - Chicago Police Torture Victims Speak Out; Formerly Incarcerated Heal Themselves and Their Community
Date: Monday, June 28, 2021 at 7:00:14 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"Millions of individuals and family members have been deeply impacted by incarceration, with no way to process or to heal these traumatic experiences, or to bridge gaps with one another."

Everyday Injustice Newsletter - June 28, 2021

Vanguard Webinar: Featuring Special Guest Tony Serra (July 13)

Tony Serra is a legend and a one-of-a-kind, iconoclast attorney. Described as a courtroom brawler for the downtrodden, for the disenfranchised, for the impoverished, and the marginalized.

Join the Vanguard Webinar on July 13 at noon for this one of a kind, living legend discussing his work and thoughts on the criminal legal system.

Event is free – please register here —

https://us02web.zoom.us/webinar/register/WN_owBdxr_oSOcePHIDMbxosQ

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Criminal Justice News/ Commentary

Formerly Incarcerated Awarded for Giving
Back and Turning Their Lives Around –
Part 1

The stories of formerly incarcerated people—some wrongly convicted and others turning their lives around after getting caught up in the system—were on full display last week during an awards ceremony hosted by

[Read More](#)

Everyday Injustice Podcast Episode 113: Chicago Torture Victims and Death Row Survivors Bear Witness

Earlier this season on Everyday Injustice, we spoke with Flint Taylor who highlighted his years of fighting to expose the Chicago Torture Scandal. We also spoke with former Illinois Governor George Ryan who ended the death penalty

[Read More](#)

ACLU Praises Biden's Announced Plan for Strengthening U.S. Commitment to Justice

Late last week, ACLU director of the Justice Division, Udi Ofer, offered a statement regarding President Joe Biden's Plan for Strengthening America's Commitment to Justice, which will focus on reducing crime and

[Read More](#)

DA Boudin Announces 15 Charges Against Alleged Serial Burglar and Partnerships With Anti-Retail Crime Organizations

San Francisco District Attorney Chesa Boudin last week announced the filing of 15 charges against Jean Lugo Romero, who allegedly shoplifted from a Walgreens in San Francisco last week, as seen in a widely circulated video.

[Read More](#)

AG Announces Plan to Increase Efforts to Dismantle Human Trafficking and Children Exploitation in California

As human trafficking cases increased, California Attorney General Rob Bonta launched the Human Trafficking and Sexual Predator Apprehension Teams (HT/SPAT) within the California Department of Justice on this month.

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Vanguard Webinar: Featuring Special Guest Tony Serra (July 13)

Tony Serra is a legend and a one-of-a-kind, iconoclast attorney. Described as a courtroom brawler for the downtrodden, for the disenfranchised, for the impoverished, and the marginalized.

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COVID CDCR and Jail Dashboards

One-Third of CDCR Facilities Still Report At Least One Active COVID-19 Case

Our daily run down on the COVID cases in the California Prison System (CDCR)

[Read More](#)

Over One-Thousand People in Sacramento County Jail Custody Received COVID-19 Vaccines; Cases Remain in Single-Digits

Our daily run down on the COVID cases in selective County Jails

[Read More](#)

Court Watch Coverage

More Than 3 Years Later, Man's Stolen Phone Charge Dismissed After Public Transit Dragnet

On March 21, 2018 "Ms. V" was walking by Yerba Buena Gardens, looking at her phone and enjoying the city, when suddenly her day took a turn for the worse. And it wasn't just her day that took a turn, but that of Sedric Lane.

[Read More](#)

Not a Crime Spree, But Defendant will Do Time in Jail for Multiple Minor Offenses, Including False ID

A man was accused of pretending to be someone he is not to escape multiple but minor misdemeanor charges, and it landed him back in Yolo County Superior Court here last week.

[Read More](#)

Defendant Dodges Traffic Stop, But Later Charged on Gun and Drug Counts

Eric B. Murphy allegedly dodged a traffic stop, but when police officers caught up to him it led to a drug and gun bust. Murphy appeared via zoom before the Sacramento County

[Read More](#)

A Knife Threat, Vehicle Theft, and Store Burglary: A Defendant's Across Sacramento Outlined

In a probable cause hearing in Sacramento County Superior Court last week, Defendant Markise Allen was charged with three separate offenses in three consecutive days – a knife threat, vehicle theft, and store burglary.

[Read More](#)

Defendant Accused of Domestic Violence Requests \$0 Bail, Denied – for Now

Olen Maxwell, Jr., appeared for his arraignment in Dept. 11 of the Fresno County Superior Court late Friday, where he entered not guilty pleas to charges of domestic violence—he was later held in custody, awaiting his

[Read More](#)

Everyday Injustice - Podcast

see our podcasts

Everyday Injustice Podcast Episode 112: Prosecutor Accountability in New York

Prosecutorial misconduct continues to be widespread in the courts across the country. As a report from a decade ago discovered, with over 800 instances of documented prosecutorial misconduct—much of it serious with grave

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Subject: Trial calendar 6/28/21
Date: Monday, June 28, 2021 at 6:02:18 PM British Summer Time
From: Ibarra, Valerie (PDR)
To: David M. Greenwald
Attachments: image.png

Misdemeanor

DPT	DEFENSE TEAM	TOP CHARGE	PROGRESS
28 (27)	Abusamra Jowdy Reardon	20010299	MIL
220	Taylor Faulkner Kelly	20010031	Closing
606	McCray Lamb J East	20009281	Closing
611	Gonzalez C Jowdy Karnow	20010809	Opening

[Update Misdemeanor Trials](#)

Felony

DPT	DEFENSE TEAM	COURT NO	TOP CHARGE	PROGRESS
13	Ward AvalosCruz Morgan Kingston Larsen Murphy	19008981	273.5a	MIL
16	Avalos Faulkner So Van Aken	20007787	422	MIL
16	Raja Gosewehr Kingston So Felming Gonzalez	19011976	245a1	MIL
21	Hathaway Fox-Lent Le Hite	14031086	261a2	MIL
24	Natividad Phillips C Ersoy Chan	20000347	20001a	MIL
25	Solomon Helvestine Thompson Conn Conroy	20004694	187	MIL
27	Harris Villaran Miller Caffese	20004050	187	D case

Valerie Ibarra
Public Information Officer
San Francisco Public Defender's Office
Valerie.Ibarra@sfgov.org
(628)249-7946
[SFPublicDefender.org/Media](https://www.sfpd.org/Media)

Subject: Everyday Injustice - Proud Boys Defend Former Officer in Modesto; Spikes in Crime During COVID Make It More Difficult for Police Reformers Nationwide
Date: Friday, June 25, 2021 at 7:01:02 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"So here we are tonight to let you know we have two options – incorporate the public that represents the constitution and bill of rights or dismantle this oversight antifa committee," Adams said.

Everyday Injustice Newsletter - June 25, 2021

ACLU Wins Big Court Ruling When Baltimore Aerial Surveillance Program is Found Unconstitutional

By David Greenwald

On Thursday, the Fourth Circuit Court of Appeals, sitting en banc found that the Baltimore Police Department's (BPD) aerial surveillance program, which put the daytime movements of virtually all

Baltimore residents under surveillance for 12 hours a day over six months, is unconstitutional.

The decision comes from a lawsuit filed by a group of Black activist leaders in Baltimore, with the support of the American Civil Liberties Union and ACLU of Maryland, requesting that the court temporarily block the BPD from deploying and conducting a six-month trial of the aerial surveillance program.

According to a release from the ACLU, "Although the Fourth Circuit heard the plaintiffs' appeal after the six-month trial of surveillance flights had already come to an end, the BPD continued to possess unlawfully acquired data, and the court's decision will mean that the BPD will be prohibited from accessing data collected through the program."

They then contracted with a private company, Persistent Surveillance Systems to pilot the program which involved planes flying over equipped with powerful wide-angle cameras over the entire city of Baltimore during daylight hours.

"The BPD has stated the program's intended purpose was to aid in solving criminal investigations," the ACLU said but the group pointed out: "government agencies have a history of secretly using similar technology for other purposes — including to surveil Black Lives Matter protests in Baltimore in recent years. In February, the city of Baltimore voted to alter its contract with PSS, but it continued to hold a vast amount of data collected unconstitutionally under the program."

Ashley Gorski, senior staff attorney in the ACLU's National Security Project: "The court's landmark ruling makes clear that the Constitution forbids police departments from deploying this kind of dystopian aerial surveillance. The AIR program's technology presents a society-changing threat to everyone's privacy, and as we've argued, the program never should have been permitted to get off the ground."

David Rocah, senior staff attorney at the ACLU of Maryland: "This victory underscores how we cannot ignore Baltimore's history of racism, exclusion, and police abuse of Black residents when deciding on programs and practices that are supposed to keep people safe. Hopefully, this invasive spy planes technology now will be stopped once and for all, not just here in Baltimore but across the country."

Thanks for reading.

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Criminal Justice News/ Commentary

A Police Shooting of An Unarmed Man Triggers a Conflict with Proud Boys at a Modesto City Council Meeting

A few dozen members of the Proud Boys, a far-right group considered extremists, showed up at a local Modesto City Council meeting showing support for a police officer fired for his shooting of an unarmed man last

[Read More](#)

Spikes in Crime During COVID Make It More Difficult for Police Reformers Nationwide

It's no secret that in 2020 the U.S. saw massive spikes in some crime across the nation. New York alone saw 150 more homicides and 750 more shootings compared to the preceding year.

[Read More](#)

Letter: Demand to End Direct Disregard of CDC Interim Guidance on People Experiencing Unsheltered Homelessness COVID-19

With all due respect, I write on behalf of the Sacramento Homeless Union, Chico Homeless Union, the California Homeless Union/Statewide Organizing Council, my position as the Western Regional Director of the National Union of

[Read More](#)

SF DA Chesa Boudin Files Charges After Assault of a 94 Year Old Woman

District Attorney Chesa Boudin filed charges this week against Daniel Cauich after an elderly 94-year-old Chinese woman was allegedly attacked by the defendant.

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Vanguard Webinar: Featuring Special Guest Tony Serra (July 13)

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Jails

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Court Watch Coverage

SF Judge Refuses to Drop Conspiracy Charges for Two Men Implicated in Demondre Perkins Shooting

San Francisco County Superior Court Judge Eric Fleming Wednesday refused to dismiss charges of conspiracy to commit murder against co-defendants, 21-year-old Rodrigo Tellez and 21-year-old Bryan Moreno.

[Read More](#)

Beaten, Bloody, and Half-Naked Victim Screams for Help While Being Allegedly Dragged by Defendant, Jury Told

In November of 2015, a 16-year-old victim was saved by a neighbor during a violent and sexual attack allegedly perpetrated by her former boyfriend, Michael Hernandez.

[Read More](#)

Defense Claims Double Hearsay, Blocking Confirmation of Stolen Car's Value

Assistant Public Defender Gina Le tried her best to exclude the value of a car, which the defendant allegedly stole, from being entered as factual evidence during this week's preliminary hearing here in Sacramento County

[Read More](#)

Lover's Quarrel Gone Wrong: Defendant Allegedly Uses Firearm against Girlfriend

The defendant's girlfriend, referred to as "Jane Doe" here in Sacramento County Superior Court this week, accused boyfriend Antoine Rivers of allegedly firing a gun on April 10, 2020, at the vehicle she was in

[Read More](#)

Driver Pleads Not Guilty to DUI Charges, Found Guilty by Jury

Jacey Pasquetti plead not guilty to drunk driving here Tuesday in Sacramento County Superior Court despite several sobriety tests providing evidence stating otherwise.

[Read More](#)

Defense Attorney Believes Defendant Memory Loss Can Trigger Dismissal

On Nov. 25, 2019 Randy Garcia was booked into custody for a possible driving under the influence (DUI) after crashing into a tree in front of his home in Kerman—later, he was charged with a misdemeanor for driving

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Everyday Injustice - Podcast

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Everyday Injustice Podcast Episode 112: Prosecutor Accountability in New York

Prosecutorial misconduct continues to be widespread in the courts across the country. As a report from a decade ago discovered, with over 800 instances of documented prosecutorial misconduct—much of it serious with grave

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Page 819 of 1838

Subject: Re: Next Webinar

Date: Friday, June 25, 2021 at 12:12:45 AM British Summer Time

From: Ibarra, Valerie (PDR)

To: Rodarmel, Danica (PDR), David Greenwald

Definitely! Tony Serra. What a legend! I need to add more Tony Serra to my bookshelf, but [this one](#) was a fun read. His art/poetry parties at Pier 5 Law Offices are epic.

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>

Sent: Thursday, June 24, 2021 3:47 PM

To: David Greenwald <info@davisvanguard.org>; Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: Re: Next Webinar

I saw that – pretty awesome! I'll try to join.

Val – wanna include it in your weekly roundup?

D

From: David Greenwald <info@davisvanguard.org>

Date: Wednesday, June 23, 2021 at 2:59 PM

To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>, Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: Next Webinar

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Hey Danica -

Thought you might be interested in our next webinar - July 13 at noon with Tony Serra. Hoping you can shoot this out to folks who might be interested.

https://us02web.zoom.us/webinar/register/WN_owBdxr_oSOCePHIDMbxosQ

Subject: Re: Next Webinar

Date: Thursday, June 24, 2021 at 11:47:50 PM British Summer Time

From: Rodarmel, Danica (PDR)

To: David Greenwald, Ibarra, Valerie (PDR)

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To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>, Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

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Subject: Re: Vanguard Webinar: Featuring Special Guest Tony Serra (July 13)

Date: Thursday, June 24, 2021 at 7:12:20 PM British Summer Time

From: Ibarra, Valerie (PDR)

To: David M. Greenwald

This looks fun! I'll share it with the office for sure.

Sent from my iPhone

On Jun 24, 2021, at 11:03 AM, David M. Greenwald <info@davisvanguard.org> wrote:

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Join the Vanguard Webinar on July 13 at noon for this one of a kind, living legend discussing his work and thoughts on the criminal legal system.

Event is free - please register here -

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--

David M. Greenwald

Executive Director

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Log on daily to get the latest news, commentary, and information about the city of Davis, Yolo County, and the Sacramento Region.

"Journalism is printing what someone else does not want printed: everything else is public relations."
— George Orwell

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Subject: Everyday Injustice - Legendary Attorney Tony Serra to Speak in July; Awards Ceremony Highlights the Work on Behalf of Formerly Incarcerated

Date: Thursday, June 24, 2021 at 7:01:44 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

By accepting this unauthorized plea bargain, the court had made a grievous error that compromises the integrity of the judicial system.

Everyday Injustice Newsletter - June 24, 2021

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Criminal Justice News/ Commentary

Recharge Beyond the Bars Awards Ceremony (Video)

On Saturday, in Sacramento, was an amazing awards ceremony featuring the Life After Time video series premiere and the Recharge Beyond the Bars Re-Entry Game.

[Read More](#)

CA Appeals Court Shoots Down ‘Sham Plea’ – Example of How Plea Bargains Replacing Right to Jury Trial

A recent state appeals case heard here serves as an ugly reminder of how a system of guilty pleas appears to have largely replaced the Constitutional right of jury by trial in California.

[Read More](#)

Guest Commentary: Without Social, Economic, and Political Equality, There Is No Freedom

While preparing for our Juneteenth celebration at Carnegie Hall this year, I re-read General Order No. 3, presented by General Granger in Galveston, Tex. on June 19, 1865. This order famously communicated to Texans news of the

[Read More](#)

Statistics Released on Whether the Safety and Justice Challenge is Improving Local Criminal Justice Systems in U.S.

The Safety and Justice Challenge (SJC) released a report Tuesday entitled "Jail Decarceration and Public Safety," a research piece showing statistical support of the policies their organization promotes.

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The World Will Spin Again

The Vanguard is proud to announce a new project in partnership with Incarcerated Allied Media. Thanks to Dr. Joan Parkin and D. Razor Babb. These articles are published by Incarcerated Individuals

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COVID CDCR and Jail Dashboards

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[Read More](#)

Court Watch Coverage

Break-In or Burglary: Defendant Confesses, Says He Just Wanted to Sleep

Defendant Joseph Arthur Lopez faced the preliminary stage of his trial for multiple burglary charges Monday in Dept. 11 of the Yolo County Superior Court.

[Read More](#)

Video Provides Clues to Alleged Firearm Theft, but Defendant Pleads Not Guilty

Hector Gonzalez, a Sacramento man with prior convictions of robbery in 2017, was arraigned here this week in Sacramento County Superior Court on charges of stealing firearms from his acquaintance and

[Read More](#)

Sacramento Defendant Involved in Road Rage Incident, Police and Friends Testify

There were plenty of witnesses to an alleged road rage shooting, but late last week in Sacramento County Superior Court Department 25, Judge Donald J. Currier utilized five testimonies to determine that

[Read More](#)

Victim Requests Peaceful Contact Despite Asking for Restraining Order Previously

Claiming that her daughter misses her father and that "it was all a misunderstanding," the victim in a domestic violence case asked Judge Samuel J. Dalesandro, Jr., to issue a peaceful contact order and annul the

[Read More](#)

Defendant Loses Probation, Sentenced to a Three-Year Term in His Struggle with Substance Abuse

Defendant Noel Oronia, a young man who struggles with substance abuse issues, was sentenced in Fresno County Superior Court Tuesday to a three-year term in prison with his probation revoked because of violating probation

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Subject: Vanguard Webinar: Featuring Special Guest Tony Serra (July 13)

Date: Thursday, June 24, 2021 at 7:01:00 PM British Summer Time

From: David M. Greenwald

To: undisclosed-recipients;;

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Hello - you are receiving this because you signed up for or attended one of our recent webinars. If you don't wish to get these periodic emails, please respond and kindly request removal.

Tony Serra is a legend and a one-of-a-kind, iconoclast attorney. Described as a courtroom brawler for the downtrodden, for the disenfranchised, for the impoverished, and the marginalized.

Join the Vanguard Webinar on July 13 at noon for this one of a kind, living legend discussing his work and thoughts on the criminal legal system.

Event is free - please register here - https://us02web.zoom.us/webinar/register/WN_owBdxr_oSOCePHIDMbxosQ

--

David M. Greenwald
Executive Director
[The People's Vanguard of Davis](#)

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Subject: Re: Police Commission
Date: Thursday, June 24, 2021 at 4:00:00 PM British Summer Time
From: David M. Greenwald
To: Cox, Brian (PDR)
CC: Ibarra, Valerie (PDR)
Attachments: image001.jpg, image003.jpg

Hey Brian - Checking in again.

Thanks.

On Wed, Jun 16, 2021 at 9:21 AM Cox, Brian (PDR) <brian.cox@sfgov.org> wrote:

Hi David,

We haven't met yet as a group to finalize the memo. It's finished but want input from my colleagues before sharing. Will keep you posted.

- Brian

From: David M. Greenwald <info@davisvanguard.org>
Sent: Tuesday, June 15, 2021 6:44 PM
To: Cox, Brian (PDR) <brian.cox@sfgov.org>
Cc: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: Police Commission

Hi Brian - just checking to see where things are. Thanks.

On Thu, Jun 10, 2021 at 3:02 PM David M. Greenwald <info@davisvanguard.org> wrote:

Very good if you wouldn't mind sharing with me when it's completed I would greatly appreciate it

On Thu, Jun 10, 2021 at 3:01 PM Cox, Brian (PDR) <brian.cox@sfgov.org> wrote:

Likely early next week. We are meeting on Monday or Tuesday to finalize it.

From: David M. Greenwald [mailto:info@davisvanguard.org]
Sent: Thursday, June 10, 2021 2:58 PM
To: Cox, Brian (PDR) <brian.cox@sfgov.org>

Cc: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: Re: Police Commission

Brian -

When are you anticipating that memo being ready for distribution?

Thanks!

David

On Thu, Jun 10, 2021 at 2:56 PM Cox, Brian (PDR) <brian.cox@sfgov.org> wrote:

Hi David,

I do. I'm working on a memo to share with the Board of Supervisors and other allies that goes into much more depth. I've attached what I submitted to DPA a few months back. I'm happy to discuss it with you if you like.

- Brian

From: David M. Greenwald [mailto:info@davisvanguard.org]

Sent: Thursday, June 10, 2021 8:38 AM

To: Cox, Brian (PDR) <brian.cox@sfgov.org>

Cc: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: Police Commission

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Hi Brian -

I work with Jacque in your office on a Court Watch project and also run a non-profit news site.

I came across this on Twitter yesterday...

S.F. Public Defender Recommendations

Eliminate “Quality of Car” Stops	Eliminate Jaywalking & Loitering Detentions	End Baseless Searches known as “Consent Searches”
<p>Quality of Car stops include:</p> <ul style="list-style-type: none">• License plate violations,• Broken taillights• Tinted windows• Registration expired by less than 6 months. <p>Why?</p> <ul style="list-style-type: none">• Enables and encourages racial profiling• Disproportionately impacts POC• Needle-in-haystack	<p>For 1,000 Black adults, 42.6 receive citation for non-traffic local ordinance. For 1,000 White adults, 9.5 receive citations.</p> <p>“Pretextual”</p> <p>An excuse to stop and search many of our clients based oftentimes on implicit or explicit biases, which do not appear in the police report.</p>	<p>Black and Brown drivers receive nearly identical rates of consent searches between White drivers.</p> <p>Yield rate for La Honda significantly lower (30%).</p> <p>SFPD officers rarely search Black and white drivers. (Project)</p>

Was wondering if there was additional documentation on the recommendations. Interested in doing a story.

Thanks in advance,

David

530-400-2512

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Sent from Gmail Mobile

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David M. Greenwald
Executive Director
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Subject: Getting back into San Francisco!

Date: Wednesday, June 23, 2021 at 11:09:12 PM British Summer Time

From: David Greenwald

To: valerie.ibarra@sfgov.org

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Image

Image

We are getting back into San Francisco!

We are excited to announce the reopening of the San Francisco Court Watch. Last week our interns were able to return to the Hall of Justice in San Francisco for the first time in over a year!

They watched their first trial and wrote a fantastic article.

READ IT HERE: <https://www.davisvanguard.org/2021/06/san-francisco-jury-told-dont-fix-tragedy-by-causing-tragedy-in-corner-store-shootout-trial/>

Announcing our newest addition to the Vanguard team! Koda Slingluff

"I am an incoming senior at UC Berkeley majoring in philosophy. I have been working with the Davis Vanguard as an intern since September...

I have gained an invaluable understanding of the legal system and how I can make a difference...

My goal is to become a public defender and advocate for incarcerated people. I can truly say the vanguard has helped me on my way...

I am so excited to be joining the vanguard in a new capacity. I look forward to helping other interns realize their passions for advocacy, writing, and the law!"

The Davis Vanguard is the only daily online courthouse and criminal justice news source of its kind in California. We are a non-profit based in Yolo County founded in 2006.

The Vanguard has an intern-based staff covering criminal justice matters and daily court news throughout much of California, including Sacramento, the Greater San Francisco Bay Area, the Central Valley, and Southern California.

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Subject: Next Webinar

Date: Wednesday, June 23, 2021 at 10:59:09 PM British Summer Time

From: David Greenwald

To: danica.rodarmel@sfgov.org, valerie.ibarra@sfgov.org

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Hey Danica -

Thought you might be interested in our next webinar - July 13 at noon with Tony Serra. Hoping you can shoot this out to folks who might be interested.

https://us02web.zoom.us/webinar/register/WN_owBdxr_oSOCePHIDMbxosQ

Subject: Everyday Injustice - Bragg Poised to Win in Manhattan; Reformers Falsely Blamed For Walgreens Closures

Date: Wednesday, June 23, 2021 at 7:00:31 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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"We are going to demand and deliver on both safety and fairness," said Alvin Bragg

Everyday Injustice Newsletter - June 23, 2021

Bragg Poised to Become First Black DA in Manhattan

By David Greenwald

There were concerns with four strong candidates from the progressive camp for DA that they would split the vote and could allow Tali Farhadian Weinstein to sneak in. Progressives are not out of the woods yet on that, but right now Alvin Bragg continues to hold about a 7000 vote, four lead over second place Farhadian Weinstein.

Fellow progressive Tahanie Aboushi was a distant third with 11 percent of the vote. Bragg is at 33.9 while Farhadian Weinstein is at 30.5. The other two progressives really tailed off - Eliza Orlins was 7th at 4.4 and Dan Quart, a long time Assemblymember was last at a surprisingly poor 2.6 percent.

Unlike the Mayor's race which features choice voting, the Democratic Primary here is winner take all, with the winner facing a Republican in the general, but given the partisan split in Manhattan these days, the Democrats will be overwhelming favorites.

Intrigue remains elsewhere - Maya Wiley backed by AOC and other progressive was second in the Mayor's race. She said last night, "there is a path to victory" depending on how choice voting impacts the vote. Eric Adams is ahead and mostly declaring victory saying: "I am going to be your mayor. I want you to believe again. Let's bring our city back."

Despite that it seemed like a good day for the left, not only is Bragg in position to win the DA's race, but

the Democratic Socialists of America backed six City Council candidates. None of their races are called, but two of them are currently leading as votes come in.

Of perhaps even bigger significance, India Watson, a “progressive challenger running her first campaign was poised on Tuesday to beat Buffalo’s four-term Democratic mayor in a primary upset that would upend the political landscape in New York’s second-biggest city and signal the strength of the party’s left wing,” the New York Times reported.

Remember Buffalo last year was the scene of some interesting police violence. Walton, 38, if she wins she would become the first socialist mayor of a major US City since 1960.

“Tonight’s result proves that Buffalonians demand community-minded, people-focused government, and we’re ready to serve them,” Ms. Walton said in a statement. “For too long, we’ve seen our city work for politicians, for developers, for the police union, but not for ordinary working families. In our city, everyone will have a seat at the table.”

In the DA’s race, there are about 59,000 absentee ballots needing to be counted.

“We are going to demand and deliver on both safety and fairness,” Bragg said in a speech acknowledging that there were votes still to be counted but declared victory and spoke as if he had already won.

Thanks for reading.

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Criminal Justice News/ Commentary

Guest Commentary: The Dishonest Blame Game of Retail Store Closures and Crime

Reporters who parrot corporate claims of out-of-control theft play into a narrative that benefits big business and perpetuates carceral policies.

[Read More](#)

Study Reveals Policies Created in Response to COVID-19 Decreased Crime, Arrests, Jail Population

Amidst the COVID-19 pandemic, local and state criminal justice agencies enacted policies – meant to prevent the spread of the virus within jails – which ultimately mitigated the number of individuals being

[Read More](#)

Letter: Former Law Enforcement Officials Send Letter in Support of SB 79 To Congress

As current and former police, prosecutors, judges, and probation and parole officials, the undersigned express our support for the EQUAL Act (U.S. Senate Bill 79). We believe that the bill would improve public trust in the justice

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San Francisco Human Resources Manager Charged with Forgery In the Workplace

San Francisco District Attorney Chesa Boudin announced this week he will be charging defendant Rebecca Sherman, the San Francisco Department of Human Resources manager, with two felony counts of

[Read More](#)

Everyday Injustice Podcast Episode 112: Prosecutor Accountability in New York

Prosecutorial misconduct continues to be widespread in the courts across the country. As a report from a decade ago discovered, with over 800 instances of documented prosecutorial misconduct—much of it serious with grave

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COVID CDCR and Jail Dashboards

COVID-19 Outbreak in CSP Solano Appears to Subside; No New Cases Reported Across CDCR From Yesterday

Our daily run down on the COVID cases in the California Prison System (CDCR)

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COVID-19 Cases Decline Across Bay Area's County Jails; Testing Rates Remain High

Our daily run down on the COVID cases in selective County Jails

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San Francisco Court Watch

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San Francisco Human Resources Manager Charged with Forgery In the Workplace

San Francisco District Attorney Chesa Boudin announced this week he will be charging defendant Rebecca Sherman, the San Francisco Department of Human Resources manager, with two felony counts of

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Yolo County Court Watch

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Defendant Claims Spider Bite, But Caught with Stolen Key FOB and Knife, Faces Dual Felony Charges

An alleged spider bite, a concealed dirk and dagger and a stolen Toyota Prius key FOB could be the makings of a parlor game, but they are all related to a Yolo County Superior Court preliminary hearing held Monday,

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Sacramento Court Watch

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Case #1: Judge Claims ‘Government Keeps Screwing Up,’ – Case #2: Man Goes to Jail, Must Turn Over Child Porn

Some good things and not-so-good things– for defendants – happened in Judge Patrick Marlette’s Sacramento County Superior Courtroom Monday.

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Judge Shows Sympathy, Orders Prosecution to Help Resolve Case for Grandmother

It looked like an apparent good deed may be rewarded, according to what happened in Sacramento County Superior Court Monday, even though it is a bit confusing.

[Read More](#)

A Stinky Situation – Marijuana Stench, Grinder Justify Police Search of Defendant’s Vehicle

At a pretrial hearing Tuesday in Sacramento County Superior Court, defendant Abel Ruelas argued that his car was unlawfully searched because there was no probable cause.

[Read More](#)

Alameda Court Watch

A Judge Failed To Recuse the Alameda DA's Office, the DA Failed to Make A Reasonable Offer, So the Jury Acquitted a Man of Murder

In March, an Alameda County Judge refused to grant a defense motion to recuse the DA's office from prosecuting Shawn Martin, whose conviction had been overturned when an appellate court found that prosecutor had

[Read More](#)

Los Angeles Court Watch

Detective Lists Darts, A Fishing Knife, and Torch Lighter To Be Amongst Weapons Used in Domestic Abuse Incident

On Thursday, Detective Duran testified against defendant Pharrell Habib Scorza who faced multiple counts that include kidnapping, corporal injury on a spouse, and sexual assault by a foreign object.

[Read More](#)

Contra Costa Court Watch

Defendant to Be Released from Custody on Just One Cent Ba

Defendant Jabari Taylor was released here late last week in Alameda County Superior Court—on a penny bail—as the prosecution and defense argued over public safety concerns.

[Read More](#)

Fresno Court Watch

Judge Shocked Defendant Charles Brown Missing; Jail Sent Him to State Prison by Mistake

Both Fresno County Superior Court Judge Francine Zepeda and Fresno Deputy District Attorney Nicole Idiart last week were shocked to hear that a defendant was unable to appear in court.

[Read More](#)

Riverside Court Watch

Police Cell Phone Hacking

During the retrial of Cathedral City resident Sergio Lopez Guzman in Riverside County Superior Court last week, a police officer revealed the powerful technologies police can use to access private information from cell

[Read More](#)

Merced Court Watch

Family Survives in the Face of Father's Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

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Everyday Injustice - Podcast

see our podcasts

Everyday Injustice Podcast Episode 112: Prosecutor Accountability in New York

Prosecutorial misconduct continues to be widespread in the courts across the country. As a report from a decade ago discovered, with over 800 instances of documented prosecutorial misconduct—much of it serious with grave

[Read More](#)

Everyday Injustice Podcast Episode 110: Humphrey Decision's Impact on Bail and Pretrial Detention in SF and California

When the California Supreme Court ruled in March, in the Humphrey decision, that the judges are required to consider a person's ability to pay when setting their bail amounts, a big question was whether that would lead to more pretrial

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Subject: Everyday Injustice - All Eyes on Manhattan DA's Race Today - Will Progressives Coalesce to Defeat Farhadian Weinstein

Date: Tuesday, June 22, 2021 at 7:00:12 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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David Menschel tweeted, "He wasn't my first choice, but harm reduction is important."

Everyday Injustice Newsletter - June 22, 2021

Can Criminal Justice Reform Survive a Wave of Violent Crime?

By David Greenwald

John Pfaff warned reformers a year ago not to fight the battle on tough on crime's terms.

At a symposium at UC Hastings, he warned that progressives are framing things badly, because "in general, we have tried to justify this progressive effort by saying, look, prison is down, crime is down."

The problem is "this is fighting progressive's battle on tough on crime's ground." He said, "We are saying that reform is a luxury. As long as crime is going down, let's stop locking people up." However, "implicit, lurking in that message is when crime goes up, we really can't do this anymore. We're fighting their fight, on their ground."

Sure enough, in a piece in [the New Republic](#) yesterday, he noted that an uptick in homicides “is getting blamed on reforms.” The argument gets the data “all wrong,” he says.

But that’s what he was warning about a year ago.

He makes several key points:

“There is no evidence that cities with more progressive prosecutors experienced relatively worse outcomes than those with more conventional district attorneys....”

“In fact, two of the eight departments that reported declines in homicides—Baltimore City, Maryland, and St. Louis County, Missouri—are home to two of the country’s most high-profile ‘progressive prosecutors,’ Marilyn Mosby and Wesley Bell.”

“Even progressive prosecutors have maintained tough attitudes toward serious violence.... they have often argued that the reason to scale back enforcement of drug and other nonviolent offenses is to enable them to target serious violence.”

“Moreover, the changes that progressive prosecutors have adopted toward violent crime are not the sort to lead to more homicides,” he argues. “In Philadelphia, for example, Larry Krasner has started to charge more homicides as third-degree murder rather than first- or second-, moving the expected sentence from life without parole to a standard minimum of 10 years. While that may seem like a major shift, a 20-year sentence does not meaningfully deter people more than a 10-year sentence, while imposing substantial financial and humanitarian costs.”

Pfaff adds, “it is worth pointing out that the Philadelphia Police Department, whose union has [routinely attacked Krasner](#), struggles to solve murders; it made arrests in [fewer than half](#) those committed in that city in 2020.”

Finally, “The claims that Krasner has been soft on gun charges also [appear inaccurate](#)—not to mention that his greater emphasis on diversion [may actually reduce](#) overall gun violence.”

Pfaff writes: “If not progressive prosecution or defunding, what caused the surge in homicides? It will be years before we have a clear answer, but the two leading explanations are the chaos wrought by the Covid pandemic and some product of the protests that have taken place against police violence.”

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Twitter: <https://twitter.com/DavisVanguard>

YouTube: <http://www.youtube.com/davisvanguard>

Criminal Justice News/ Commentary

All Eyes on Manhattan DA’s Race

Reformers are naturally nervous about the election in New York today. Unlike the Mayor’s race, the DA’s race has no ranked choice voting. With four fairly strong reform-minded candidates that could pose a problem against

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Guest Commentary: President Biden Can

Prevent Over 4,000 People from Being Sent Back to Prison

Imagine being released from prison to serve the rest of your sentence at home. You begin your reintegration back to society. You get a job, rent an apartment, maybe even go back to school. You reconnect with your family. You fully

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Ninth Circuit Court of Appeals Rules to Maintain Stay for Assault Weapon Ban in California

The assault weapon ban in California will still be in force, according to the Ninth Circuit Court of Appeals ruling announced Monday in *Miller v. Bonta*.

[Read More](#)

Los Angeles County District Attorney Announces New Policies

District Attorney George Gascón announced policy changes to lock up fewer people and seek the early release of thousands of state prison inmates serving overly long sentences. "It is time to change course and implement a

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CDCR Halts Data Reporting on Staff COVID-19 Cases, Deaths; Only 50 Active Cases Reported Across CDCR

As of Jun. 19, there have been a total of 49,386 confirmed COVID-19 cases in the CDCR system – 35 of them emerged in the last two weeks. 42 cases are active in custody, while 607 have been released while active.

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Everyday Injustice Podcast Episode 112: Prosecutor Accountability in New York

Prosecutorial misconduct continues to be widespread in the courts across the country. As a report from a decade ago discovered, with over 800 instances of documented prosecutorial misconduct—much of it serious with grave

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San Francisco Court Watch

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Bail Set at \$100K for Man Who Threatened on Facebook Livestream to Shoot Davis PD Officer as He Drove around Station

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Sacramento Court Watch

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Defendant Faces Light Sentence for DUI and Illegal Possession of Firearm

After being charged with illegal possession of a firearm and drunk driving in 2020, defendant Fionn Robertson appeared Monday in Sacramento County Superior Court Department 63

before Judge Helena R. Gweon for sentencing.

[Read More](#)

Dispute Between Cousins Leaves Minor Injuries – Victim Wants to Withdraw Complaint, But Court Pursues Felony Charges

Despite the victim's stated desire to no longer press charges against his cousin, a Sacramento County Superior Court will continue the prosecution of defendant John L. Miles Jr., charged with several alleged

[Read More](#)

Man Missed Court Date 3 Years Ago because He Was Deported, Couldn't Re-Enter U.S.

Isaac Vargas had a pretty good reason for missing a 2018 court date—he was deported and his immigration status prevented him from re-entering the U.S.

[Read More](#)

Defendant Doesn't Waste Time – Pleads to Receiving Stolen Time Pieces (Rolex Watches)

Maybe it's because he's into watches, but defendant George Tinga Tabi wasted no time late last week in Sacramento County Superior Court pleading guilty at his arraignment to receiving stolen property—counterfeit Rolex watches.

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Alameda Court Watch

A Judge Failed To Recuse the Alameda DA's Office, the DA Failed to Make A Reasonable Offer, So the Jury Acquitted a Man of Murder

In March, an Alameda County Judge refused to grant a defense motion to recuse the DA's office from prosecuting Shawn Martin, whose conviction had been overturned when an appellate court found that prosecutor had

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On Thursday, Detective Duran testified against defendant Pharrell Habib Scorza who faced multiple counts that include kidnapping, corporal injury on a spouse, and sexual assault by a foreign object.

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Contra Costa Court Watch

Defendant to Be Released from Custody on Just One Cent Ba

Defendant Jabari Taylor was released here late last week in Alameda County Superior Court—on a penny bail—as the prosecution and defense argued over public safety concerns.

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Fresno Court Watch

Judge Shocked Defendant Charles Brown Missing; Jail Sent Him to State Prison by Mistake

Both Fresno County Superior Court Judge Francine Zepeda and Fresno Deputy District Attorney Nicole Idiart last week were shocked to hear that a defendant was unable to appear in court.

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Subject: Digest for covidhabeas@googlegroups.com - 5 updates in 4 topics

Date: Tuesday, June 22, 2021 at 7:06:46 AM British Summer Time

From: covidhabeas@googlegroups.com

To: Digest recipients

covidhabeas@googlegroups.com

Google Groups

Topic digest

[View all topics](#)

- [CCHCS and CDCR organizational charts](#) - 1 Update
- [SQ client comm's](#) - 1 Update
- [Question re CIM transferees](#) - 1 Update
- [CDCR Halts Data Reporting on Staff COVID-19 Cases, Deaths; Only 50 Active Cases Reported Across CDCR | Davis Vanguard](#) - 2 Updates

CCHCS and CDCR organizational charts

Richard Braucher <rbraucher@fdap.org>: Jun 21 01:44PM -0700

Hello Crew,

I thought we had an exhibit with an organizational chart of our CCHCS and CDCR cast of characters. If I am not hallucinating, can someone direct me to it?

Thanks.

Richard

L. Richard Braucher
Staff Attorney
First District Appellate Project
475 Fourteenth Street, Suite 650
Oakland, CA 94612
(415) 495-3119
fax: (415) 495-0166

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SQ client comm's

Rebecca Rabkin <rebeccarabkin@gmail.com>: Jun 21 12:31PM -0700

Hi all,

I heard from a client this morning that there was a "memo" circulating at SQ that we lost the case and "should have taken the pizza party and pepsi." He didn't have any more details, trying to get a copy for me. My assumption is this is from a jailhouse lawyer, not CDCR, but I have no idea, sounds a little kooky.

My takeaway is that we have to make sure our clients have correct information about the current status of the case. I'll be drafting a letter for Carbone/Rabkin clients this week.

Rebecca

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Question re CIM transferees

Richard Braucher <rbraucher@fdap.org>: Jun 21 10:40AM -0700

Do we have an exhibit with a list of names of the 5/30 CIM transferees? I would like to know how many tested positive immediately after arrival--compare with Exh. 1241.

Thanks.

Richard

L. Richard Braucher
Staff Attorney
First District Appellate Project
475 Fourteenth Street, Suite 650
Oakland, CA 94612
(415) 495-3119
fax: (415) 495-0166

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CDCR Halts Data Reporting on Staff COVID-19 Cases, Deaths; Only 50 Active Cases Reported Across CDCR | Davis Vanguard

"Rodarmel, Danica (PDR)" <danica.rodarmel@sfgov.org>: Jun 21 04:09PM

<https://www.davisvanguard.org/2021/06/cdcr-halts-data-reporting-on-staff-covid-cases/> <<https://url.avan:>

[cases/____.YXAzOnNmZHQyOmE6bzo4NGFIMml1YzM3OTJmZDM0NWVvKNGI2NzhjMmEyOGRhND0](#)

"Rodarmel, Danica (PDR)" <danica.rodarmel@sfgov.org>: Jun 21 04:13PM

"Effective June 15, 2021, Governor Gavin Newsom terminated executive orders that put into the place t providing Employee Status updates to this webpage. The data below is the final cumulative Employee C

See here: <https://www.cdcr.ca.gov/covid19/cdcr-cchcs-covid-19-status/>

From: covidhabeas@googlegroups.com <covidhabeas@googlegroups.com> on behalf of Rodarmel, D;
Date: Monday, June 21, 2021 at 9:10 AM
To: covidhabeas@googlegroups.com <covidhabeas@googlegroups.com>
Subject: CDCR Halts Data Reporting on Staff COVID-19 Cases, Deaths; Only 50 Active Cases Reporte

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Subject: Everyday Injustice - Podcast Looks At Prosecutorial Misconduct; Deskovic Talks About New Law in NY
Date: Monday, June 21, 2021 at 7:00:27 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"I'm opposed to critical race theory," Nebraska Governor Pete Ricketts told a radio show the other day.
"It's a Marxist theory ... it's really un-American."

Everyday Injustice Newsletter - June 21, 2021

Prosecutorial Misconduct and Accountability

Prosecutorial misconduct continues to be widespread in the courts across the country. As a report from a decade ago discovered, with over 800 instances of documented prosecutorial misconduct—much of it serious with grave effects—courts, district attorneys, and bar associations “rarely hold prosecutors accountable for their misconduct. In fact, the whole system incentivizes misconduct by using ‘court wins’ to measure prosecutorial success.”

Accountability NY is a non-profit coalition of law professors and public interest groups seeking

consequences for prosecutorial misconduct.

Overview of the project:

The power prosecutors have in the criminal justice system and how their misconduct frequently goes unnoticed

How harmful their misconduct is to individuals, families, communities, and to the legal system itself
Why grievances were the way Accountability NY approached this issue (currently the only avenue for accountability in New York)

What this means nationally. This is a nationwide issue plus it is happening at a time when there is a national movement for police accountability—police accountability and prosecutorial accountability go hand in hand.

Everyday injustice speaks with Steve Zeidman, Professor and Director of the Criminal Defense Clinic, who has spent the last 25 years working in the area of criminal defense.

See this week's podcast: [here](#).

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Criminal Justice News/ Commentary

Monday Morning Thoughts: Do Conservatives Even Understand What Critical Race Theory Is?

Catching up on the news this weekend, I caught NY Times columnist Nicholas Kristof's newsletter. I haven't focused that much on critical race theory—in part because it's not exactly new and in part because I believe most *racism* in

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Unpacking Chesa Boudin's Progressive Prosecution

Last week, Radley Balko published an opinion article in The Washington Post, unpacking much of the misinformation and

misguided sentiments which are driving the pushback against progressive prosecuting

[Read More](#)

Guest Commentary: DAs Warn Anti-Fraud Voting Laws Threaten Public Safety

Democracy is under attack in the United States, with policymakers in nearly every state using fear-mongering and misinformation to fan the flames of efforts to restrict the fundamental right to vote.

[Read More](#)

Jeffrey Deskovic on Gov Cuomo Signing Legislature Establishing Commission on Prosecutorial Conduct

On Thursday, NY Governor Andrew Cuomo signed legislature overwhelmingly passed by the NY State Assembly and Senate establishing the New York State Commission on Prosecutorial Conduct.

[Read More](#)

Few Cops We Found Using Force on George Floyd Protesters Are Known to Have Faced Discipline

ProPublica compiled 68 videos that seemed to show officers using disproportionate force on protesters. A year later, police have disclosed discipline for a total of 10 officers.

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Sacramento Court Watch

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Three Sacramento Police Officers Testify after Questionable Stop, Search of Defendant

Assistant Public Defender Steven Hirsch late last Thursday here in Sacramento County Superior Court cross-examined three Sacramento police officers, who he suggested wrongfully detained his client after they

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Defendant – Jailed Since 2019 Awaiting Trial – Alleges Violation of His Due Process Rights

A defendant here in Sacramento County Superior Court late last week expressed frustration at his court date being pushed back again after being “promised,” in his words, a trial date in January of this year.

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Domestic Violence Victim Statement Does Not Sway Judge in Domestic Abuse Case

In an extraordinary victim impact statement, defendant Eric Bouie's wife informed Sacramento County Superior Court through the District Attorney Office of a long history of abuse and intimidation perpetrated upon

[Read More](#)

Alameda Court Watch

A Judge Failed To Recuse the Alameda DA's Office, the DA Failed to Make A Reasonable Offer, So the Jury Acquitted a Man of Murder

In March, an Alameda County Judge refused to grant a defense motion to recuse the DA's office from prosecuting Shawn Martin, whose conviction had been overturned when an appellate court found that prosecutor had

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On Thursday, Detective Duran testified against defendant Pharrell Habib Scorza who faced multiple counts that include kidnapping, corporal injury on a spouse, and sexual assault by a foreign object.

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Contra Costa Court Watch

Defendant Fearing Deportation Allegedly Caused Accident, Lied that He Was Carjacked

Trial counsel and the judge here last week may have been sympathetic to a defendant seeking asylum in the U.S., but the defendant allegedly caused a vehicle collision and then told police he was carjacked – the

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YouTube: https://url.avanan.click/v2/___http://www.youtube.com/davisvanguard___YXAzOnNmZHQyOmE6bzowYjA2NmZINzhkNDliYWVjOGYwNDMxMmE0NzBjNTczZDo0OjRIYTI6Nzk2NDcxMTU5ZjQ2NmRiNzIzMzM2MWFIZDk4MDAxODg3YjIxODcwOGQzZDM5ODAxN2MzZjE1ZWQ5OTQyMjMzA

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Subject: Everyday Injustice - Judge Refuss To Grant Diversion in DUI Cases; California's 'Reopening' Means Little to Unhoused
Date: Friday, June 18, 2021 at 7:01:08 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"Put simply, while 25,000 years is a staggering number, it is a significant undercount of the true losses these falsely convicted men and women suffered," the registry stated.

Everyday Injustice Newsletter - June 18, 2021

Even More Big News From the Vanguard...

It seems like everyday I have amazing news to share. Yesterday however was extraordinary.

First, we have an amazing Webinar to announce for July 13 (a Tuesday) at noon. We have the legendary

attorney, Tony Serra coming to talk about his insights into the criminal justice world. The 86 year old attorney and icon has had an amazing career as a defense attorney and still continues to practice his mesmerizing brand of defense work. That is one you will not want to miss.

Second, from 2011 to 2014, the Vanguard's annual fundraiser was a Dinner and Awards Ceremony. However, starting in 2015, the Vanguard stopped doing the awards ceremony and focused on the program. This year we are doing them both - separately. So on either September 8 or 9 in Sacramento at a to be determined location, we will be giving out Vanguard Awards for work in Criminal Justice Reform. And then on October 28, on Zoom, we will have our 11th annual fundraiser with: Chesa Boudin (SF District Attorney), Jody Armour (Law Professor USC), Melina Abdullah, (Black Lives Matter LA), and Jonathan Rapping (Gideon's Promise) talk about the future of Criminal Justice Reform.

And in September in person we will hand out awards, plus Attorney Curtis Briggs will talk about the Douglas Stankewitz case.

Third, last night in Santa Barbara, we met with 30 prospective interns for what will be a new Court Watch in Santa Barbara County in partnership with the Santa Barbara Public Defender's Office. We are really excited about our new partnership and extremely elated that there was so much interest by students.

As I keep pointing out - we can only do these programs with you support.

We had a change in our donation system and so we have been contacting people already signed up on Network for Good (as opposed to PayPal) and need them to either update their info: Simply log in at https://davisvanguard.networkforgood.com/payment_profiles using the email address and password you provided when the donation was created.

Or you can create a new one at: <http://davisvanguard.networkforgood.com>

And of course we need new donors as well. Become a monthly sustaining donor at: <http://davisvanguard.networkforgood.com>

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Criminal Justice News/ Commentary

Sacramento Judge Denies Diversion For Misdemeanor DUI Cases Despite New State Law

Under state law that took effect in January, the state has initiated a misdemeanor pretrial diversion program which – if the defendant is found suitable – as long as they complete the terms and conditions of

[Read More](#)

California's 'Reopening' Means Little to Unhoused – See Uptick in 'Sweeps,' Negligence Towards Homeless

On the day after California's reopening this week, the California Homeless Union hosted a march and press conference to remind the state of its continued negligence towards the needs of unhoused communities throughout

[Read More](#)

U.S. Pays \$2.9 Billion in Compensation to Exonerees – Number of Collective Years Served by Wrongfully Accused Reaches 25,000 Years.

'Freedom' is a word that, for many, is closely tied with the United States. But for others, the United States' justice system is precisely what stripped that freedom away.

[Read More](#)

New Forensic Evidence, Suppressed Evidence Exonerates Chester Hollman – Wrongfully Convicted for 28 Years

Twenty eight years after he was wrongfully convicted of second-degree murder, Chester Hollman was exonerated after forensic evidence proved him to be not guilty.

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San Quentin's Non-COVID-19 Emergency

Last year when COVID-19 started to infect people around the world, San Quentin State Prison was placed on virtual lockdown. But there was never a declared state of emergency at the prison.

[Read More](#)

COVID CDCR and Jail Dashboards

COVID-19 Outbreak in CSP Solano Appears to Subside; No New Cases Reported Across CDCR From Yesterday

Our daily run down on the COVID cases in the California Prison System (CDCR)

[Read More](#)

COVID-19 Cases Decline Across Bay Area's County Jails; Testing Rates Remain High

Our daily run down on the COVID cases in selective County Jails

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San Francisco Court Watch

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San Francisco Jury Told Don't 'Fix Tragedy by Causing Tragedy' in Corner-Store Shootout Trial

Judge Sharon Reardon and a jury Monday heard the opening statements here in San Francisco County Superior Court in the case of defendant Omar Herrera, who allegedly aided in a first- degree murder

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Yolo County Court Watch

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Judge Questions How Mental Health Factored Into Crime of Felon Getting Gun to Protect Kids

Defendant Richard Alvarado Segura sat in the crossfire of prosecution and his own public defender here this week in Yolo County Superior Court as the court considered his mental health.

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Sacramento Court Watch

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Defendant Karate Chops McDonald's Door, Breaks it; Judge Rules Rights Weren't Violated

Defendant Oran Coleman is charged with felony charges after allegedly "karate-kicking" and breaking a McDonald's Restaurant door, but in a preliminary hearing Wednesday in Sacramento County Superior

[Read More](#)

Defense Attorneys in 2019 Double Homicide Argue Charges Don't Fit Self-Defense Incident

Nhia Xiang and Meng Lee are charged with multiple counts of murder, and faced a preliminary hearing Wednesday in Sacramento County Superior Court, with both of their attorneys arguing that murder charges

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Judges Sets Trial After Petty Traffic Stop Leads to Serious Charges

Defendant Kevin Eugene Humphrey is facing a slew of charges, including driving with a suspended license, possession of methamphetamine and narcotics, and driving under the influence.

[Read More](#)

Immigration Status Reason Defendant Resentenced on New Charge for 2019 Home Depot Burglary

A Sacramento County Superior Court judge reduced felony charges to misdemeanors at a preliminary hearing here Monday after two Sacramento men pleaded not guilty to joyriding.

[Read More](#)

Carjacking Case, Gutting CA Mental Healthcare 50 Years Ago Angers Judge in Sentencing Man to Prison

Judge Patrick Marlette here in Sacramento County Superior Court Tuesday opined about the unfortunate circumstances of a defendant with mental health issues, harkening back more than a half century when

[Read More](#)

Alameda Court Watch

A Judge Failed To Recuse the Alameda DA's Office, the DA Failed to Make A Reasonable Offer, So the Jury Acquitted a Man of Murder

In March, an Alameda County Judge refused to grant a defense motion to recuse the DA's office from prosecuting Shawn Martin, whose conviction had been overturned when an appellate court found that prosecutor had

[Read More](#)

Los Angeles Court Watch

Detective Lists Darts, A Fishing Knife, and Torch Lighter To Be Amongst Weapons Used in Domestic Abuse Incident

On Thursday, Detective Duran testified against defendant Pharrell Habib Scorza who faced multiple counts that include kidnapping, corporal injury on a spouse, and sexual assault by a foreign object.

[Read More](#)

Contra Costa Court Watch

Defendant Fearing Deportation Allegedly Caused Accident, Lied that He Was Carjacked

Trial counsel and the judge here last week may have been sympathetic to a defendant seeking asylum in the U.S., but the defendant allegedly caused a vehicle collision and then told police he was carjacked – the

[Read More](#)

Fresno Court Watch

Judge Shocked Defendant Charles Brown Missing; Jail Sent Him to State Prison by Mistake

Both Fresno County Superior Court Judge Francine Zepeda and Fresno Deputy District Attorney Nicole Idiart last week were shocked to hear that a defendant was unable to appear in court.

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Riverside Court Watch

Police Cell Phone Hacking

During the retrial of Cathedral City resident Sergio Lopez Guzman in Riverside County Superior Court last week, a police officer revealed the powerful technologies police can use to access private information from cell

[Read More](#)

Merced Court Watch

Family Survives in the Face of Father's Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

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Everyday Injustice - Podcast

see our podcasts

Everyday Injustice Podcast Episode 110: Humphrey Decision's Impact on Bail and Pretrial Detention in SF and California

When the California Supreme Court ruled in March, in the Humphrey decision, that the judges are required to consider a person's ability to pay when setting their bail amounts, a big question was whether that would lead to more pretrial

[Read More](#)

Everyday Injustice Podcast Episode 108: Larry Krasner's Huge Win & Future of Progressive DA Movement

Last week, Larry Krasner who was among the first wave of progressive DA's to be elected in 2017, won a resounding reelection in the Democratic primary after a former Deputy DA, who he had fired in 2018, attempted to take him down

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Yolo County Court Watch:

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[1432660796849531/___YXAzOnNmZHQyOmE6bzowMTM4ODYwZmFkZGY4YTc5MTQyMGZjNzkyYjUwMjM4Nzo0OjYzNGY6ODdmZDk0MzUyNmQ4M2FkNjNIZjkwYzdmZWJlZDRlZjQzZjc5MTg3MzAyYzU4ZmU1ZjNkNDIyZjU5N2FmZTlwYg](https://url.avanan.click/v2/___https://www.facebook.com/Sacramento-Court-Watch-1432660796849531/___YXAzOnNmZHQyOmE6bzowMTM4ODYwZmFkZGY4YTc5MTQyMGZjNzkyYjUwMjM4Nzo0OjYzNGY6ODdmZDk0MzUyNmQ4M2FkNjNIZjkwYzdmZWJlZDRlZjQzZjc5MTg3MzAyYzU4ZmU1ZjNkNDIyZjU5N2FmZTlwYg)

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Subject: Re: San Francisco Jury Told Don't 'Fix Tragedy by Causing Tragedy' in Corner-Store Shootout Trial | Davis Vanguard
Date: Thursday, June 17, 2021 at 10:47:25 PM British Summer Time
From: Ibarra, Valerie (PDR)
To: Rodarmel, Danica (PDR), Harris, Danielle (PDR), Villaran, Sierra (PDR)
CC: Goossen, Carolyn (PDR)

He made some changes, but if there are other corrections that need to be made, please let me know. I haven't been able to come to any of the case conferences for this case, and wasn't able to zoom in for opening.

<https://www.davisvanguard.org/2021/06/san-francisco-jury-told-dont-fix-tragedy-by-causing-tragedy-in-corner-store-shootout-trial/>

Thank you,
Valerie

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Sent: Wednesday, June 16, 2021 10:18 AM
To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>; Harris, Danielle (PDR) <danielle.harris@sfgov.org>; Villaran, Sierra (PDR) <sierra.villaran@sfgov.org>
Cc: Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>
Subject: Re: San Francisco Jury Told Don't 'Fix Tragedy by Causing Tragedy' in Corner-Store Shootout Trial | Davis Vanguard

At first glance:

- He didn't "allegedly aided in a first-degree murder"
- DH is referred to as an "Assistant Public Defender" which isn't a thing...

I can't read the whole thing right now, but those are in the first 2 paragraphs. It does seem like we should have a good method for monitoring and correcting errors in reporting from court watch.

Also – as I have expressed before: I'm generally not sure that this kind of coverage is helpful overall... but I digress.

From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Date: Wednesday, June 16, 2021 at 8:42 AM
To: Harris, Danielle (PDR) <danielle.harris@sfgov.org>, Villaran, Sierra (PDR) <sierra.villaran@sfgov.org>
Cc: Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>, Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Subject: Re: San Francisco Jury Told Don't 'Fix Tragedy by Causing Tragedy' in Corner-Store Shootout Trial | Davis Vanguard

If there are any specific factual corrections needed, please let me know if you'd like me to pass them along; or if you'd like to convey anything directly with their supervisor, David Greenwald can be reached at info@davisvanguard.org.

From: Harris, Danielle (PDR) <danielle.harris@sfgov.org>
Sent: Wednesday, June 16, 2021 8:30 AM
To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>; Villaran, Sierra (PDR) <sierra.villaran@sfgov.org>
Cc: Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>; Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Subject: RE: San Francisco Jury Told Don't 'Fix Tragedy by Causing Tragedy' in Corner-Store Shootout Trial | Davis Vanguard

They could really use some editing help! Not sure if or how to convey . . .

There's also a lot of errors. I'm not worried for our case, but generally.

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

From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Sent: Wednesday, June 16, 2021 7:48 AM
To: Harris, Danielle (PDR) <danielle.harris@sfgov.org>; Villaran, Sierra (PDR) <sierra.villaran@sfgov.org>
Cc: Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>
Subject: San Francisco Jury Told Don't 'Fix Tragedy by Causing Tragedy' in Corner-Store Shootout Trial | Davis Vanguard

<https://www.davisvanguard.org/2021/06/san-francisco-jury-told-dont-fix-tragedy-by-causing-tragedy-in-corner-store-shootout-trial/>

Sent from my iPhone

Subject: Re: Danielle's trial coverage

Date: Thursday, June 17, 2021 at 10:46:21 PM British Summer Time

From: Ibarra, Valerie (PDR)

To: David M. Greenwald

Thank you for making those updates.

From: David M. Greenwald <info@davisvanguard.org>

Sent: Thursday, June 17, 2021 2:36 PM

To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: Re: Danielle's trial coverage

It's definitely felony murder - bullet ricocheted off the ground and hit the victim

On Thu, Jun 17, 2021 at 2:33 PM Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org> wrote:

I admit, I wish I had more clarity about this case to share. Not sure if it's straight 1st degree or felony murder. Danielle.Harris@sfgov.org.

From: David M. Greenwald <info@davisvanguard.org>

Sent: Thursday, June 17, 2021 1:50 PM

To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: Re: Danielle's trial coverage

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I think it should be some sort of felony murder. Changed it to committed. It was hard to listen / hear in there by the way.

On Thu, Jun 17, 2021 at 1:46 PM Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org> wrote:

Hi David -- We caught a couple of small things in this article. 1) Deputy Public Defender (not Assistant), 2) it says "allegedly aiding 1st degree murder" which apparently is a bit awkward since the charge is 1st degree murder. I wasn't able to get much more than those notes from some folks before they had to run to court. Thank you!

<https://www.davisvanguard.org/2021/06/san-francisco-jury-told-dont-fix-tragedy-by-causing-tragedy-in-corner-store-shootout-trial/>

Valerie Ibarra
Public Information Officer
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Valerie.Ibarra@sfgov.org
(628)249-7946
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Executive Director
[The People's Vanguard of Davis](https://www.davisvanguard.org/)

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Subject: Re: Danielle's trial coverage

Date: Thursday, June 17, 2021 at 10:36:55 PM British Summer Time

From: David M. Greenwald

To: Ibarra, Valerie (PDR)

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Sent: Thursday, June 17, 2021 1:50 PM

To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: Re: Danielle's trial coverage

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Subject: Re: Danielle's trial coverage

Date: Thursday, June 17, 2021 at 10:33:11 PM British Summer Time

From: Ibarra, Valerie (PDR)

To: David M. Greenwald

I admit, I wish I had more clarity about this case to share. Not sure if it's straight 1st degree or felony murder. Danielle.Harris@sfgov.org.

From: David M. Greenwald <info@davisvanguard.org>

Sent: Thursday, June 17, 2021 1:50 PM

To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: Re: Danielle's trial coverage

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Subject: Re: Danielle's trial coverage

Date: Thursday, June 17, 2021 at 9:50:54 PM British Summer Time

From: David M. Greenwald

To: Ibarra, Valerie (PDR)

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I think it should be some sort of felony murder. Changed it to committed. It was hard to listen / hear in there by the way.

On Thu, Jun 17, 2021 at 1:46 PM Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org> wrote:

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Subject: Danielle's trial coverage

Date: Thursday, June 17, 2021 at 9:46:35 PM British Summer Time

From: Ibarra, Valerie (PDR)

To: David M. Greenwald

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Subject: Everyday Injustice - Manhattan DA Candidate in Hot Water; Judge Limits Evidence From Prosecutor Witness Based on Junk Science
Date: Thursday, June 17, 2021 at 7:01:16 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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Public Defender Tracie Olson, Yolo County CA: "The prosecution, as the proponent of the evidence, has not met its burden under Kelly demonstrating that the firearm identification method used in this case is generally accepted by the scientific community, that the criminalist properly used valid techniques, that the proffered testimony is reliable under Sargon, and that the probative value of the testimony outweighs the prejudice that it will ensure, as required by Evidence Code section 352."

Everyday Injustice Newsletter - June 17, 2021

**Pay Attention to the
Tali Farhadian Weinstein News...**

by David Greenwald

ProPublica - [in an article we have run ourselves](#), broke the news this week, that “Tali Farhadian Weinstein, who donated \$8 million to her own campaign, and her hedge fund manager husband paid nothing (or almost nothing) to the IRS four times in six years.”

First of all, Weinstein is the leading contender who is a status quo candidate to replace Cy Vance. Many prognosticators believe it will come down evidence to her and whoever from the progressive camp - of which there are several candidates - to determine who ends up becoming the next DA.

ProPublica reports: “Tali Farhadian Weinstein, who is married to hedge fund manager Boaz Weinstein, is running for Manhattan district attorney in the Democratic primary, in which early voting has already begun. She and her husband reported income as high as \$107 million in 2011, and she recently donated \$8.2 million to her campaign — more than her seven Democratic rivals have raised in total. “But in 2017, according to a trove of tax data obtained by ProPublica, she and her husband paid no federal income tax. In 2015 and 2013, they also paid no federal income tax. In 2014, she and her husband paid \$6,584.”

This is not a small deal. Ironically this is the office leading the investigation into whether former President Trump violated tax laws and other laws. And whoever wins this would take over this prosecution.

Farhadian Weinstein provided a statement in response to questions from ProPublica: “In 6 of the last 11 years (the years in which we had income), we paid more than 50% of our income in Federal, State and New York City taxes. In the other years, we earned no net income and, as a result, did not pay income tax. We both benefited from many opportunities in this city and country and are glad to pay taxes at among the very highest tax rates in the entire country.

That is not what ProPublica found however.

Dan Quart, the Assemblymember and one of the progressive candidates issued a statement: “Tali Farhadian Weinstein clearly thinks that hardworking Manhattanites are suckers. She thinks that votes can be bought, which is why she donated 8 million dollars to her own campaign. She sees no problem with being a millionaire who pays no federal income taxes while the average American pays **\$15,000**. Ms. Weinstein is out of touch and disconnected from the voters in Manhattan.” He also issued another statement:

“Despite dumping \$8.2 million of her own money into her campaign, or *four times* the amount of money than any other candidate, Tali Farhadian Weinstein doesn’t believe she can win on her own ideas, merits, and integrity. Instead, as the race tightens, Ms. Weinstein has decided to spend over \$1.4 million on a smear campaign against me. Spreading baseless attacks while running for an office that stands for honesty and trust is deeply troubling and disqualifying.

“The truth is that while Ms. Weinstein was seeking a judgeship from Donald Trump and deciding whether or not she wanted to be a Democrat, I was fighting to reform the state’s rape laws and standing up for survivors of sexual harassment in our state capitol.”

Stay tuned. Early voting has already begun. Weinstein has raised \$12.8 million in all (including the \$8.2 million she contributed herself), towering over the next closest competitors, Alvin Bragg at \$2.3 million and Lucy Lang at \$1.6 million.

Thanks for reading.

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Leading Manhattan DA Candidate Has Repeatedly Paid Virtually No Federal Income Taxes

Tali Farhadian Weinstein, who donated \$8 million to her own campaign, and her hedge fund manager husband paid nothing (or almost nothing) to the IRS four times in six years.

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Independent Team Formed by LA District Attorney Gascón to Re-Examine Fatal Use-of-Force Incidents

An independent team will re-examine fatal use-of-force incidents by law enforcements officers here and recommend action if warranted, according to Los Angeles County District Attorney George Gascón

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CA Appeals Court Tells State Courts They Can't Continue to 'Warehouse' Thousands of Disabled Defendants in Jails, ACLU Announces

The state of California cannot continue to "warehouse" thousands of people awaiting trial for months, and sometimes years in county jails, according to a ruling from the California Court of Appeals, said the ACLU

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Walter Ogrod, Death Row Inmate, Exonerated after 28 Years

On June 10, 2020, Walter Ogrod became the 169th person to be exonerated from death row since 1973. Ogrod was arrested in 1992, and subsequently convicted of the first degree murder of four-year-old Barbara Jean

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Looking Back at CDCR's COVID-19 Early

Release Efforts– Was It Adequate?

But as issues of testing, restriction tiers, and vaccine distribution have consumed public attention, incarcerated people in prisons and county jails remain an overlooked cohort despite contracting the virus at a rate five times higher

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Sacramento Court Watch

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Not a Schoolyard Fight: Unclear Who Started Stabbing Brawl Between Two Prison Inmates

Confusion over who started a fight between two inmates at California State Prison, Sacramento dominated discussion in Sacramento County Superior Court, Dept. 31 this past Tuesday.

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Joint Joyriding Preliminary Goes Forward Against Defendant's Wishes; Judge Reduces Charges on Alleged Mustang Heist

A Sacramento County Superior Court judge reduced felony charges to misdemeanors at a preliminary hearing here Monday after two Sacramento men pleaded not guilty to joyriding.

[Read More](#)

Judge Unsympathetic to Mother of 8 Living in Hotels After House Burned Down; Cites Her Multiple DUI Charges

When a defendant claimed dire circumstances left her unable to afford a court-mandated SCRAM device – it tracks alcohol consumption – Judge Geoffrey Goodman of Sacramento County Superior Court

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Everyday Injustice Podcast Episode 108: Larry Krasner's Huge Win & Future of Progressive DA Movement

Last week, Larry Krasner who was among the first wave of progressive DA's to be elected in 2017, won a resounding reelection in the Democratic primary after a former Deputy DA, who he had fired in 2018, attempted to take him down

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Subject: We Can Only Do This With Your Help!

Date: Wednesday, June 16, 2021 at 9:00:10 PM British Summer Time

From: David Greenwald

To: valerie.ibarra@sfgov.org

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Image

We Can Only Do This With Your Help

This week, we got fantastic news! The Douglas Stankewitz case we broke the story on last November has now led to a potential hearing on the *new* evidence in that case before a Fresno Judge.

New meaning evidence concealed since the 1970s!

The action follows a [@DavisVanguard](#) investigation that discovered new evidence that [#DouglasStankewitz](#), who had been [#California](#)'s longest-serving death-row prisoner, maybe innocent and was framed for the murder.

Crime-scene photos of shell casings mysteriously disappeared, and new evidence suggests police planted different caliber casings from another case to argue the same gun had been used in both murders.

[The work of Roxanna Jarvis](#), who is headed to London to work with Justin Brooks and the California Innocence Project this summer, and Cailin Garcia, who leads our Los Angeles Vanguard, was truly exceptional.

Image



Earlier this year, we interviewed [Former Governor George Ryan](#) on his account and Attorney [Flint Taylor](#), who chronicled the tortured scandal in his recent book.

Our interview from this week will highlight the efforts of activists and the incarcerated themselves in bringing this atrocity to light.

Image



This week, we have brought in *70 new interns and are focusing our coverage in Sacramento, Yolo, Alameda, San Francisco, and Los Angeles.*

Plus, we are finalizing new plans to launch court watches in Santa Barbara and San Diego in the next two weeks.

We can't do any of this without the funding to pay our staff and other costs. We need your help. We need you to become sustaining members. \$5 or \$10

a month on the low end. Some give \$20, \$25, \$50 or even \$100 a month.
Whatever you can manage.

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Subject: Everyday Injustice - California May End Reid Technique; Krasner Highlights 20 Exonerations
Date: Wednesday, June 16, 2021 at 7:00:58 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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Patricia Cummings, Philly CIU: "sometimes when you look at a case, you feel in your gut that something is not right."

Everyday Injustice Newsletter - June 16, 2021

Wait Wasn't Biden Against the Death Penalty?

By David Greenwald

At one point during the campaign after people were throwing out that there Biden was against the death penalty personally and inclined to end it for the federal government - this in the midst of Trump's last second killing spree - I asked a friend who has worked as an anti-death penalty advocate for decades, since when is Biden against the death penalty. She said, I guess since last year.

Not only has he not ended the death penalty, but the Justice Department is now asking the Supreme Court to reinstate the death penalty for convicted Boston bomber Dzhokhar Tsarnaev.

The department filed a 48-page brief arguing that the death sentence wrongly overturned by a lower court last year.

"The jury carefully considered each of respondent's crimes and determined that capital punishment was warranted for the horrors that he personally inflicted," acting Solicitor General Elizabeth Prelogar said in the brief.

This will be interesting because as Reuters reports, White House spokesperson Andrew Bates said the Justice Department "has independence regarding such decisions."

However, Bates said that Biden believes the federal government should not carry out executions. "President Biden has made clear that he has deep concerns about whether capital punishment is consistent with the values that are fundamental to our sense of justice and fairness," Bates added.

"The President believes the Department should return to its prior practice, and not carry out executions," he added.

In January, a group of 100 criminal justice leaders implored Biden to commute the sentences of everyone on federal death row and to instruct federal prosecutors not to seek the death penalty in future cases.

They called it "an assault on human dignity and an affront to American values."

"The death penalty is an archaic and failed institution that is rooted in racism and too often punishes the innocent," said Miriam Krinsky, executive director of Fair and Just Prosecution. "The previous administration's cruel and ruthless killing spree undermined the already-fragile trust in the justice system and revealed that a simple pause on executions is not nearly enough."

This gets interesting because while the President continues to express his opposition, he has not done anything about it. Now he might be forced to. Stay tuned.

Thanks for reading.

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Criminal Justice News/ Commentary

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Is California Ending the Reid Technique? Proposal Would Require Police to

Interrogate Criminal Suspects More Ethically

California State Senator Bill Dodd (D-Napa) has proposed legislation that would help train law enforcement officers to uphold civil rights and be more respectful and ethical with people during criminal investigations.

[Read More](#)

CA Legislation to End Mandatory Jail Time for Nonviolent Drug Crimes Passes Assembly Public Safety Committee

The California Assembly Public Safety Committee voted 6-1 this week to approve Senate Bill 73, designed to help end mass incarceration fueled by California's War on Drugs by ending mandatory prison and jail

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Public Defender Pushes for Alternative Rehab for Homeless Defendant in Tears, Charged with Cockfighting

Defendant Armindo Amores appeared before Judge Michael Bowman at Sacramento County Superior Court Monday "practically in tears" after his public defender requested on his behalf to place him in a

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After Suspect Jailed for 9 Months, Judge Dismisses Charges

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YouTube: https://url.avanan.click/v2/___http://www.youtube.com/davisvanguard___YXAzOnNmZHQyOmE6bzoXmZniNGY4YTNkNzlyMGYwOWMzOTJIMWE2ZDdjYjA4NDozOjA3YjY6YTczZDg0YWJhN2E3YWZhNDNlZWNINGJiNzg3NGMwODEyMDJiMjFjYzcyZDEwYmlwOTdiYTg2MzVIN2NiMjU4OQ

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Subject: Re: San Francisco Jury Told Don't 'Fix Tragedy by Causing Tragedy' in Corner-Store Shootout Trial | Davis Vanguard
Date: Wednesday, June 16, 2021 at 6:18:24 PM British Summer Time
From: Rodarmel, Danica (PDR)
To: Ibarra, Valerie (PDR), Harris, Danielle (PDR), Villaran, Sierra (PDR)
CC: Goossen, Carolyn (PDR)

At first glance:

- He didn't "allegedly aided in a first-degree murder"
- DH is referred to as an "Assistant Public Defender" which isn't a thing...

I can't read the whole thing right now, but those are in the first 2 paragraphs. It does seem like we should have a good method for monitoring and correcting errors in reporting from court watch.

Also – as I have expressed before: I'm generally not sure that this kind of coverage is helpful overall... but I digress.

From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Date: Wednesday, June 16, 2021 at 8:42 AM
To: Harris, Danielle (PDR) <danielle.harris@sfgov.org>, Villaran, Sierra (PDR) <sierra.villaran@sfgov.org>
Cc: Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>, Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Subject: Re: San Francisco Jury Told Don't 'Fix Tragedy by Causing Tragedy' in Corner-Store Shootout Trial | Davis Vanguard

If there are any specific factual corrections needed, please let me know if you'd like me to pass them along; or if you'd like to convey anything directly with their supervisor, David Greenwald can be reached at info@davisvanguard.org.

From: Harris, Danielle (PDR) <danielle.harris@sfgov.org>
Sent: Wednesday, June 16, 2021 8:30 AM
To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>; Villaran, Sierra (PDR) <sierra.villaran@sfgov.org>
Cc: Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>; Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Subject: RE: San Francisco Jury Told Don't 'Fix Tragedy by Causing Tragedy' in Corner-Store Shootout Trial | Davis Vanguard

They could really use some editing help! Not sure if or how to convey . . .

There's also a lot of errors. I'm not worried for our case, but generally.

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

From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Sent: Wednesday, June 16, 2021 7:48 AM
To: Harris, Danielle (PDR) <danielle.harris@sfgov.org>; Villaran, Sierra (PDR) <sierra.villaran@sfgov.org>
Cc: Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>
Subject: San Francisco Jury Told Don't 'Fix Tragedy by Causing Tragedy' in Corner-Store Shootout Trial | Davis Vanguard

<https://www.davisvanguard.org/2021/06/san-francisco-jury-told-dont-fix-tragedy-by-causing-tragedy-in-corner-store-shootout-trial/>

Sent from my iPhone

Subject: RE: Police Commission
Date: Wednesday, June 16, 2021 at 5:19:42 PM British Summer Time
From: Cox, Brian (PDR)
To: David M. Greenwald
CC: Ibarra, Valerie (PDR)
Attachments: image001.jpg, image003.jpg

Hi David,

We haven't met yet as a group to finalize the memo. It's finished but want input from my colleagues before sharing. Will keep you posted.

- Brian

From: David M. Greenwald <info@davisvanguard.org>
Sent: Tuesday, June 15, 2021 6:44 PM
To: Cox, Brian (PDR) <brian.cox@sfgov.org>
Cc: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: Police Commission

Hi Brian - just checking to see where things are. Thanks.

On Thu, Jun 10, 2021 at 3:02 PM David M. Greenwald <info@davisvanguard.org> wrote:

Very good if you wouldn't mind sharing with me when it's completed I would greatly appreciate it

On Thu, Jun 10, 2021 at 3:01 PM Cox, Brian (PDR) <brian.cox@sfgov.org> wrote:

Likely early next week. We are meeting on Monday or Tuesday to finalize it.

From: David M. Greenwald [mailto:info@davisvanguard.org]

Sent: Thursday, June 10, 2021 2:58 PM
To: Cox, Brian (PDR) <brian.cox@sfgov.org>
Cc: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: Police Commission

Brian -

When are you anticipating that memo being ready for distribution?

Thanks!

David

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Hi David,

I do. I'm working on a memo to share with the Board of Supervisors and other allies that goes into much more depth. I've attached what I submitted to DPA a few months back. I'm happy to discuss it with you if you like.

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From: David M. Greenwald [mailto:info@davisvanguard.org]

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To: Cox, Brian (PDR) <brian.cox@sfgov.org>

Cc: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: Police Commission

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Hi Brian -

I work with Jacque in your office on a Court Watch project and also run a non-profit news site.

I came across this on Twitter yesterday...

S.F. Public Defender Recommendations

Eliminate "Quality of Car" Stops

Quality of Car stops include:

Eliminate Jaywalking & Loitering Detentions

For 1,000 Black adults, 42.6 receive

End Baseless known as C

Black and Brown p
of recent years

- License plate violations,
- Broken taillights
- Tinted windows
- Registration expired by less than 6 months.

Why?

- Enables and encourages racial profiling
- Disproportionately impacts POC
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citation for non-traffic local ordinance. For 1,000 White adults, 9.5 receive citations.

"Pretextual"

An excuse to stop and search many of our clients based oftentimes on implicit or explicit biases, which do not appear in the police report.

or consent search between White and nearly identical.

Yield rate for Latin significantly lower (30%).

SFPD officers require search Black and Latin white drivers. (State Project)

Was wondering if there was additional documentation on the recommendations. Interested in doing a story.

Thanks in advance,

David
530-400-2512

--

Sent from Gmail Mobile

--



David M. Greenwald
Executive Director
[The People's Vanguard of Davis](#)

530.400.2512

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Log on daily to get the latest news, commentary, and information about the city of Davis, Yolo County, and the Sacramento Region.

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Sent from Gmail Mobile

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Sent from Gmail Mobile

Subject: Re: San Francisco Jury Told Don't 'Fix Tragedy by Causing Tragedy' in Corner-Store Shootout Trial | Davis Vanguard
Date: Wednesday, June 16, 2021 at 4:42:52 PM British Summer Time
From: Ibarra, Valerie (PDR)
To: Harris, Danielle (PDR), Villaran, Sierra (PDR)
CC: Goossen, Carolyn (PDR), Rodarmel, Danica (PDR)

If there are any specific factual corrections needed, please let me know if you'd like me to pass them along; or if you'd like to convey anything directly with their supervisor, David Greenwald can be reached at info@davisvanguard.org.

From: Harris, Danielle (PDR) <danielle.harris@sfgov.org>
Sent: Wednesday, June 16, 2021 8:30 AM
To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>; Villaran, Sierra (PDR) <sierra.villaran@sfgov.org>
Cc: Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>; Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Subject: RE: San Francisco Jury Told Don't 'Fix Tragedy by Causing Tragedy' in Corner-Store Shootout Trial | Davis Vanguard

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Cc: Goossen, Carolyn (PDR) <carolyn.goossen@sfgov.org>
Subject: San Francisco Jury Told Don't 'Fix Tragedy by Causing Tragedy' in Corner-Store Shootout Trial | Davis

Vanguard

<https://www.davisvanguard.org/2021/06/san-francisco-jury-told-dont-fix-tragedy-by-causing-tragedy-in-corner-store-shootout-trial/>

Sent from my iPhone

Subject: RE: San Francisco Jury Told Don't 'Fix Tragedy by Causing Tragedy' in Corner-Store Shootout Trial | Davis Vanguard
Date: Wednesday, June 16, 2021 at 4:30:46 PM British Summer Time
From: Harris, Danielle (PDR)
To: Ibarra, Valerie (PDR), Villaran, Sierra (PDR)
CC: Goossen, Carolyn (PDR), Rodarmel, Danica (PDR)

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Sent from my iPhone

Subject: San Francisco Jury Told Don't 'Fix Tragedy by Causing Tragedy' in Corner-Store Shootout Trial | Davis Vanguard

Date: Wednesday, June 16, 2021 at 3:47:56 PM British Summer Time

From: valerie.ibarra@sfgov.org

To: Danielle Harris, Sierra Villaran

CC: Carolyn Goossen

<https://www.davisvanguard.org/2021/06/san-francisco-jury-told-dont-fix-tragedy-by-causing-tragedy-in-corner-store-shootout-trial/>

Sent from my iPhone

Subject: Re: Police Commission
Date: Wednesday, June 16, 2021 at 2:44:10 AM British Summer Time
From: David M. Greenwald
To: Cox, Brian (PDR)
CC: Ibarra, Valerie (PDR)
Attachments: image001.jpg

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Eliminate “Quality of Car” Stops

Quality of Car stops include:

- License plate violations,
- Broken taillights
- Tinted windows
- Registration expired by less than 6 months.

Why?

- Enables and encourages racial profiling
- Disproportionately impacts POC
- Needle-in-haystack

Eliminate Jaywalking & Loitering Detentions

For 1,000 Black adults, 42.6 receive citation for non-traffic local ordinance. For 1,000 White adults, 9.5 receive citations.

“Pretextual”

An excuse to stop and search many of our clients based oftentimes on implicit or explicit biases, which do not appear in the police report.

End Baseless Searches (also known as Consent Searches)

Black and Brown people make up 40% of consent searches; yield rates between White and Black demographic nearly identical.

Yield rate for Latinx drivers(12%) significantly lower than for white drivers (30%).

SFPD officers require less suspicion to search Black and Latinx drivers than white drivers. (Stanford Open Policing Project)

Brian Cox

Was wondering if there was additional documentation on the recommendations. Interested in doing a story.

Thanks in advance,

David

530-400-2512

--

Sent from Gmail Mobile

--

David M. Greenwald
Executive Director
[The People's Vanguard of Davis](#)

530.400.2512

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Follow us on Twitter: <https://twitter.com/DavisVanguard>

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Sent from Gmail Mobile

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Sent from Gmail Mobile

Subject: Everyday Injustice - Attack on Boudin Backfires; Felony Murder Trial Opens in SF

Date: Tuesday, June 15, 2021 at 7:00:13 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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Radley Balko: ""both the victim and Mulholland tell me they were informed by Boudin's office that Lim's story is inaccurate, that the juvenile not only still faces charges but that she also had a court date last week.""

Everyday Injustice Newsletter - June 15, 2021

Balko's Column Exposes Deceiving Attacks on Boudin and Other Progressive Prosecutors

By David Greenwald

I'm just going to highlight some good work from Washington Post Columnist [Radley Balko](#). This is the problem I have with a lot of the so-called mainstream media. A few months ago the San Francisco Chronicle ran a nice piece showing the truth about the crime rate in San Francisco, the only problem is that it followed months of deceptive coverage painting the narrative that crime was rising and Boudin and his policies were to blame.

"I feel like I was played for a fool," Balko quotes Harry Mulholland. "Honestly. I felt a little violated."

Mulholland was involved in intervening to save a 75 year old woman in the parking lot of a Safeway in San Francisco.

Writes Balko: "Mulholland says the "violation" came when Dion Lim, a reporter with local ABC affiliate KGO-TV, contacted him. Mulholland says she told him that according to "multiple high-level sources," the office of San Francisco District Attorney Chesa Boudin had dropped the charges against the juvenile assailant."

"I didn't really want to comment. But the reporter called me out of the blue and then kept pushing me to say something," Mulholland says. He finally relented, telling Lim, "I believe in restorative justice and I understand Chesa has a model, but ... his way of going about it is not working."

The reporter from KGO, one of the major radio stations on the West Coast with a huge listenership, has been very critical of Boudin.

Balko notes that this article went viral, it was amplified by [right-wing agitator Andy Ngô](#) on Twitter.

And of course the story resonated with the critics of Chesa Boudin, who are pushing back against the progressive prosecutor movement.

As Balko put it: "For them, it seemed to be a manifestation of everything wrong with "restorative justice.""

But they got it wrong. As Balko notes: "The charges against the assailant were never dropped."

In fact, "both the victim and Mulholland tell me they were informed by Boudin's office that Lim's story is inaccurate, that the juvenile not only still faces charges but that she also had a court date last week."

But this is a perfect illustration of what is wrong with the critics - many of whom don't even understand how restorative justice works, how a diversion or deferred entry of judgement would work, or how effective those programs can be, especially with young offenders before they get sucked into the system.

We will have more on this.

Thanks for reading.

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Sacramento Court Watch: <https://www.facebook.com/Sacramento-Court-Watch-1432660796849531/>
San Francisco Court Watch: <https://www.facebook.com/SF-Court-Watch-577413429452441/>
Twitter: <https://twitter.com/DavisVanguard>
YouTube: <http://www.youtube.com/davisvanguard>

Criminal Justice News/ Commentary

Guest Commentary: Orange County's Dramatic Reduction in Jail Population During the Pandemic is a Model for the Nation

Last week, a state court judge in Orange County, California, declared the end of a landmark lawsuit called Campbell v. Barnes. The suit was filed last summer at the height of the pandemic and sought the release of people in the county's

[Read More](#)

Plans to Reshape Manhattan DA have Current Prosecutors on Edge

With the Democratic primaries on the horizon, candidates for Manhattan District Attorney have shared their own visions for reforming the DA's office, including reshaping and gutting current prosecutors.

[Read More](#)

I Can Be Different

The Vanguard is proud to announce a new project in partnership with Incarcerated Allied Media. Thanks to Dr. Joan Parkin and D. Razor Babb. These articles are published by Incarcerated Individuals

[Read More](#)

San Francisco Jury Told Don't 'Fix Tragedy

by Causing Tragedy' in Corner-Store Shootout Trial

Judge Sharon Reardon and a jury Monday heard the opening statements here in San Francisco County Superior Court in the case of defendant Omar Herrera, who allegedly aided in a first- degree murder

[Read More](#)

Only 35 Percent of Alameda County Sheriff's Office Is Fully Vaccinated According to CAIR's Database

Over the past two weeks, COVID-19 cases in Santa Rita Jail (SRJ) have remained low. However, with only approximately 26 percent of the incarcerated population fully vaccinated, the virus continues to be a threat to

[Read More](#)

COVID CDCR and Jail Dashboards

Only 24 Percent of Staff Members at CDCR's High Desert State Prison Are Fully Vaccinated

Our daily run down on the COVID cases in the California Prison System (CDCR)

[Read More](#)

COVID-19 Cases Decline Across Bay Area's County Jails; Testing Rates Remain High

Our daily run down on the COVID cases in selective County Jails

[Read More](#)

San Francisco Court Watch

[Like our Facebook page](#)

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[Read More](#)

Yolo County Court Watch

[Like our Facebook Page](#)

Passerby Claims Witness to Beating of Girlfriend

Defendant Dwain Desmar Smith II – spotted allegedly beating a girlfriend by a passerby – was in Yolo County Superior Court for a preliminary hearing that was presided over by Judge David W. Reed Monday.

[Read More](#)

Sacramento Court Watch

[Like our Facebook Page](#)

Golf Store Burglar Waives Rights in Exchange for Potential Lighter Sentence

Allen Casey maybe should have taken a hint from the name of the eatery he broke into – “Mulligan Cafe” (meaning, a free do-over) – last February, but instead, a surveillance camera caught him burglarizing

[Read More](#)

Alameda Court Watch

A Judge Failed To Recuse the Alameda DA's Office, the DA Failed to Make A Reasonable Offer, So the Jury Acquitted a Man of Murder

In March, an Alameda County Judge refused to grant a defense motion to recuse the DA's office from prosecuting Shawn Martin, whose conviction had been overturned when an appellate court found that prosecutor had

[Read More](#)

Los Angeles Court Watch

Detective Lists Darts, A Fishing Knife, and Torch Lighter To Be Amongst Weapons Used in Domestic Abuse Incident

On Thursday, Detective Duran testified against defendant Pharrell Habib Scorza who faced multiple counts that include kidnapping, corporal injury on a spouse, and sexual assault by a foreign object.

[Read More](#)

Contra Costa Court Watch

Defendant Fearing Deportation Allegedly Caused Accident, Lied that He Was Carjacked

Trial counsel and the judge here last week may have been sympathetic to a defendant seeking asylum in the U.S., but the defendant allegedly caused a vehicle collision and then told police he was carjacked – the

[Read More](#)

Fresno Court Watch

Judge Shocked Defendant Charles Brown Missing; Jail Sent Him to State Prison by Mistake

Both Fresno County Superior Court Judge Francine Zepeda and Fresno Deputy District Attorney Nicole Idiart last week were shocked to hear that a defendant was unable to appear in court.

[Read More](#)

Riverside Court Watch

Police Cell Phone Hacking

During the retrial of Cathedral City resident Sergio Lopez Guzman in Riverside County Superior Court last week, a police officer revealed the powerful technologies police can use to access private information from cell

[Read More](#)

Merced Court Watch

Family Survives in the Face of Father's Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

[Read More](#)

Everyday Injustice - Podcast

see our podcasts

Everyday Injustice Podcast Episode 110: Humphrey Decision's Impact on Bail and Pretrial Detention in SF and California

When the California Supreme Court ruled in March, in the Humphrey decision, that the judges are required to consider a person's ability to pay when setting their bail amounts, a big question was whether that would lead to more pretrial

[Read More](#)

Everyday Injustice Podcast Episode 108: Larry Krasner's Huge Win & Future of Progressive DA Movement

Last week, Larry Krasner who was among the first wave of progressive DA's to be elected in 2017, won a resounding reelection in the Democratic primary after a former Deputy DA, who he had fired in 2018, attempted to take him down

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[https://url.avanan.click/v2/___https://www.facebook.com/davisvanguard/___YXAzOnNmZHqYOmE6bzo0MGU5ZTY5MTAwN2I2MjI2OTk1OTNiNmNhMWFIMDg0MjozMjQ0ZjY1NGE1YzA5Y2NkN2Q0OTA0OGE5YWQ5YWRmOTdkYTk5MTg5MTk2ODJkMWI3ZThmOGEwMWY4YTUzZjU4MA](https://url.avanan.click/v2/___https://www.facebook.com/davisvanguard/___YXAzOnNmZHqYOmE6bzo0MGU5ZTY5MTAwN2I2MjI2OTk1OTNiNmNhMWFIMDg0MjozMjQ0ZjY1NGE1YzA5Y2NkN2Q0OTA0OGE5YWQ5YWRmOTdkYTk5MTg5MTk2ODJkMWI3ZThmOGEwMWY4YTUzZjU4MA;);

Yolo County Court Watch:

https://url.avanan.click/v2/___https://www.facebook.com/groups/yolojudicialwatch/___YXAzOnNmZHqYOmE6bzo0MGU5ZTY5MTAwN2I2MjI2OTk1OTNiNmNhMWFIMDg0MjozMjQ0ZjY1NGE1YzA5Y2NkN2Q0OTA0OGE5YWQ5YWRmOTdkYTk5MTg5MTk2ODJkMWI3ZThmOGEwMWY4YTUzZjU4MA

Sacramento Court Watch: https://url.avanan.click/v2/___https://www.facebook.com/Sacramento-Court-Watch-1432660796849531/___YXAzOnNmZHqYOmE6bzo0MGU5ZTY5MTAwN2I2MjI2OTk1OTNiNmNhMWFIMDg0MjozMjQ0ZjY1NGE1YzA5Y2NkN2Q0OTA0OGE5YWQ5YWRmOTdkYTk5MTg5MTk2ODJkMWI3ZThmOGEwMWY4YTUzZjU4MA

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Twitter:

https://url.avanan.click/v2/___https://twitter.com/DavisVanguard___YXAzOnNmZHqYOmE6bzo0MGU5ZTY5MTAwN2I2MjI2OTk1OTNiNmNhMWFIMDg0MjozMjQ0ZjY1NGE1YzA5Y2NkN2Q0OTA0OGE5YWQ5YWRmOTdkYTk5MTg5MTk2ODJkMWI3ZThmOGEwMWY4YTUzZjU4MA

YouTube: https://url.avanan.click/v2/___http://www.youtube.com/davisvanguard___YXAzOnNmZHqYOmE6bzo0MGU5ZTY5MTAwN2I2MjI2OTk1OTNiNmNhMWFIMDg0MjozMjQ0ZjY1NGE1YzA5Y2NkN2Q0OTA0OGE5YWQ5YWRmOTdkYTk5MTg5MTk2ODJkMWI3ZThmOGEwMWY4YTUzZjU4MA

The People's Vanguard of Davis | P.O. Box 4715, Davis, CA 95617-4715

[Unsubscribe valerie.ibarra@sfgov.org](mailto:valerie.ibarra@sfgov.org)

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Subject: Everyday Injustice - After 43 Years Stankewitz Might Get Hearing; Ash Kalra talks About Racial Justice Act

Date: Monday, June 14, 2021 at 7:00:36 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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Ash Kalra: "California's Civil Rights law clearly prohibits discrimination in housing, in employment, and public accommodation. But nowhere in California law is there a clear statement that racial discrimination will not be tolerated in our criminal justice system."

Everyday Injustice Newsletter - June 14, 2021

"Impact of this trauma will stay with us forever"

By Julietta Bisharyan, Nick Gardner and Alexis Hogan

In an [article](#) for *The Sacramento Bee*, Thanh Tran spoke out about the conditions of being incarcerated at San Quentin during the coronavirus pandemic.

San Quentin suffered a devastating outbreak following the transfer of over 100 incarcerated people from California Institution for Men (CIM) to San Quentin in May of 2020. San Quentin's overcrowding at the facility and problematic response to the coronavirus from the staff has led to 28 deaths—the most deaths out of any California prison facility.

Tran explained how the incarcerated individuals at San Quentin "were forced to engage in practices that went against recommendations from the CDC." For example, he remembers having to share a communal shower with 40 to 50 people at a time. He knew it would be incredibly difficult to social distance inside an overcrowded prison, which led to the realization that he would soon be sick with the virus as well.

Tran says after a few days of feeling sick, he asked the nurses for medicine as they made their way through the building doing temperature checks. When he heard the correctional officers' keys jangling, he would crawl off his bunk to ask for help, but they would respond that they could not help him. Tran says it took two days before he received any medical attention. When he did finally get medicine, he recalls feeling emotional that someone finally saw him as a "human being behind these cell bars."

Tran emphasizes how the dehumanization of incarcerated people during the pandemic is just one of the examples of how the CDCR responded to the outbreak at San Quentin. There was also no proper screening process before the transfer of individuals from CIM.

"The impact this pandemic has had on all of us, in San Quentin and in all prisons across California, cannot be understated – the impact of this trauma will stay with us forever."

Tran contends that the adverse outcomes of the pandemic could have been prevented. "From the start of the pandemic, activists demanded that CDCR prioritize the health and safety of those in their care. Legislators held oversight hearings on the San Quentin outbreak and mismanagement of CDCR's COVID response." San Quentin has also been the subject of a lawsuit in which the First District Court of Appeals stated that the CDCR showed "deliberate indifference" to incarcerated people and violated their Eighth Amendment rights to be protected from cruel and unusual punishment.

Tran reflects on the past year and asserts that nothing has changed. "Until a few weeks ago, I was confined to a closet-sized cell for 23 to 24 hours a day for over a year... Despite recommendations from multiple health organizations, the San Quentin population has not been reduced to 50% capacity."

Tran says that beginning on May 10, San Quentin experienced a separate outbreak of Norovirus, which proved the facilities "are still vulnerable to contagion and showing that the steps they have taken are not enough." Tran ends the article by urging elected officials to hold CDCR accountable for their human rights abuses.

Full article

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Twitter: <https://twitter.com/DavisVanguard>

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Criminal Justice News/ Commentary

Stankewitz Habeas Granted Informal Response from AG's Office

In a move that surprised the defense team, a Fresno County judge in early June issued a request for an informal response to the writ of habeas corpus filed on March 8, 2021, in the 43-year-old case of

[Read More](#)

Everyday Injustice Podcast Episode 111: Assemblymember Ash Kalra Discusses the California Racial Justice Act

Last year Assemblymember Ash Kalra authored a landmark bill that addresses racial discrimination in criminal sentencing and convictions. The California Racial Justice Act, which will prohibit racial discrimination in convictions

[Read More](#)

"Impact of this trauma will stay with us

forever” – San Quentin Resident Reflects on COVID-19

Thanh Tran spoke out about the conditions of being incarcerated at San Quentin during the coronavirus pandemic. San Quentin suffered a devastating outbreak following the transfer of over 100 incarcerated people from

[Read More](#)

Guest Commentary: ‘Violence in Sacramento Requires Investment That Matches Scope of Issue’

In the wake of the COVID-19 pandemic, Sacramento’s Black and Brown communities require dedicated investment from the City of Sacramento. As the city re-opens, it is bracing for a wave of violence, the leading edge of which we are

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COVID CDCR and Jail Dashboards

CSP Solano’s Vaccination Rate Among Lowest, Active Cases Among Highest Across CDCR

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Sacramento Court Watch

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Heartbreaking Family Statements at Sentencing for Man Charged with Hit and Run; Judge Denies Probation, Sends Him to Prison

Judge Patrick Marlette expressed his compassion toward a victim's loved ones this past Thursday here in Sacramento County Superior Court after they read their statements about what they have endured

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Defendant Deemed Unfit to Stand Trial After Claiming Mother Wanted to Kill Him

Judge Stephen Acquisto here in Sacramento County Superior Court last Friday confirmed defendant Tristan Cloud was unfit to stand trial after the defendant attacked his mother and her boyfriend, believing

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Alameda Court Watch

A Judge Failed To Recuse the Alameda DA's Office, the DA Failed to Make A Reasonable Offer, So the Jury Acquitted a Man of Murder

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Yolo County Court Watch:

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Sacramento Court Watch: https://url.avanan.click/v2/___https://www.facebook.com/Sacramento-Court-Watch-1432660796849531/___YXAzOnNmZHqYOmE6bzowY2EzMzcwNGY5NTUxYjBhMmZiZWU3ZjZiOTc0NWZiYjozOmUwMDA6MGNINmIzNjcyOGY0MzA5N2ZiMTJiMzFmMWJmYTM3YjNiM2IxYTBiZDIwNWRhZTY5MwVvKOTRiMDQ3NTMyNWNiMw;

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YouTube: https://url.avanan.click/v2/___http://www.youtube.com/davisvanguard___YXAzOnNmZHqYOmE6bzowY2EzMzcwNGY5NTUxYjBhMmZiZWU3ZjZiOTc0NWZiYjozOjJhY2U6NzI2Njg3MzE3OGNIYzAzN2VhNjU1M2ZjZjA5ZWQzZjE3NDg0ODViYTg0ZGZiYTA3Mjg4NGVIYzBmYmM0MmY5ZA

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Subject: FOR IMMEDIATE RELEASE: Ninth Circuit Rules in Favor of Immigrant Woman Escaping Torture in Mexico

Date: Saturday, June 12, 2021 at 12:09:42 AM British Summer Time

From: Ibarra, Valerie (PDR)

To: Ibarra, Valerie (PDR), PUBDEF-Media Relations

Attachments: PRESS RELEASE - 6.11.2021 - Ninth Circuit Rules in Favor of Immigrant Woman Escaping Torture in Mexico.pdf

For Immediate Release: June 11, 2021

Contact: SF Public Defender's Office - Valerie.Ibarra@sfgov.org (628)249-7946

****PRESS RELEASE****

Ninth Circuit Rules in Favor of Immigrant Woman Escaping Torture in Mexico

SAN FRANCISCO - In a groundbreaking decision, the Ninth Circuit Court of Appeals ruled today in favor of a San Francisco Public Defender client, Delfina Soto Soto, who is a survivor of torture and who fled Mexico seeking refuge in the United States. The Court ruled that the Board of Immigration Appeals (BIA) erred when denying her case by misapplying the facts to the law, and by applying the wrong standard of review. The decision will help other immigrants in their fight against deportation.

"I feel so happy and so moved, I want to cry of happiness. My nightmare is over," said Ms. Soto.

The decision also culminates Ms. Soto's 3-year legal saga, where she spent more than two years in an immigration detention center.

"Ms. Soto has gone through hell and back," said Hector Vega, Deputy Public Defender and attorney for Ms. Soto in her deportation proceedings. "Rather than being treated as a survivor of torture seeking refuge, ICE kept her detained. But she never lost faith that justice would be served at the end."

While living in a small town in Mexico, law enforcement authorities wrongfully accused her of committing a crime, placed her under arrest, brutally tortured, assaulted, and waterboarded her, and threatened her children during the interrogation to force her into signing a false confession. After Mexican courts dismissed the charges against her for lack of evidence, Ms. Soto continued to receive death threats and so fled to the United States to seek protection under the Convention Against Torture. When Mexican authorities filed new charges, Ms. Soto was already in the U.S., which made her a target for arrest.

Immigration & Customs Enforcement was unsympathetic. They placed her under arrest and launched removal proceedings. Ms. Soto testified in her removal hearing that she had been assaulted, water-boarded, and asphyxiated by Mexican authorities, and believed it would happen again if she were deported. The Immigration Judge found her credible, and granted her relief.

However, ICE appealed to the Board of Immigration Appeals — the appellate body which

became partisan and hardline under the Trump Administration. The BIA sided with ICE, and denied Ms. Soto's case, converting it from a victory to a deportation order.

Ms. Soto appealed that decision to the Ninth Circuit, which not only ruled in her favor, but ordered the government to grant her relief under the Convention Against Torture.

"Nothing can erase the horror imposed on Ms. Soto by the Mexican authorities, but at least, she can now live freely and safely with her family, away from harm, in the United States," said Vega.

"The decision is a clear message to the Board of Immigration Appeals to not serve as a rubber stamp to ICE's demands for reconsideration of grants. Time and time again, we see the BIA making cruel and arbitrary decisions, acting not as an impartial adjudicator, but instead as a tool for deportation. We hope this decision puts the BIA on notice that it must act more like a court, and less like a deportation force," said Francisco Ugarte, Manager of the Public Defender's Immigration Defense Unit.

The case will now be remanded back to the Board and then back to the Immigration Court with specific directions from the Ninth Circuit to grant the relief.

"I want more people to keep their faith and hopes when fighting for their cases. There are so many attorneys out there fighting hard to ensure people receive help and justice," said Ms. Soto.

A link to the decision can be found [here](#).

###

To view this press release online, please visit SFPublicDefender.org/media.

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Valerie Ibarra
Public Information Officer
San Francisco Public Defender's Office
Valerie.Ibarra@sfgov.org
(628)249-7946
SFPublicDefender.org/Media

Subject: Everyday Injustice - Senate Passes Kamlager, Boudin Police Accountability, SF Public Defender Pushes For More
Date: Friday, June 11, 2021 at 7:00:39 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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Sidney Kamlager: "We know that most people don't like snitches including the 'po-pos' and so when you have officer involved shootings and when an arrest warrant needs to be issued, currently the only person who can do that, who can authorize it, who can present probable cause for that police officer to be arrested is a another peace officer."

Everyday Injustice Newsletter - June 11, 2021

SF Public Defender Recommendations on Policing

The following was sent in March to the Department of Police Accountability in San Francisco from the Public Defender's Office. A new proposal will be sent out next week.

Eliminate "Quality of Car" Stops

Amend DGO 9.01 (Traffic Enforcement) Section I.D to eliminate "quality of car" stops, such as license plate violations, broken taillights, tinted windows, and any registration expirations less than 6 months old. Political Science Professor Frank Baumgartner, who studies policing and policing tactics, labels traffic stops a "needle-in-the-haystack strategy" to detect crime and "an incredible waste of effort."¹ These stops, without additional suspected criminal activity or probable cause, become pretextual and do little to increase public safety, harm community relations, and are a waste of resources. Far too often these pretextual stops cause those already fearful of law enforcement to flee, leading to unnecessary force or violence. The pretextual stops can lead to further inquiries—such as questions related to probation or parole status—unrelated to quality of car stops that disproportionately impact communities of color² and have been banned in other local jurisdictions.

Other jurisdictions have limited the scope of traffic stops because they had a disproportionate impact on Black people.⁴ Oakland instituted a plan to reduce low-level traffic infractions in a way that did not affect public safety as crime fell during that same time.⁵ The same can be true for San Francisco. In addition, a ready alternative exists: mail the ticket to the car owner's address or transfer responsibility for traffic enforcement to an agency other than SFPD as other jurisdictions have done.

Eliminate Jaywalking & Loitering Detentions

Absent other obvious criminal activity, a detention to issue a citation for jaywalking, loitering, or riding a bicycle on the sidewalk is unnecessary when a verbal warning will suffice. Analysis of SFPD stop data shows that for every 1,000 Black adults, 42.6 received a citation for violating a local ordinance for a non-traffic stop while white adults received just 9.5 citations for every 1,000.6 Further, research shows that policing infractions and misdemeanors has little demonstrable impact on reducing crime but instead has enormous downsides.

End Consent Searches

Consent searches disproportionately impact Black and Brown people. One author described consent searches as “essentially random searches (at best) and are only marginally effective when compared to other readily available and less-intrusive investigative tactics.”⁸

Empirical data on SFPD searches supports this notion. The 4th Quarter 96A report shows that Black and Brown people make up approximately 40% of consent searches yet yield rates between White and Black demographics remain nearly identical.⁹ In other words, SFPD officers are about as likely to find contraband on Black drivers as White drivers even though they ask to search Black drivers at disproportionate rates. Further, the yield rate on Hispanic/Latinx drivers (12%) is significantly lower than for White drivers (30%), indicating that consent search requests are not efficient and suggesting that they are subject to higher degrees of scrutiny by SFPD officers.

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Criminal Justice News/ Commentary

Kamlager's Police Accountability Bill Sits on the Governor's Desk

In an oddity, AB 127, authored when Senator Sidney Kamlager was still in the Assembly earned her vote as Senator on Thursday, passing the Senate 30-7 and now sits on the Governor's desk.

[Read More](#)

Norfolk Elects Prosecutor Who Says Crime Is a “Symptom of Structural Racism”

When the chief prosecutors of Norfolk and Portsmouth, Virginia, decided to stop prosecuting marijuana possession in early 2019, Portsmouth's local judges largely went along with that policy. But in Norfolk, judges resisted prosecutors'

[Read More](#)

SF District Attorney Boudin Announces Domestic Violence Guilty Verdict in Effort

to Uplift Victims

District Attorney Chesa Boudin announced that a jury reached a guilty verdict in an important domestic violence case of defendant Jonaughn Timms.

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Insight through the CGA 12 Steps to Recovery

The Vanguard is proud to announce a new project in partnership with Incarcerated Allied Media. Thanks to Dr. Joan Parkin and D. Razor Babb. These articles are published by Incarcerated Individuals at Mule Creek State Prison and part of the Mule Creek Post publication.

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Hate Crime Charges Not Dismissed Despite Incompetency Diagnosis by Doctor

Psychologist Alison Steffensen advised here in Yolo County Superior Court, Dept. 14, Wednesday that her patient's charges should be dropped because he wasn't competent to stand trial—in the end, the judge

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Sacramento Court Watch

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Court Debates Definition of 'Assault Firearm' – Judge Eventually Rules Defendant Should Go to Trial, But Dismisses Other Felony

The defense and prosecution had a heated deliberation here in Sacramento County Superior Court this week about how to determine what weapons constitute "assault firearms" during a probable cause hearing

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The Case of Stolen Michael Jordan Sneakers Set to Go to Trial

The case of stolen Michael Jordan sneakers is set to go to trial after preliminary hearing this week in Sacramento County Superior Court.

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Alameda Court Watch

A Judge Failed To Recuse the Alameda DA's Office, the DA Failed to Make A Reasonable Offer, So the Jury Acquitted a Man of Murder

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YouTube: https://url.avanan.click/v2/____http://www.youtube.com/davisvanguard____.YXAzOnNmZHqYOmE6bzpiYTg1NDNIM2RmYzEyY2I5MzM2ZmFIMGYxZmE3OTFkNDozOmEzYjE6MmMxNzBhM2QwY2U5NDEwOGVmNTUxMDRIYTk1YjFmMGEzZjdiYTkMDIiODBhNjIiNTRIODM0MDJmMGFhND BmMg

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Subject: Everyday Injustice Podcast Episode 110: Humphrey Decision's Impact on Bail and Pretrial Detention in SF and California | Davis Vanguard

Date: Friday, June 11, 2021 at 1:10:03 AM British Summer Time

From: Ibarra, Valerie (PDR)

To: Ibarra, Valerie (PDR), PUBDEF-Research, PUBDEF-Policy

<https://www.davisvanguard.org/2021/06/everyday-injustice-podcast-episode-110-humphrey-decisions-impact-on-bail-and-pretrial-detention-in-sf-and-california/>

Sent from my iPhone

Subject: Everyday Injustice Podcast Episode 110: Humphrey Decision's Impact on Bail and Pretrial Detention in SF and California | Davis Vanguard

Date: Friday, June 11, 2021 at 1:10:03 AM British Summer Time

From: valerie.ibarra@sfgov.org

To: Valerie Ibarra, PUBDEF-Research@sfgov.org, PUBDEF-Policy

<https://www.davisvanguard.org/2021/06/everyday-injustice-podcast-episode-110-humphrey-decisions-impact-on-bail-and-pretrial-detention-in-sf-and-california/>

Sent from my iPhone

Subject: Re: Police Commission
Date: Thursday, June 10, 2021 at 11:02:29 PM British Summer Time
From: David M. Greenwald
To: Cox, Brian (PDR)
CC: Ibarra, Valerie (PDR)
Attachments: image001.jpg

Very good if you wouldn't mind sharing with me when it's completed I would greatly appreciate it

On Thu, Jun 10, 2021 at 3:01 PM Cox, Brian (PDR) <brian.cox@sfgov.org> wrote:

Likely early next week. We are meeting on Monday or Tuesday to finalize it.

From: David M. Greenwald [mailto:info@davisvanguard.org]
Sent: Thursday, June 10, 2021 2:58 PM
To: Cox, Brian (PDR) <brian.cox@sfgov.org>
Cc: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: Police Commission

Brian -

When are you anticipating that memo being ready for distribution?

Thanks!

David

On Thu, Jun 10, 2021 at 2:56 PM Cox, Brian (PDR) <brian.cox@sfgov.org> wrote:

Hi David,

I do. I'm working on a memo to share with the Board of Supervisors and other allies that goes into much more depth. I've attached what I submitted to DPA a few months back. I'm happy to discuss it with you if you like.

- Brian

From: David M. Greenwald [mailto:info@davisvanguard.org]
Sent: Thursday, June 10, 2021 8:38 AM
To: Cox, Brian (PDR) <brian.cox@sfgov.org>
Cc: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Police Commission

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Hi Brian -

I work with Jacque in your office on a Court Watch project and also run a non-profit news site.

I came across this on Twitter yesterday...

S.F. Public Defender Recommendations

Eliminate "Quality of Car" Stops

Quality of Car stops include:

- License plate violations,
- Broken taillights
- Tinted windows
- Registration expired by less than 6 months.

Why?

- Enables and encourages racial profiling
- Disproportionately impacts POC
- Needle-in-haystack

Eliminate Jaywalking & Loitering Detentions

For 1,000 Black adults, 42.6 receive citation for non-traffic local ordinance. For 1,000 White adults, 9.5 receive citations.

"Pretextual"

An excuse to stop and search many of our clients based oftentimes on implicit or explicit biases, which do not appear in the police report.

End Baseless Searches (also known as Consent Searches)

Black and Brown people make up 40% of consent searches; yield rates between White and Black demographic nearly identical.

Yield rate for Latinx drivers(12%) significantly lower than for white drivers (30%).

SFPD officers require less suspicion to search Black and Latinx drivers than white drivers. (Stanford Open Policing Project)

Brian Cox

Was wondering if there was additional documentation on the recommendations. Interested in doing a story.

Thanks in advance,

David

530-400-2512

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David M. Greenwald
Executive Director
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Subject: RE: Police Commission
Date: Thursday, June 10, 2021 at 11:00:36 PM British Summer Time
From: Cox, Brian (PDR)
To: David M. Greenwald
CC: Ibarra, Valerie (PDR)
Attachments: image001.jpg

Likely early next week. We are meeting on Monday or Tuesday to finalize it.

From: David M. Greenwald [mailto:info@davisvanguard.org]
Sent: Thursday, June 10, 2021 2:58 PM
To: Cox, Brian (PDR) <brian.cox@sfgov.org>
Cc: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: Police Commission

Brian -

When are you anticipating that memo being ready for distribution?

Thanks!

David

On Thu, Jun 10, 2021 at 2:56 PM Cox, Brian (PDR) <brian.cox@sfgov.org> wrote:

Hi David,

I do. I'm working on a memo to share with the Board of Supervisors and other allies that goes into much more depth. I've attached what I submitted to DPA a few months back. I'm happy to discuss it with you if you like.

- Brian

From: David M. Greenwald [mailto:info@davisvanguard.org]
Sent: Thursday, June 10, 2021 8:38 AM
To: Cox, Brian (PDR) <brian.cox@sfgov.org>
Cc: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Police Commission

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Brian -

I work with Jacque in your office on a Court Watch project and also run a non-profit news site.

I came across this on Twitter yesterday...

S.F. Public Defender Recommendations

Eliminate "Quality of Car" Stops

Quality of Car stops include:

- License plate violations,
- Broken taillights
- Tinted windows
- Registration expired by less than 6 months.

Why?

- Enables and encourages racial profiling
- Disproportionately impacts POC
- Needle-in-haystack

Eliminate Jaywalking & Loitering Detentions

For 1,000 Black adults, 42.6 receive citation for non-traffic local ordinance. For 1,000 White adults, 9.5 receive citations.

"Pretextual"

An excuse to stop and search many of our clients based oftentimes on implicit or explicit biases, which do not appear in the police report.

End Baseless Searches known as Consent

Black and Brown people of consent searches; yield between White and Black nearly identical.

Yield rate for Latinx drivers significantly lower than for white drivers (30%).

SFPD officers require less search Black and Latinx drivers than white drivers. (Stanford Project)

Was wondering if there was additional documentation on the recommendations. Interested in doing a story.

Thanks in advance,

David
530-400-2512

--

Sent from Gmail Mobile

David M. Greenwald
Executive Director
[The People's Vanguard of Davis](#)

530.400.2512

"The Investigative Eye"

Log on daily to get the latest news, commentary, and information about the city of Davis, Yolo County, and the Sacramento Region.

“Journalism is printing what someone else does not want printed: everything else is public relations.”
— George Orwell

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Follow us on Twitter: <https://twitter.com/DavisVanguard>

Subject: Re: Police Commission
Date: Thursday, June 10, 2021 at 10:58:27 PM British Summer Time
From: David M. Greenwald
To: Cox, Brian (PDR)
CC: Ibarra, Valerie (PDR)
Attachments: image001.jpg

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Subject: RE: Police Commission
Date: Thursday, June 10, 2021 at 10:54:53 PM British Summer Time
From: Cox, Brian (PDR)
To: David M. Greenwald
CC: Ibarra, Valerie (PDR)
Attachments: PDR Policy Proposals (1).pdf, image001.jpg

Hi David,

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Cc: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
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<ul style="list-style-type: none"> • tinted windows • Registration expired by less than 6 months. 			
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Thanks in advance,

David
530-400-2512

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Sent from Gmail Mobile

Subject: Everyday Injustice - Movement Towards Declination; Will Sanders Endorsement Shake Up Manhattan DA Race
Date: Thursday, June 10, 2021 at 7:00:34 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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Alexandra Natapoff: "higher declination rates led to lower criminal contact for the individuals who pass through the system. In other words, it promoted public safety, to refrain from bringing down the hammer on even more than diversion program and I know we turned to diversion programs so often because they are more lenient."

Everyday Injustice Newsletter - June 10, 2021

Innocence Is Not the Only Criminal Justice Problem in the System

By David Greenwald

When I started the Vanguard's Court Watch in 2010, I did because we had identified a specific wrongful conviction case. What we learned however is that while wrongful convictions do happen - probably more often than we would like acknowledge or is currently known - but the biggest problem in the criminal legal system is overcharging. Simply put, people often have done something but they get charged for way more than their conduct warrants.

That is part of what the Atlantic is getting at with their piece this week - "[Not that Innocent](#)."

One problem as David Dow, the founder and director of the Texas Innocence Network points out, "the number of innocence claims that can be confidently settled in labs is not infinite, and may in fact be dwindling."

"I think we've kind of reached maximum velocity on how much better the technology can get," Dow said, "And so what that means in terms of innocence work is that you're not going to have cases where you can do testing five or 10 years from now that you can't do today. And so if the biological material is collected, it's obviously going to be tested before the trial occurs."

Mistakes will still happen but a lot of them will not lend themselves to decisive rebuttal via science and that is going to pose a problem as any number of wrongfully convicted people I have worked with, most of whom do not have access to DNA can attest to.

The Atlantic article then points out: "a 2014 [study](#) published by the National Academy of Sciences found

that if all of American death-row inmates were to remain condemned indefinitely, approximately 4.1 percent would eventually be exonerated—a proxy for the share of innocent inmates.”

They argue: “That’s an admittedly conservative estimate. But even if the number of innocent inmates were doubled, the number of guilty ones would still make up more than 90 percent of death row.”

They continue: “These figures point to a mismatch between the time, energy, and resources devoted to innocence, and the needs of death-row inmates.”

There are points here I strongly disagree with.

For instance this: “Perhaps the most dispiriting fact about the innocence movement is that despite its noble intention and excellent work, it hasn’t accomplished its implicit goal of discrediting capital punishment as an institution.”

In my view, the movement away from capital punishment, while slow, would not have occurred without the innocence movement.

Furthermore, I argue that the problems of wrongful convictions attuned us to a lot of problems we either ignored or denied: eyewitness unreliability, bad science, false confessions and police and prosecutorial misconduct.

It is hard to imagine the reform movement today without the innocence movement.

I do agree with this point: “In a 2010 [article](#) in the *University of Pennsylvania Journal of Law and Social Change*, the Georgetown Law Professor Abbe Smith noted the similarities between the innocent and the “not-quite-so-innocent,” those whose cases were unfairly adjudicated or wrongly decided, though the client was still in some sense culpable.”

This part I absolutely agree with however and agree that needs to be a larger focus than it is.

Thanks for reading.

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Sacramento Court Watch: <https://www.facebook.com/Sacramento-Court-Watch-1432660796849531/>
San Francisco Court Watch: <https://www.facebook.com/SF-Court-Watch-577413429452441/>
Twitter: <https://twitter.com/DavisVanguard>
YouTube: <http://www.youtube.com/davisvanguard>

Criminal Justice News/ Commentary

Commentary: Diversion is Good, but Yolo DA Should Start Looking Toward Declination

This week, DA Jeff Reisig belatedly announced—a year after his attack on Public Defender Tracie Olson—that he is changing his policy on diversions to no longer “automatically disqualify an individual from being referred to a diversion

[Read More](#)

Guest Commentary: Mass ICE Detention Is Unnecessary

The cruelty of the U.S. Immigration and Customs Enforcement (ICE) agency was on full display this past year. The agency refused to take vital measures to curb the spread of COVID-19 in its detention centers, even in the face

[Read More](#)

Bernie Sanders Endorses Tahanie Aboushi for Manhattan District Attorney Over Other Progressive Candidates

U.S. Senator Bernie Sanders has announced his endorsement of civil rights attorney and progressive frontrunner Tahanie Aboushi in her campaign for Manhattan District Attorney.

[Read More](#)

Follow the Golden Rule

The Vanguard is proud to announce a new project in partnership with Incarcerated Allied Media. Thanks to Dr. Joan Parkin and D. Razor Babb. These articles are published by Incarcerated Individuals at Mule Creek State Prison and part of the Mule Creek Post publication.

[Read More](#)

SF District Attorney Boudin Joins Fight to End Voter Suppression for All

District Attorney of San Francisco Chesa Boudin has announced he is among 95 other prosecutors and law enforcement leaders who are opposed to the increase of restrictions on the right to vote and the criminalization of

[Read More](#)

Looking Back at COVID-19 in Fresno County Jail – 40-Day Quarantines, Medical Neglect, No Programming

In February of 2021, the Fresno County Jail made national headlines. With 3,985 total COVID-19 cases since the beginning of the pandemic, the New York Times found that the jail had one of the highest infection numbers of any

[Read More](#)

COVID CDCR and Jail Dashboards

CSP Solano's Vaccination Rate Among Lowest, Active Cases Among Highest Across CDCR

Our daily run down on the COVID cases in the California Prison System (CDCR)

[Read More](#)

COVID-19 Cases Decline Across Bay Area's County Jails; Testing Rates Remain High

Our daily run down on the COVID cases in selective County Jails

[Read More](#)

San Francisco Court Watch

[Like our Facebook page](#)

Progressives Butt Heads: SF Public Defender, District Attorney Disagree over Parole Grant for SF Killer

A progressive district attorney and progressive public defender, seldom at odds here, are butting heads after the State Parole Board again found Tare Beltranchuc—convicted of murdering a San Francisco

[Read More](#)

Yolo County Court Watch

[Like our Facebook Page](#)

Letter: Future of the Core Transition East

Dear decision-makers and community members: On behalf of the Old East Davis Neighborhood Association Board, I am writing to ask again for collaboration between the city, property owners and neighbors, to address the unique

[Read More](#)

Sacramento Court Watch

[Like our Facebook Page](#)

Judge Snaps Back at Objecting DDA, Asking if Prosecution Wants to 'Force' the PD to Proceed

In a pretrial hearing for defendant Emonie Williams here in Sacramento County Superior Court Monday, Judge Geoffrey Goodman snapped at Deputy District Attorney Rainey Jacobsen after she made a "non-legal

[Read More](#)

Alameda Court Watch

A Judge Failed To Recuse the Alameda DA's Office, the DA Failed to Make A Reasonable Offer, So the Jury Acquitted a Man of Murder

In March, an Alameda County Judge refused to grant a defense motion to recuse the DA's office from prosecuting Shawn Martin, whose conviction had been overturned when an appellate court found that prosecutor had

[Read More](#)

Los Angeles Court Watch

Detective Lists Darts, A Fishing Knife, and Torch Lighter To Be Amongst Weapons Used in Domestic Abuse Incident

On Thursday, Detective Duran testified against defendant Pharrell Habib Scorza who faced multiple counts that include kidnapping, corporal injury on a spouse, and sexual assault by a foreign object.

[Read More](#)

Contra Costa Court Watch

Defendant Fearing Deportation Allegedly Caused Accident, Lied that He Was Carjacked

Trial counsel and the judge here last week may have been sympathetic to a defendant seeking asylum in the U.S., but the defendant allegedly caused a vehicle collision and then told police he was carjacked – the

[Read More](#)

Fresno Court Watch

Judge Shocked Defendant Charles Brown Missing; Jail Sent Him to State Prison by Mistake

Both Fresno County Superior Court Judge Francine Zepeda and Fresno Deputy District Attorney Nicole Idiart last week were shocked to hear that a defendant was unable to appear in court.

[Read More](#)

Riverside Court Watch

Police Cell Phone Hacking

During the retrial of Cathedral City resident Sergio Lopez Guzman in Riverside County Superior Court last week, a police officer revealed the powerful technologies police can use to access private information from cell

[Read More](#)

Merced Court Watch

Family Survives in the Face of Father's Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

[Read More](#)

Everyday Injustice - Podcast

see our podcasts

Everyday Injustice Podcast Episode 110: Humphrey Decision's Impact on Bail and Pretrial Detention in SF and California

When the California Supreme Court ruled in March, in the Humphrey decision, that the judges are required to consider a person's ability to pay when setting their bail amounts, a big question was whether that would lead to more pretrial

[Read More](#)

Everyday Injustice Podcast Episode 108: Larry Krasner's Huge Win & Future of Progressive DA Movement

Last week, Larry Krasner who was among the first wave of progressive DA's to be elected in 2017, won a resounding reelection in the Democratic primary after a former Deputy DA, who he had fired in 2018, attempted to take him down

[Read More](#)

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Sacramento Court Watch: [https://url.avanan.click/v2/___https://www.facebook.com/Sacramento-Court-Watch-](https://url.avanan.click/v2/___https://www.facebook.com/Sacramento-Court-Watch-1432660796849531/)

https://url.avanan.click/v2/___https://www.facebook.com/Sacramento-Court-Watch-1432660796849531/___YXAzOnNmZHqYOmE6bzozMmlzZDIhYjIwYzA2NGFIZjA5ODU1ZjMyOTlmMzBiMTozOmM4ZTY6NDExMDg4YWYzZTIhNjY4MGZlZjc3NTU1OWViOTIyMjYzZmlyYWZhOTU5MGNmMDZjM2RkNWU1YWZkZDg3OTkwZQ;

Twitter:

https://url.avanan.click/v2/___https://twitter.com/DavisVanguard___YXAzOnNmZHqYOmE6bzozMmlzZDIhYjIwYzA2NGFIZjA5ODU1ZjMyOTlmMzBiMTozOjVmMDI6YTdjZjY0N2Q4NDYwYzQ3MDRkZWU2YTQ4ZGI2Y2YzN2Y0MjJkOWFjODAyZWZhZWZjMDBhM2I0YzY5Y2I1NjY4ZA;

YouTube: https://url.avanan.click/v2/___http://www.youtube.com/davisvanguard___YXAzOnNmZHqYOmE6bzozMmlzZDIhYjIwYzA2NGFIZjA5ODU1ZjMyOTlmMzBiMTozOjI2MwY6NmJmNWE5NjYyNzlmNWl2NzQ3YzZwMDhINDkzNTcyNDA2Njg1Y2U5ZDU3OTYyMjYyNTJlOTkwYWRmM2ZjYzVhNg

The People's Vanguard of Davis | P.O. Box 4715, Davis, CA 95617-4715

[Unsubscribe valerie.ibarra@sfgov.org](mailto:unsubscribe.valerie.ibarra@sfgov.org)

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Subject: Police Commission
Date: Thursday, June 10, 2021 at 4:37:40 PM British Summer Time
From: David M. Greenwald
To: brian.cox@sfgov.org
CC: Ibarra, Valerie (PDR)
Attachments: IMG_5945.jpg

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Black and Brown people make up 40% of consent searches; yield rates between White and Black demographic nearly identical.

Yield rate for Latinx drivers(12%) significantly lower than for white drivers (30%).

SFPD officers require less suspicion to search Black and Latinx drivers than white drivers. (Stanford Open Policing Project)

Brian Cox

Was wondering if there was additional documentation on the recommendations. Interested in doing a story.

Thanks in advance,

David
530-400-2512

--

Sent from Gmail Mobile

Subject: We are launching a brand new project! - AND NEED YOUR HELP!

Date: Wednesday, June 9, 2021 at 9:00:20 PM British Summer Time

From: David Greenwald

To: valerie.ibarra@sfgov.org

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Image

Image

Hello reader!

I have two amazing pieces of news to share with you and one big ask.

First the news...

On Friday we had an amazing webinar highlighting an unprecedented court hearing that we have been covering.

The Vanguard has extensively covered the San Quentin Hearing to the point where a lot of experts have referred to our coverage as being the best and most thorough.

Both the SF Public Defender's Office ([here](#)) and Hastings Law Professor Hadar Aviram ([here](#)), have used our work to highlight the case.

Professor Aviram was one of the guests on our [webinar](#) on Friday. She wrote: "For detailed summaries of each day of the hearing, I highly recommend the [Davis Vanguard](#) coverage" and then linked all 11 stories we ran on it.

Second, we have just launched a brand new project!

We are partnering with Incarcerated Allied Media - Dr. Joan Parkin and D. Razor Babb - to bring the broader community articles published by Incarcerated Individuals at Mule Creek State Prison and part of the Mule Creek Post publication. This is an amazing opportunity to amplify incarcerated voices.

First article is [here](#).

We are about to bring on 70 new interns this month. We will have extensive court coverage in: San Francisco, Los Angeles, Alameda, Sacramento and Yolo Counties. Plus we are working hard to launch in San Diego and Santa Barbara.

So now the ask...

We can't do any of this without the funding to pay our staff and other costs. We need your help. We need you to become sustaining members. \$5 or \$10 a month on the low end. *Some give \$20, \$25, \$50 or even \$100 a month. Whatever you can manage.*

Click here: <http://davisvanguard.networkforgood.com>

Thanks and please help...

David Greenwald
Founder and CEO

Button

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Subject: Everyday Injustice - DA Acknowledges Racial Inequities; Krasner Leads Way on Transparency
Date: Wednesday, June 9, 2021 at 7:00:17 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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Public Defender Tracie Olson: "We still have an overrepresentation of Black men and women in our local jail. While the county is 3% Black, on May 3, 2021, 21.5% of our jail population was Black. We simply haven't made much progress since I talked about this last June. However, I have reason to hope that this policy change is one of many more to come from the county's criminal legal system."

Everyday Injustice Newsletter - June 9, 2021

Krasner Shows How Transparency is Done

By David Greenwald

I have been watching carefully as my home county DA - Yolo County, CA DA Jeff Reisig has launched a transparency portal in April.

He came out with a big release yesterday, a year to the day after he bludgeoned the local public defender for daring to call out racial disparities.

Last year he said, "Yolo County Public Defender Tracie Olson's recent broadside against the justice system in our county was inaccurate, irresponsible, and insulting to both prosecutors and the judiciary."

But this year he seems to acknowledge the problem writing, "new public data tool reveals racial disparity in cases sent to prosecutor's office."

Notice how he avoids responsibility again.

But this time, at least he acknowledged the overall problem and is going to make a policy change where his office "will no longer automatically disqualify an individual from being referred to a diversion program based on their criminal history, and is estimated to increase diversions by 15 to 20 percent."

The public defender says this is a "good start."

She told the Vanguard on Tuesday, “We still have an overrepresentation of Black men and women in our local jail. While the county is 3% Black, on May 3, 2021, 21.5% of our jail population was Black. We simply haven’t made much progress since I talked about this last June. However, I have reason to hope that this policy change is one of many more to come from the county’s criminal legal system.”

But while Reisig acts as though this dashboard and his policy change is the best thing since sliced bread, Larry Krasner is actually the one we ought be emulating... yet again.

In Philadelphia for instance, Larry Krasner’s office offers their own public data dashboard - https://data.philadao.com/Future_Years_Incarceration_Report_YE.html

Last February, Krasner talked a bit about it. They have 15 people who are grant-funded full time employees.

Last Fall, Krasner did a far more sweeping change creating, Prosecutorial Performance Indicators (PPIs) - new measures of performance in the field of prosecution.

These measures are designed to assess prosecutorial performance by prioritizing safety, community well-being, justice, and fairness. Seven of these new measures assess racial disparities at case filing, pretrial detention, diversion, and sentencing.

One of the measures they are looking at is “future years of incarceration imposed.”

“Each sentence to a period of incarceration in a jail or prison represents a commitment by the County of Philadelphia or the Commonwealth of Pennsylvania to detain a person for a period of time,” they explain. And they have tracked it since 2014 when it peaked. It has fallen dramatically (down 48 percent from the 2014-17 average) since Krasner took over office - and it has fallen for all offenses, violent and property crimes alike.

That’s what we would like to see from Reisig and other DA’s across the country.

Thanks for reading.

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Twitter: <https://twitter.com/DavisVanguard>
YouTube: <http://www.youtube.com/davisvanguard>

Criminal Justice News/ Commentary

A Year After Attack on Public Defender, DA's Office Making Changes in Effort to Decrease Racial Disparities

Tuesday marked the one year anniversary of the Yolo County Public Defender Black Lives Matter march. That evening on TV, Yolo County Public Defender Tracie Olson told the news station, “Honestly we see Black

[Read More](#)

LA District Attorney Gascón Announces Deputy Charged with Assault, Destroying Evidence

A Los Angeles County Sheriff's deputy is being charged with falsifying evidence from an arrest and alleged assault of a suspect two years ago, according to Los Angeles County District Attorney George Gascón.

[Read More](#)

SF DA Applauds CA Senate OK of Youth Basic Income Plan, Champions Other Youth Programs

The California State Senate has approved a measure that will provide universal basic income for youth coming out of the foster care system, a unique piece of legislation championed by San Francisco

[Read More](#)

The Future Lies Within Us

The Vanguard is proud to announce a new project in partnership with Incarcerated Allied Media. Thanks to Dr. Joan Parkin and D. Razor Babb. These articles are published by Incarcerated Individuals at Mule Creek State Prison and part of the Mule Creek Post publication.

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Incarcerated Artist, Orlando Smith, Shares Illustrations on Police Brutality

Orlando Smith is a talented illustrated journalist, graphic artist and comic book creator. He has been incarcerated for 23 years under the draconian Three Strikes Law for each of the eight

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8 Weekly Highlights from CDCR's COVID Crisis: 44 DAs File Lawsuit Against CDCR For Good Conduct Credit Expansion

As of Jun. 5, there have been a total of 49,336 confirmed COVID-19 cases in the CDCR system – 105 of them emerged in the last two weeks. 107 cases are active in custody while 607 have been released while active.

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CDCR's Fully Vaccinated Staff Population Shows Sudden Surge of 3k in 7-Day Period

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Sacramento Court Watch

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Defendant Ruled Incompetent, Held to Answer Charges after Confusing Preliminary Hearing

Called to help a woman after she said she felt unsafe following an encounter behind a warehouse in Sacramento, Joshua Plante eventually was charged at his preliminary hearing Tuesday in Sacramento

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Subject: Everyday Injustice - Philly DA Announces Murder Conviction Vacated After Dirty Cop, Prosecution Misconduct
Date: Tuesday, June 8, 2021 at 7:01:07 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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Patricia Cumming: "Had the jury at the time known about Detective Nordo's history of allegedly abusing his power as a homicide detective to coerce incriminating and unreliable statements from witnesses and suspects, including his alleged acts in this case – which our investigation uncovered – there is a reasonable probability the jury would not have convicted Garcia, in our opinion."

Everyday Injustice Newsletter - June 8, 2021

Troubling Wrongful Conviction Case Out of Philly

By David Greenwald

Score another one for DA Larry Krasner, but after reading about the exoneration and then reading the 2015 article on the sentencing of Arkel Garcia, I am very troubled by what happened in this case.

As Michael Wheeler of the Vanguard [reports today](#), a court vacated the conviction of Arkel Garcia. There is so much wrong with this case, it deserves a lot more scrutiny.

The bad guy is ostensibly a dirty cop - "eight of his cases have been overturned or dropped – and prosecutorial misconduct."

Here is the key: "During Garcia's trial, the former district attorney illegally withheld evidence from being presented to the jury. Most importantly, however, Philipp Nordo, the lead detective in the case, engaged

in misconduct which resulted in a conviction being obtained on dubious grounds.”

Wheeler continued: “Nordo obtained a confession from Garcia during an unrecorded interrogation which lasted for two hours.

“No direct eyewitness testimony or forensic evidence tied Garcia to the crime, so the prosecution’s case rested on Nordo’s testimony and that of an unnamed informant who provided Nordo with information relating to Garcia.”

That should be a red flag.

“The prosecution also failed to disclose to the court that Nordo had participated in multiple acts of sexual misconduct, which, according to Conviction Integrity Unit supervisor Patricia Cummings, “generally involved allegations of his abusing his power to sexually assault and groom young men who were either suspects or witnesses.””

She continued, “Had the jury at the time known about Detective Nordo’s history of allegedly abusing his power as a homicide detective to coerce incriminating and unreliable statements from witnesses and suspects, including his alleged acts in this case – which our investigation uncovered – there is a reasonable probability the jury would not have convicted Garcia, in our opinion.”

When I was pulling up old coverage, I found a rather interesting article in the [Philadelphia Inquirer](#) from February 2015.

“A courtroom brawl aborted Tuesday’s sentencing of the West Philadelphia man who had just been found guilty of felony murder in the 2013 robbery of a special-needs man for his brand-new Beats by Dre headphones.”

Not going to focus on the brawl. Not going to focus on the fact that it’s felony murder which made the whole thing rather questionable even without the coerced confession.

Assistant District Attorney Brendan O’Malley said the courtroom incident “gave us a little window into his mind-set.”

“This was a robbery pure and simple,” O’Malley said, adding, “I think we can assume he’s done this type of thing before.”

Except that it wasn’t.

The Inquirer reports: “Garcia confessed to robbing Massey with two friends but insisted he was not the gunman. O’Malley argued that Garcia’s statement fell apart when a fuzzy surveillance video from the 5900 block of Lebanon Avenue showed only one man following Massey - who had owned the \$300 headphones for less than a day - before he was shot for failing to immediately surrender them. The gunman left the headphones on the street near Massey’s body..”

Except of course that the cop lied and O’Malley covered up for it.

Very troubling. The conduct of the prosecutor troubles me perhaps more than that of the officer.

Thanks for reading.

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Letter: Newly-Enacted Voting Restrictions and Criminal Penalties Put Our Democracy at Risk

As elected prosecutors and law enforcement officials from across the country, we are deeply concerned by the growing wave of restrictions on the right to vote, and, in particular, measures that create and impose new criminal penalties.

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CA Legislature Rejects Gov's Faulty Plan to Boost Pretrial Pilot Programs; Coalition Urges 'Community-based Pretrial Services'

The State Legislature has rejected Gov. Newsom's May budget revision to add more than \$200 million over the next several years to controversial pretrial programs, and now a coalition of justice reform advocates have a better idea.

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Philly DA Announces Murder Conviction Vacated After Dirty Cop, Prosecution Misconduct

A Philadelphia court vacated the conviction of Arkel Garcia for a murder conviction dating back to 2013, announced Philadelphia District Attorney Larry Krasner last Friday, the latest in a string of overturned

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Overcoming the Cycle of Domestic Violence

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Sacramento Court Watch

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Judge Holds Defendant without Bail Following Gang-Related Drive-By

Defendant Lionel Gillespie was denied bail here in Sacramento County Superior Court Monday for his alleged involvement in a brutal gang related drive-by. The prosecution painted Gillespie as a "gang banger,"

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Alameda Court Watch

A Judge Failed To Recuse the Alameda

DA's Office, the DA Failed to Make A Reasonable Offer, So the Jury Acquitted a Man of Murder

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Date: Monday, June 7, 2021 at 11:47:26 PM British Summer Time
From: Michelle Lagos
To: undisclosed-recipients;;
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The Vanguard has an intern-based staff covering criminal justice matters and daily court news throughout much of California, including Sacramento, the Greater San Francisco Bay Area, the Central Valley, and Southern California.

As a nonprofit, we rely heavily on the support of our donors to continue our work and continue such as the one you attended.

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To watch the webinar again, please visit our youtube page - <http://bit.ly/VanguardSanQuentin>

Click here to read Hasting Law Professor Hadar Aviram's post on the San Quentin Trial - <https://www.hadaraviram.com/2021/06/05/testimony-at-the-san-quentin-hearing-wraps-up/>

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Subject: Everyday Injustice - SQ Wraps Up, Vanguard Webinar, Podcast on Humphrey, New Prison Coverage
Date: Monday, June 7, 2021 at 7:00:21 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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Professor Aviram was one of the guests on our webinar on Friday. She wrote: "For detailed summaries of each day of the hearing, I highly recommend the Davis Vanguard coverage"

Everyday Injustice Newsletter - June 4, 2021

San Quentin Hearing Wraps Up - High Praise For Vanguard's Coverage

By David Greenwald

The Vanguard has extensively covered the San Quentin Hearing to the point where a lot of experts have referred to our coverage as being the best and most thorough. Both the SF Public Defender's Office ([here](#)) and Hastings Law Professor Hadar Aviram ([here](#)), have used our work to highlight the case.

Professor Aviram was one of the guests on our [webinar](#) on Friday. She wrote: "For detailed summaries of each day of the hearing, I highly recommend the [Davis Vanguard](#) coverage" and then linked all 11

stories we ran on it.

The Professor's thoughts overall are worth noting.

She writes: "At the event, all three of us mentioned accountability as an important goal. But what can accountability even mean given the constantly changing landscape of the disease? The population in the prison has decreased since the advent of the pandemic, and any remedy phrased as "population reduction" would be interpreted by CDCR as requiring transfers, which would be disastrous to the Quentin population because of the paucity of programming elsewhere and because of the possibility of infections elsewhere (such as we see now in Solano.) "

She also notes: "the AG's line has been all along that habeas relief cannot be granted on the basis of past circumstances, and it's not a ridiculous argument. I've said before that these hearings, as well as the Plata hearing, are proof that courts are an imperfect mechanism for remedying an ongoing, ever-changing situation. The immediate relief needs to come from the people directly in charge of the welfare of the prison population, and when these folks are far more interested in preserving themselves and their jobs than in keeping the people in their care alive and well, we're stuck in a quagmire."

She is especially critical of new AG Rob Bonta.

She writes: "The biggest disappointment in all this is that AG Rob Bonta—who, just months before his appointment, stood shoulder-to-shoulder with me in front of the San Quentin gates denouncing prison administration and calling for releases—is allowing his employees to fight against doing the right thing."

In July, **Bonta said at the press conference**: "We are in the middle of a humanitarian crisis that was created and wholly avoidable; we need to act with urgency fueled by compassion; we missed the opportunity to prevent, so now we have to make things right."

She argues: "Now, he's apparently comfortable presenting a legal argument that the crisis was *unavoidable*, that everything that needed doing was, in fact, done, and that the incarcerated people themselves have compounded their own situation."

As many long time readers know, I have been a huge critic of the past few AGs including the one who is now Vice President. I am hopeful about Bonta, and it might be a bit too quick for him to pull the plug on this, but Professor Aviram's comments are not wrong and it bears scrutiny.

Thanks for reading.

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Final Live Testimony Phase of San Quentin Prison/COVID-19 Probe Wraps

Three witnesses testified Friday here in Marin County Superior Court in the hearing addressing the COVID-19 outbreak that killed 29 and infected hundreds of staff and inmates at San Quentin Prison. The hearing is

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Vanguard Webinar: A Human Rights Disaster at San Quentin (Video)

Proceedings have just concluded in Marin County Superior Court against San Quentin State Prison and the California Department of Corrections (CDCR) for what one judge has called "the worst epidemiological disaster in California

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A New Generation of Equality

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Assembly OK's Bill to Require Courts, Prosecutors to State Cost of Incarceration to Public

A first-in-the-nation legislative measure that would require judges and prosecutors to consider, and state for the record, the cost of incarceration for criminal sentences was approved by the California State

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Attending College in Prison

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Police Reform Advocates' Collective Sigh – Sacramento City Council Finally OKs New Deadly Use of Force Policy After Failed May Attempt

The city of Sacramento this past week did “what it should have done nearly two years ago,” according to police reform advocates, when it approved a new deadly use of force policy for the Sacramento Police

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Alleged Yolo Robbers Steal AutoZone Car Stereos, Blame Each Other – Judge Sets Trial for Both

Two men were in a Yolo County Superior Court preliminary hearing at the end of last week for a robbery that they are alleged to have committed on March 23 – in court their lawyers blamed “the other guy.”

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Judge Denies Motion to Strike a ‘Strike,’ Doubles Defendant’s Prison Time

Sacramento County Superior Court Judge Patrick Marlette Thursday denied a motion to dismiss a strike on defendant Deangelo Porter’s record, and then—after lecturing him to admit his mistakes—doubled his

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Riverside Court Watch

‘Father-Daughter Bond’ Broken after Stepfather Crosses the Line’

Vicente “DOE”* last Friday sat in the Riverside County Superior Court department in an orange jumpsuit, facing charges of interacting inappropriately with the victim, who happened to be his stepdaughter.

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Sacramento Court Watch: https://url.avanan.click/v2/___https://www.facebook.com/Sacramento-Court-Watch-1432660796849531/___YXAzOnNmZHqYOmE6bzoXOGUwNTgyOGZiNjBhNzU4OTk2NzNjZjkwZjg5Y2VIMTozOjVhMDA6YmFkNzlkZTEyNWU3OGU3Yzk1MzE0NmE2ZDdiMjhmZDExMzRiYTI4NDg2NGE5MjhlYWUzNWZhMDRlZTM4ZmRjMA;

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Subject: Re: SF Trials 6/7/21
Date: Monday, June 7, 2021 at 4:58:00 PM British Summer Time
From: David M. Greenwald
To: Ibarra, Valerie (PDR)
Attachments: image.png

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Thank you!!!

On Mon, Jun 7, 2021 at 8:57 AM Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org> wrote:

Hi David -- Here's a screenshot of the trials on this week. I send this with the caveat that there is often some lag time in updating it, so the trials themselves may be further along than indicated. Hope this helps!

Felony

DPT	DEFENSE TEAM	COURT NO	TOP CHARGE	PROGRESS
16	Nawabi Huber Frommer Dorfman	19003371	288a	DA case
19	Breecker McCray Schroeder Frommer Lin Dubain	18008239 18010985	664/187	Delib
27	Harris Villaran Miller Caffese	20004050	187	MIL

Valerie Ibarra
Public Information Officer
San Francisco Public Defender's Office
Valerie.Ibarra@sfgov.org
(628)249-7946
SFPublicDefender.org/Media

--

David M. Greenwald
Executive Director
[The People's Vanguard of Davis](#)

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Subject: SF Trials 6/7/21
Date: Monday, June 7, 2021 at 4:57:08 PM British Summer Time
From: Ibarra, Valerie (PDR)
To: David M. Greenwald
Attachments: image.png

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Felony

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Valerie Ibarra
Public Information Officer
San Francisco Public Defender's Office
Valerie.Ibarra@sfgov.org
(628)249-7946

SFPublicDefender.org/Media

Subject: Vanguard Webinar: A Human Rights Disaster at San Quentin

Date: Friday, June 4, 2021 at 7:55:49 PM British Summer Time

From: David Greenwald

To: valerie.ibarra@sfgov.org

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Webinar banner

Hi Valerie,

Webinar logo

Thank you for registering for "Vanguard Webinar: A Human Rights Disaster at San Quentin".

Please submit any questions to: info@davisvanguard.org

Date Time: Jun 4, 2021 12:00 PM Pacific Time (US and Canada)

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Description: Friday, June 4 at noon

Proceedings have begun in Marin County Superior Court against San Quentin State Prison and the California Department of Corrections (CDCR) for what one judge has called "the worst epidemiological disaster in California correctional history."

More than 300 individuals have filed 'habeas corpus' petitions, alleging the prison violated 8th Amendment protections against "cruel and unusual punishment" when a transfer of incarcerated people which failed to test for COVID, to San Quentin resulted in a massive COVID-19 outbreak.

In May of 2020, CDCR decided to move 121 incarcerated people from the California Institution for Men (CIM), in Chico, to San Quentin. At the time, CIM had the highest COVID-19 infection rate of any prison in California. Prior to the transfer, San Quentin did not have a single confirmed case.

In the ensuing weeks, approximately 75 percent of prisoners and staff were infected with the virus.

We will have a panel to discuss this massive injustice.

Confirmed speakers:

Danica Rodarmel, SF Public Defender's Office
Professor Hadar Aviram, UC Hastings Law School
Adamu Chan, Former Incarcerated Person
Member of the Legal team, invited

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Webinar ID: 838 7505 3703

Passcode: 928561

International numbers available: <https://us02web.zoom.us/j/83875053703>

Webinar Speakers

Adamu Chan

Danica Rodarmel

Hadar Aviram

You can [cancel](#) your registration at any time.

Subject: Everyday Injustice - Prison Health Officials Take Hot Seat in COVID-19 Court Hearings; Discussion on SQ Today at Noon PDT

Date: Friday, June 4, 2021 at 7:01:13 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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Chesa Boudin: "This policy rectifies that problem by providing an opportunity for support to those who are affected by law enforcement violence—including those hurt during lawful, peaceful protest— just as we would victims of other crimes,"

Everyday Injustice Newsletter - June 4, 2021

Spitzer Continues Nasty Campaign Against Harden on Twitter

By David Greenwald

I have already highlighted a few times just how far to the right Todd Spitzer has swung. Remember Orange County is no longer the right wing bastion of California. Biden in 2020 won the County by nine points over Trump. While not one of the deep blue counties like San Francisco or even Los Angeles, it is no longer a red stronghold.

And yet, Spitzer is running like he is in a hard red county - attacking Harden's supposed ties to San Francisco and Los Angeles, appearing on right wing media like Fox and Newsmax.

Spitzer yesterday tweeted a little graphic calling Pete Hardin (by name) a "criminal attorney", stated that he was "pro-criminal" and called him a carbon copy of LA District Attorney George Gascon.

He tweeted, "Orange County's choice for DA could not be any clearer. Pete Hardin is running as a wannabe George Gascon that wants to turn OC into LA or SF. By contrast, I have always put victims and public safety first."

That follows last week when he retweeted "ditto" to tweet by Nick Miller whose handle is "Nick Miller MAGA."

Miller tweeted, "A police officer brutally assaulted in San Francisco. This will be Orange County if Peter Hardin is elected DA. Peter believes that coddling felons is more important than supporting cops."

Miller had retweeted from the SFPOA - "We've seen a rise in violent attacks by homeless individuals, including attacks on police officers. We are deeply grateful to these citizens who rushed to our officer's aide. Our staffing shortage left this officer working alone instead of with a partner."

Nick Miller lists himself as - Assistant United States Attorney and "Blue Lives Matter" with a big Blue Lives Lives Matter flag.

Miller also retweeted Spitzer's latest attack on Harden.

This is just an example of what we have been talking about - the link between the hard right, core Trump supporters and the pushback against criminal justice reform.

And just think, we have another year of this.

Thanks for reading.

Join us today at noon pacific time for a webinar on the San Quentin hearings going on in Marin County the last few weeks. Click here to sign up:

<http://bit.ly/webinarvanguard>

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Yolo County Court Watch: <https://www.facebook.com/groups/yolojudicialwatch/>

Sacramento Court Watch: <https://www.facebook.com/Sacramento-Court-Watch-1432660796849531/>

San Francisco Court Watch: <https://www.facebook.com/SF-Court-Watch-577413429452441/>

Twitter: <https://twitter.com/DavisVanguard>

YouTube: <http://www.youtube.com/davisvanguard>

Criminal Justice News/ Commentary

Despite Concerns From Reformers, AB 1542 Cruises To Assembly Passage on a 65-1 Vote

Back in May Kevin McCarty had to defend his bill, AB 1542 from a number of groups that are normally allies of his on the Vanguard webinar. He had no such problem when the bill made it to the Assembly floor.

[Read More](#)

San Quentin Prison Health Officials Take Hot Seat in COVID-19 Court Hearings

In Marin County Superior Court Thursday, in a weeks-long hearing into the deadly COVID-19 outbreak at San Quentin Prison that killed dozens, Judge Geoffrey Howard heard testimony from the chief psychiatrist and a nurse

[Read More](#)

Guest Commentary: Family Court, CPS Protecting Judge, Double-Down with First Amendment Rights Violations

In what could only be described as an act of retaliation and animus against First Amendment Rights, the Santa Clara Sheriffs enforced Santa Clara Superior Court Presiding Judge Patricia Lucas' standing order, an

[Read More](#)

SF District Attorney Praises CA Senate OK of Victim Rights, Prosecutor Accountability Bills

Two key state legislative criminal justice reform bills, SB 299 and SB 710 – they expand victims' rights, support police accountability, and promote fairness in the criminal justice system – were OK'd in the California State Senate

[Read More](#)

CA Senate OKs Measure that Expands Public Disclosure of Police Records

The California State Senate late Wednesday approved 31-3 a major expansion of access to police records by the public and, according to supporters, "strengthen law enforcement accountability."

[Read More](#)

Bill That Would Decriminalize Jaywalking Passes State Assembly

A bill intended to seek fairness and prevent escalating police stops for jaywalking passed the California State Assembly on Wednesday. AB 1238, authored by San Francisco Assemblymember Phil Ting aims

[Read More](#)

Vanguard Webinar: A Human Rights Disaster at San Quentin (June 4)

Proceedings have begun in Marin County Superior Court against San Quentin State Prison and the California Department of Corrections (CDCR) for what one judge has called “the worst epidemiological disaster in California

[Read More](#)

COVID CDCR and Jail Dashboards

CDCR Reports First Surge in COVID-19 Cases After Vaccine Rollout; Majority Cases at CSP Solano

Our daily run down on the COVID cases in the California Prison System (CDCR)

[Read More](#)

More Than One-Third of Sacramento County Jail Population Has Been Vaccinated

Our daily run down on the COVID cases in selective County Jails

[Read More](#)

San Francisco Court Watch

[Like our Facebook page](#)

Progressives Butt Heads: SF Public Defender, District Attorney Disagree over Parole Grant for SF Killer

A progressive district attorney and progressive public defender, seldom at odds here, are butting heads after the State Parole Board again found Tare Beltranchuc—convicted of murdering a San Francisco

[Read More](#)

Yolo County Court Watch

[Like our Facebook Page](#)

Alleged Yolo Robbers Steal AutoZone Car Stereos, Blame Each Other – Judge Sets Trial for Both

Two men were in a Yolo County Superior Court preliminary hearing at the end of last week for a robbery that they are alleged to have committed on March 23 – in court their lawyers blamed “the other guy.”

[Read More](#)

Sacramento Court Watch

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Judge Denies Motion to Strike a ‘Strike,’ Doubles Defendant’s Prison Time

Sacramento County Superior Court Judge Patrick Marlette Thursday denied a motion to dismiss a strike on defendant Deangelo Porter’s record, and then—after lecturing him to admit his mistakes—doubled his

[Read More](#)

Alameda Court Watch

A Judge Failed To Recuse the Alameda DA’s Office, the DA Failed to Make A Reasonable Offer, So the Jury Acquitted a Man of Murder

In March, an Alameda County Judge refused to grant a defense motion to recuse the DA’s office from prosecuting Shawn Martin, whose conviction had been overturned when an appellate court found that prosecutor had

[Read More](#)

Los Angeles Court Watch

Detective Lists Darts, A Fishing Knife, and Torch Lighter To Be Amongst Weapons Used in Domestic Abuse Incident

On Thursday, Detective Duran testified against defendant Pharrell Habib Scorza who faced multiple counts that include kidnapping, corporal injury on a spouse, and sexual assault by a foreign object.

[Read More](#)

Contra Costa Court Watch

Defendant Fearing Deportation Allegedly Caused Accident, Lied that He Was Carjacked

Trial counsel and the judge here last week may have been sympathetic to a defendant seeking asylum in the U.S., but the defendant allegedly caused a vehicle collision and then told police he was carjacked – the

[Read More](#)

Fresno Court Watch

Judge Shocked Defendant Charles Brown Missing; Jail Sent Him to State Prison by Mistake

Both Fresno County Superior Court Judge Francine Zepeda and Fresno Deputy District Attorney Nicole Idiart last week were shocked to hear that a defendant was unable to appear in court.

[Read More](#)

Riverside Court Watch

Riverside Public Defender: Consideration of Gang Enhancements Before Conviction is Prejudicial

Riverside County Judge Dean Benjamini denied Public Defender Gregory Johnson's request to "bifurcate" consideration of any gang enhancement charges until after a jury decides if the defendant committed the

[Read More](#)

Merced Court Watch

Family Survives in the Face of Father's Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

[Read More](#)

Everyday Injustice - Podcast see our podcasts

Everyday Injustice Podcast Episode 108:

Larry Krasner's Huge Win & Future of Progressive DA Movement

Last week, Larry Krasner who was among the first wave of progressive DA's to be elected in 2017, won a resounding reelection in the Democratic primary after a former Deputy DA, who he had fired in 2018, attempted to take him down

[Read More](#)

Everyday Injustice Podcast Episode 107: Yolo County DA Candidate Cynthia Rodriguez

Cynthia Rodriguez, a retired public defender, is running for DA in Yolo County, California—a relatively small county, next to Sacramento and the home of UC Davis.

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https://url.avanan.click/v2/___https://www.facebook.com/groups/yolojudicialwatch/___YXAzOnNmZHqYOmE6bzpiMGFjMjFmODQyMTYyOGRmN2JmNWMzNjJIOTc0OTE4ZDozOjE3MDA6NDJhZTVIMjI3MjUzNTc4MjMzMmUzZWZyYzk2NGRmMmIzN2I0MjNjODgxMmNkMmRIY2ExY2EzM2lyYjA4NWMwYg;

Sacramento Court Watch: [https://url.avanan.click/v2/___https://www.facebook.com/Sacramento-Court-Watch-](https://url.avanan.click/v2/___https://www.facebook.com/Sacramento-Court-Watch-1432660796849531/___YXAzOnNmZHqYOmE6bzpiMGFjMjFmODQyMTYyOGRmN2JmNWMzNjJIOTc0OTE4ZDozOjIhNDU6NDc5MjZjYTBiZjA5OWRiYjZjMjc2OWNiZjNjOTM3ODc4MjI3MzQyNmFkOTBiMTIjMDk3ZGQ3NjY4MDI1NjFiZA;)

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Twitter:

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YouTube: https://url.avanan.click/v2/___http://www.youtube.com/davisvanguard___YXAzOnNmZHqYOmE6bzpiMGFjMjFmODQyMTYyOGRmN2JmNWMzNjJIOTc0OTE4ZDozOmE2N2E6YTkwMDQ5MzhhYTdlYjk4YjMxMjc3MmU4NzY4MjZlYjI4OTgxY2Q3MA;

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Subject: Reminder: Vanguard Webinar: A Human Rights Disaster at San Quentin: Friday June 4 at noon

Date: Friday, June 4, 2021 at 6:55:06 PM British Summer Time

From: David Greenwald

To: valerie.ibarra@sfgov.org

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Webinar Logo

Hi Valerie,

Webinar Image

This is a reminder that "Vanguard Webinar: A Human Rights Disaster at San Quentin" will begin in 1 hour on:

Date Time: Jun 4, 2021 12:00 PM Pacific Time (US and Canada)

Join from a PC, Mac, iPad, iPhone or Android device:

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Note: This link should not be shared with others; it is unique to you.

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Webinar ID: 838 7505 3703

Passcode: 928561

International numbers available: <https://us02web.zoom.us/j/83875053703>

You can [cancel](#) your registration at any time.

Subject: Reminder: Vanguard Webinar: A Human Rights Disaster at San Quentin: Friday June 4 at noon

Date: Thursday, June 3, 2021 at 8:13:16 PM British Summer Time

From: David Greenwald

To: valerie.ibarra@sfgov.org

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Webinar Logo

Hi Valerie,

Webinar Image

This is a reminder that "Vanguard Webinar: A Human Rights Disaster at San Quentin" will begin in 1 day on:

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Note: This link should not be shared with others; it is unique to you.

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Or join by phone:

US: +1 929 436 2866 or +1 253 215 8782 or +1 301 715 8592 or +1 312 626 6799 or +1 346 248 7799 or +1 669 900 6833

Webinar ID: 838 7505 3703

Passcode: 928561

International numbers available: <https://us02web.zoom.us/j/kb7vE9IXfF>

You can [cancel](#) your registration at any time.

Subject: Join The Vanguard's Webinar: A Human Rights Disaster at San Quentin

Date: Wednesday, June 2, 2021 at 9:00:15 PM British Summer Time

From: David Greenwald

To: valerie.ibarra@sfgov.org

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Image

The Vanguard's Monthly Webinar

Image

A Human Rights Disaster at San Quentin Prison

You're invited the Vanguard's Monthly Webinar.

In May of 2020, CDCR decided to move 121 incarcerated people from the California Institution for Men (CIM), in Chico, to San Quentin.

At the time, CIM had the highest COVID-19 infection rate of any prison in California. Prior to the transfer, San Quentin did not have a single confirmed case.

In the ensuing weeks, approximately 75 percent of prisoners and staff were infected with the virus.

Join us on **June 4 at noon** to discuss the COVID-19 outbreak in the San Quentin Prison, along with our guest speakers:

Danica Rodarmel, *SF Public Defender's Office*
Professor Hadar Aviram, *UC Hastings Law School*

JUNE
4th, 2021

12:00 pm - 1:00 pm

REGISTER BELOW

RSVP

Adamu Chan, *Former Incarcerated Person*

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Subject: Reminder: Webinar: A Human Rights Disaster at San Quentin (June 4)

Date: Wednesday, June 2, 2021 at 9:00:00 PM British Summer Time

From: David M. Greenwald

To: undisclosed-recipients;;

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If you haven't signed up for Friday, please do so...

June 4 at Noon

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More than 300 individuals have filed 'habeas corpus' petitions, alleging the prison violated 8th Amendment protections against "cruel and unusual punishment" when a transfer of incarcerated people which failed to test for COVID, to San Quentin resulted in a massive COVID-19 outbreak.

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Confirmed speakers:

Danica Rodarmel, SF Public Defender's Office
Professor Hadar Aviram, UC Hastings Law School
Adamu Chan, Former Incarcerated Person
Member of the Legal team, invited

To register click here: https://us02web.zoom.us/webinar/register/WN_jHDsYMB0RyWIDx0X93_B8Q

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David M. Greenwald
Executive Director
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Subject: Re: Vanguard - San Quentin

Date: Wednesday, June 2, 2021 at 1:13:53 AM British Summer Time

From: Ibarra, Valerie (PDR)

To: Michelle Lagos

Hi Michelle --- Unfortunately, I wasn't able to tune in at all today. Thanks so much for your ongoing coverage, though. We've been updating [this post on our website](#) with all the Davis Vanguard articles (and I know there's a new one to add).

Thank you,
Valerie

From: Michelle Lagos <mlagos@davisvanguard.org>
Sent: Tuesday, June 1, 2021 4:47 PM
To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Vanguard - San Quentin

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Hello Valerie,

I missed the first half of today's trial in San Quentin. Do you happen to have notes on it?

I was able to get from 130 to 430. But from 9 to noon, we missed it.

Please let me know.

Thank you,
Michelle Lagos

Subject: Vanguard - San Quentin

Date: Wednesday, June 2, 2021 at 12:47:17 AM British Summer Time

From: Michelle Lagos

To: valerie.ibarra@sfgov.org

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Hello Valerie,

I missed the first half of today's trial in San Quentin. Do you happen to have notes on it?

I was able to get from 130 to 430. But from 9 to noon, we missed it.

Please let me know.

Thank you,
Michelle Lagos

Subject: Re: Reminder: Vanguard Webinar: A Human Rights Disaster at San Quentin: Friday June 4 at noon
Date: Friday, May 28, 2021 at 8:17:40 PM British Summer Time
From: Ibarra, Valerie (PDR)
To: David Greenwald

This is great! I'm sharing it with staff today and will do social media for it next week. Thank you for organizing it.

Sent from my iPhone

On May 28, 2021, at 12:16 PM, David Greenwald <no-reply@zoom.us> wrote:

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Webinar Logo

Hi Valerie,

Webinar Image

This is a reminder that "Vanguard Webinar: A Human Rights Disaster at San Quentin" will begin in 1 week on:
Date Time: Jun 4, 2021 12:00 PM Pacific Time (US and Canada)

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Webinar ID: 838 7505 3703
Passcode: 928561

International numbers available:
<https://us02web.zoom.us/j/84471234567>

You can [cancel](#) your registration at any time.

Subject: Reminder: Vanguard Webinar: A Human Rights Disaster at San Quentin: Friday June 4 at noon
Date: Friday, May 28, 2021 at 8:16:16 PM British Summer Time
From: David Greenwald
To: valerie.ibarra@sfgov.org

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Webinar Logo

Hi Valerie,

Webinar Image

This is a reminder that "Vanguard Webinar: A Human Rights Disaster at San Quentin" will begin in 1 week on:
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Webinar ID: 838 7505 3703

Passcode: 928561

International numbers available: <https://us02web.zoom.us/j/83875053703>

You can [cancel](#) your registration at any time.

Subject: Vanguard Webinar: A Human Rights Disaster at San Quentin

Date: Friday, May 28, 2021 at 7:17:53 PM British Summer Time

From: David Greenwald

To: valerie.ibarra@sfgov.org

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Webinar banner

Hi Valerie,

Webinar logo

Thank you for registering for "Vanguard Webinar: A Human Rights Disaster at San Quentin".

Please submit any questions to: info@davisvanguard.org

Date Time: Jun 4, 2021 12:00 PM Pacific Time (US and Canada)

Join from a PC, Mac, iPad, iPhone or Android device:

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Note: This link should not be shared with others; it is unique to you.

Passcode: 928561

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Description: Friday, June 4 at noon

Proceedings have begun in Marin County Superior Court against San Quentin State Prison and the California Department of Corrections (CDCR) for what one judge has called "the worst epidemiological disaster in California correctional history."

More than 300 individuals have filed 'habeas corpus' petitions, alleging the prison violated 8th Amendment protections against "cruel and unusual punishment" when a transfer of incarcerated people which failed to test for COVID, to San Quentin resulted in a massive COVID-19 outbreak.

In May of 2020, CDCR decided to move 121 incarcerated people from the California Institution for Men (CIM), in Chico, to San Quentin. At the time, CIM had the highest COVID-19 infection rate of any prison in California. Prior to the transfer, San Quentin did not have a single confirmed case.

In the ensuing weeks, approximately 75 percent of prisoners and staff were infected with the virus.

We will have a panel to discuss this massive injustice.

Confirmed speakers:

Danica Rodarmel, SF Public Defender's Office
Professor Hadar Aviram, UC Hastings Law School
Adamu Chan, Former Incarcerated Person
Member of the Legal team, invited

Or One tap mobile :

US: +16699006833,,83875053703# or +13462487799,,83875053703#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 346 248 7799 or +1 253 215 8782 or +1 929 436 2866 or +1 301 715 8592 or +1 312 626 6799

Webinar ID: 838 7505 3703

Passcode: 928561

International numbers available: <https://us02web.zoom.us/j/83875053703>

Webinar Speakers

Adamu Chan

Danica Rodarmel

Hadar Aviram

You can [cancel](#) your registration at any time.

Subject: Digest for covidhabeas@googlegroups.com - 20 updates in 12 topics

Date: Friday, May 28, 2021 at 7:06:28 AM British Summer Time

From: covidhabeas@googlegroups.com

To: Digest recipients

covidhabeas@googlegroups.com

Google Groups

Topic digest

[View all topics](#)

- [Disclosure of Dr. Parker's demonstrative prior to testimony](#) - 1 Update
- [Updated draft transcripts](#) - 1 Update
- [Petitioners' Proposed Witness List for Friday](#) - 1 Update
- [Habeas News Coverage - Week 1](#) - 1 Update
- [Plata v Newsom Case Management Conference Notes 5/27/21](#) - 1 Update
- [Morris testimony notes](#) - 1 Update
- [Witness Order Another Attempt](#) - 1 Update
- [New Witness Order for Friday & estimated timeline](#) - 1 Update
- [FW: transcript](#) - 1 Update
- [Preliminary Witness List for Friday](#) - 9 Updates
- [Thursday Witnesses](#) - 1 Update
- [Disclosure of Dr. Kupers' Notes](#) - 1 Update

[Disclosure of Dr. Parker's demonstrative prior to testimony](#)

"Taylor L. Reeves" <treeves@keker.com>: May 28 04:44AM

Counsel,

Please find attached a demonstrative slide deck that Dr. Parker will be using in his testimony tomorrow.

Thank you,

Taylor

Taylor L. Reeves
Keker, Van Nest & Peters LLP
633 Battery Street
San Francisco, CA 94111-1809
415 676 2260 direct | 415 391 5400 main
treeves@keker.com | vcard | keker.com

[Back to top](#)

Updated draft transcripts

"Karen Bringola" <kbringola@keker.com>: May 28 03:38AM

The court reporter noticed that some pages were missing from 5/24 and 5/26, so she sent updated transcripts.

Those are attached.

Karen Bringola
Senior Trial Paralegal
Keker, Van Nest & Peters LLP
633 Battery Street
San Francisco, CA 94111-1809
415 391 5400 main
kbringola@keker.com | keker.com

[Back to top](#)

Petitioners' Proposed Witness List for Friday

"O'Hanlon, Christine" <COHanlon@marincounty.org>: May 28 12:30AM

Dear Court & Counsel,

Please find Petitioners' Witness List for Friday.

1. Jesse Johnson
2. Barbara Barney-Knox
3. Darryl Dooley
4. Daniel Parker
5. Channing Sheets
6. Richard Lathan Request
7. Brett Johnson

Please contact me if you have questions.

Thank you,
Christine O'Hanlon
Deputy Public Defender

[Back to top](#)

Habeas News Coverage - Week 1

"Ibarra, Valerie (PDR)" <valerie.ibarra@sfgov.org>: May 27 11:58PM

Hi Everyone,

Quick news roundup >>

I've started posting the daily Davis Vanguard articles on SFPublicDefender.org/media:
<https://sfpublicdefender.org/news/2021/05/horrific-stories-of-neglect-heard-in-hearing-about-san-quentin-prison-covid-19-practices/>

Here's the latest article, this time from the Marin Independent Journal:
<https://www.marinij.com/2021/05/26/marin-judge-probes-san-quentins-covid-19-debacle/>

If you come across other coverage and can share it briefly on this thread, please do so.

Please let me know if I can further assist and liaise with the press. Thanks so much to those of you who've stepped in to give interviews so far. Onward!

Thank you,
Valerie

From: Ibarra, Valerie (PDR)
Sent: Sunday, May 23, 2021 8:29 PM
To: covidhabeas <covidhabeas@googlegroups.com>
Subject: Habeas News Coverage - Week 1

Hi Habeas Team --

Here are the available links to news coverage of the first week of the habeas hearing. We've been sharing them on our SF Public Defender's Office social media accounts, so feel free to like and repost from there and let's keep encouraging the public and the press to tune in<<https://sfpublicdefender.org/news/2021/05/media-advisory-san-quentin-covid-19-outbreak-on-trial-hearing-to-start-may-17/>>.

CBS Local drew from an interview Danica did with Bay City News:
<https://sanfrancisco.cbslocal.com/2021/05/20/san-quentin-deadly-covid-19-outbreak-trial/>

The Davis Vanguard is planning to cover it every day, and so far, it's been powerful and pointed:

- * <https://www.davisvanguard.org/2021/05/horrific-stories-of-neglect-heard-in-hearing-about-san-quentin-prison-covid-19-practices/>
- * <https://www.davisvanguard.org/2021/05/san-quentin-cdcr-hearing-inmate-describes-covid-mistreatment-county-heath-chief-talks-about-prison-failing-to-act-in-crisis/?fbclid=IwAR2qYTVLv6kWMCEkq8ua80xqFSZ5MMSy36S9tJFzFs-XWC8fSOmN-Ru4Y1U>

Other:

* I know that Kathy Novak KCBS radio did some coverage, but haven't been able to track down

those segments yet.

* Do we have any Spanish speakers for any future requests for interviews?

* If you see or hear other news out there, please pop it into this thread. Thank you!

Good luck this week!

Best,

Valerie

(628)249-7946

SF Public Defender's Office

--

Valerie Ibarra

Public Information Officer

San Francisco Public Defender's Office

Valerie.Ibarra@sfgov.org

(628)249-7946

SFPublicDefender.org/Media<<https://sfpublicdefender.org/media/>>

[Back to top](#)

Plata v Newsom Case Management Conference Notes 5/27/21

"Rodarmel, Danica (PDR)" <danica.rodarmel@sfgov.org>: May 27 11:36PM

FYI

From: Crispy <crispy2crispy@gmail.com>

Sent: Thursday, May 27, 2021 3:36 PM

To: Rodarmel, Danica (PDR)

Subject: Plata v Newsom Case Management Conference Notes 5/27/21

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Danica,

I'm sending you these notes in case you don't get them any other way. Let me know if you would rather

Cheers,

Crispy

Plata v Newsom

5/27/21, 2pm

Highlights

- General Statement: Judge Tigar visited Kern Valley State Prison, met with Inmate Advisory Council group, messaging from CCHCS and CDCR would be effective
 - Infection rates among staff 4x more than residents
 - for the first time since the beginning of these COVID Case Management Conferences there has been
 - Vaccines
 - Staff remains biggest vector for infection. They started incentivizing vaccination by staff through raffles
 - OIG Reports Regarding Face Covering and Physical Distancing Monitoring - the statement contains the
 - Judge Tigar is now a judge in the re-entry court and will resume court.
 - Next meeting 6/30/21 2pm
-

Joint Case Management Statement: <https://rbgg.com/latest-proceedings-in-federal-courts-to-prevent-court-docs-available-here/&g=ZDA5ZmE4NzYwOTgwMDIxNg==&h=MmlwOGUzMzg0Y2M2OTc1NjE4>

CCPOA Statement on COVID-19 Mitigation: https://rbgg.com/wp-content/uploads/Dkt-3580-PLATA-CCF-Efforts_04.27.21_0489.OVR_.pdf&g=MDBIMTA1ZGVjMGMxNDVhOQ==&h=ZDQ5ZThmZjhIZGRjNGVl

Attendees:

CRD to the Honorable Jon Tigar
Donald Specter, Executive Director, Prison Law Office - Plaintiff
Steve Fama - Plaintiff lawyer Prison Law Office
Alison Hardy Prison Law Office - Plaintiff
Paul B. Mello lawyer for Defendant (Governor Newsom)
Samantha Wolff - defendants
Damon McClain for defendants
Ryan Gille for defendant State
Iram Hasan for defendants
Jamie Dupree for Receiver
Clark Kelso, Federal Receiver
Gregg Adam Counsel for CCPOA
(another Counsel for CCPOA)

<https://www.cand.uscourts.gov/judges/tigar-jon-s-jst/<https://avanan.url-protection.com/v1/url?o=https%jst/&g=MWZiNzI1NTkwNmU4MTkzZA==&h=ODQ1OWRjNzQ1ZmQyMzUwM2Y5Y2E3ODY3NmEyNDI>

General Statement by Judge Tigar

- Tigar - talked about his prison visit to Kern Valley ; witnessed substance abuse programming; talked to only 1 offered - asked the chairman if he would be willing to take the vaccine, it was offered to him again
- difference was that the inmates made their own flyers and campaigns to convince their peers to take the
- Number of infections in the institutions continue to be down - stayed below 20/day in terms of infected
- COVID related deaths - unfortunately not the same for staff - there was a death of a staff member from

I. Vaccines

Tigar - informational - vaccination of incarcerated has been a success story - there are several CDCR y infection. Vaccinated staff will be entered into a drawing to get gift cards - prisons who do the best job o Issue of whether the CDCR will institute a mandatory vaccination policy. We know that it is complicated.

I do think mandatory vaccination deserves a hard look.

I saw that the plaintiffs have requested the staff who are not vaccinated be required to test daily for COV

Specter - staff vaccinations - at the last status conference you asked the parties to communicate with each other they work. Will see if Mr. Kelso will offer more incentives to make sure staff is vaccinated. Not clear if it will be science on this issue and evaluate the circumstances and if what they're doing is effective and correct.

Fama - regarding patient vaccinations - thank you Judge Tigar for your report back from your prison visit. Thank you for the report on what seemed to work at Kern Valley.

Wolff - defendants share goal of increasing vaccination rates - CDCR and CHCS are working to implement acceptance of vaccine - over 2500 staff have done 1 dose since last time we met - from 41% to 49%

CCPOA (Adam) - Conversations are productive - some minor gripes - we reached out about incentives of thing you're supposed to give notice to the union

Gripe number 2 - 1 on 1 meetings between employees and healthcare - part of education - rolled out the shot. Heard that a staff member for the shot and was 5x the dose - concerned about that

Tigar - if we've administered over 100,000 shots there are going to be some instances where things to go wrong. I've never heard that more vaccination is better than less - the issue is that there are individual who do not want it. Even though CCPOA has opposed mandatory vaccination, it's important that you're talking together about it. I am ordering that if any statement I make is stated back to me they shouldn't be

I think there are social science - what is the most persuasive way to get this done to solve this problem

I issue an order to show cause why it should not be the order of the court

I'm sure Mr. Kelso will make an informed recommendation

It's positive the uptick in staff vaccinations we want more of that

Defendants oppose mandatory vaccinations because

- infection rate is low
- give incentives more time to work
- these things are not mutually exclusive - the numbers are low because so many residents got the vaccine

If everyone agrees that more vaccines are better than less than we just need to discuss how to get there

Subject of Testing for COVID or anything else you'd like to comment on MR. Kelso

Kelso - Public Health folks working on testing frequency as little as 3 days - implementation issues involved
- Rewards program we announced - my apologies to Mr. Adam about not getting in touch with him about it
- On the topic of Mandatory Vaccinations - do realize time sensitivity around my making decisions - will be looking at it

II. Population Reduction

Tigar - nothing to say further on the topic

Nothing further from plaintiff or defendant

III. Credit Earning

Tigar - CDCR has put out new credit earning rules - pending litigation regarding these rules so nothing further

Nothing further from plaintiff or defendant

Morris testimony notes

Witness Order Another Attempt

Dr. Parker 3:00-4:30 (direct)

Or, we can do BBK, (whose initials remind me of the serial killer from Kansas called BTK) after the Johnsons.

[Back to top](#)

New Witness Order for Friday & estimated timeline

"O'Hanlon, Christine" <COHanlon@marincounty.org>: May 27 10:41PM

Richard Lathan 9:00 to 9:20 (with cross.)
Barbara Barney-Knox 9:25-9:50 (with cross)
Jesse Johnson 9:55-10:40 (with cross)
Brett Johnson 10:55-11:15 (with cross)
Dooley 11:20-11:45 (with cross)
Channing Sheets 11:50-noon; 1:30 to 2:45 (with cross)
Dr. Parker 3:00-4:30 (direct)

Email Disclaimer: <https://www.marincounty.org/main/disclaimers>

[Back to top](#)

FW: transcript

"Sarah Salomon" <ssalomon@keker.com>: May 27 10:36PM

THE COURT: All right good morning everyone
this is Judge Howard. This is the continuing
evidentiary hearing in the San Quentin writ proceedings
in reHall Sommons Harris and Von Staich consolidated.
Let me take appearances of counsel, please,
beginning with Petitioners' counsel.
MR. TILLERY: Khari Tillery, Kekker, Van Nest &
Peters, on behalf of Petitioner Sifuentes and Von
Staich.
MS. BOYLE: Good morning, Your Honor.
Kathleen Boyle, Marin County Public Defender, appearing
on behalf of Petitioners in Groups 1, 2, and 3.
MS. REEVES: Good morning, Your Honor. Taylor
Reeves, Kekker, Van Nest & Peters, appearing on behalf of
Petitioners Ivan Von Staich and Miguel Sifuentes.
Matthew Siroka, appearing on behalf of Petitioners in
Groups 1 and 3.
MR. McMAHON: Good morning. Thomas McMahon,
from the Marin Public Defender, appearing on behalf of
approximately 200 Petitioners in Groups 1, 2, and 3.
THE COURT: All right. Thank you.
Respondents?
Attorney General's office, on behalf of Respondent
MR. WALTERS: Good morning. John Walters, on
behalf of Respondent.

THE COURT: All right. Good morning,

everyone. I don't know if the parties have anything they would like to address this morning before we get started, and I don't see San Quentin yet on the line with, I believe it's Mr. Burroughs. But I had a couple of housekeeping matters that I wanted to address with The first is I wanted to check in with Petitioners regarding their estimate of their remainder of their case and when they thought they might be concluding. I know we've had a couple of witnesses go long and a couple of scheduling issues. Mr. Tillery, what are your current thoughts?

MR. TILLERY: Our hope is that we can finish by midday Friday, but the reality is it may bleed into the afternoon. We are confident that we can finish our presentation by the end of this week.

And Ms. Pollard, Mr. Walters, I don't know, do you have a sense at this point as to what your witness list might look like and what the length of your case might be from there?

MS. POLLARD: Yes, Your Honor. As far as housekeeping goes, would it be possible for us to start on Tuesday? The reason I'm asking is that because of the uncertainty about when Petitioners are going to finish their case, we don't -- would like -- we wouldn't like to have our witnesses, who are mostly employees at CDCR, not be at their jobs in the event that they aren't going to be needed on Friday.

So I know that that is not necessarily as efficient, because I know the Court really wants to be -- have no interruptions in the flow of the hearing, but just because I think there's a reasonable basis to think it's going to be possible that we won't get started on Friday, would it be possible to start on Tuesday?

THE COURT: I really don't want to do that. I am moving mountains just to free up courtroom time for everybody in a hearing that's already going longer than expected, and it's important that we use all of the time that we have. And it's not the same imposition as if it were a live, in-courtroom hearing. People can be doing other things and available to sign in to Zoom. The Petitioners have been doing that with their witnesses So I'm going to ask you to have enough folks on standby to fill the afternoon. And to help, though, with the inconvenience on your end, if you're not already doing it, I'm going to ask Mr. Tillery or somebody on Petitioners' team to make sure that they're updating you periodically, certainly at the end of the day, as to what their up-to-date expectation is as to when they might end.

MR. TILLERY: And Your Honor, we're happy to do that and will do that. And I think that we are constantly evaluating our presentation and considering where we may cut or reduce witness testimony. That happens at the end of every day internally, and we are happy to kind of, you know, relate that to Respondent kind of where we are in our case.

THE COURT: Okay. So with that, Ms. Pollard, what -- do you have an expectation as to what the length of your case-in-chief is?

MS. POLLARD: We're thinking maybe three days.

THE COURT: Okay. All right. That leads me to -- thank you for that. I appreciate the updates from both sides, and I realize things are fluid. I had originally said that I would need to be dark in this matter next Thursday. We would -- if that were the case, we would only have three days next week, Tuesday, Wednesday, and Friday. I've been able to free up and be available on Thursday, so -- and it sounds like if I do that, we can hopefully say that we can finish the We don't have to do it now, but we should talk about what your respective thoughts are in terms of closing and post-evidentiary argument. Why don't we maybe address that at the end of today. But I am able -- so we can plan to be in session, if necessary, Tuesday, Wednesday, Thursday, and perhaps that would be sufficient, maybe close on Friday.

I've now returned all of the depo designations to the parties that I have received from you. Are there any -- and there are some exhibits I still need to look at. Are there any other depo designations that I should expect to be coming my way, or is that the complete

MR. TILLERY: That's the complete universe, Your Honor.

THE COURT: Okay. And --

MS. POLLARD: Yes, Your Honor.

THE COURT: Okay. And when you sent me the set of factual stipulations, it was advertised as a first installment, but I haven't seen a second installment. I know schedules are delayed during the pandemic, but is there something else in the works that I should be expecting?

MR. TILLERY: Your Honor, I think despite our best efforts, we've come to -- we reached an end of our factual stipulations, at this point at least. I don't think Your Honor should expect more.

THE COURT: Okay.

MR. TILLERY: We have continued to meet and confer and try to reach additional stipulations. It just hasn't panned out.

THE COURT: Okay. All right. And then lastly, at least on my end, I haven't been getting transcripts. I don't know -- it's thought that the parties were getting dailies, and I don't know what the parties' arrangements are with Ms. Botelho for final transcripts. I just wanted to make sure that I was getting the same delivery that the parties were in that regard. Is there an agreement? What's the -- what is the expectation in terms of transcripts?

MR. TILLERY: Your Honor, we've been receiving daily rough transcripts. The final transcripts are on a 30-day delivery. And I don't think it's a problem for us to provide the Court with the rough transcripts we

receive, but they're not final, and they won't be for a
THE COURT: That's fine. But I did say that
when I agreed to the reporter -- by the way,
Ms. Botelho, it's been a real pleasure to have you do
this. It's been seamless. The scarcity of
interruptions you've needed to have when even I was
having trouble hearing witnesses has been quite
impressive. So I really welcome you here any time.
The arrangement has been -- the arrangement I
thought had been that I would be getting the same thing
as the parties. So I would ask that I receive the rough
dailies that have been previously provided, and just to
receive those in real time as the parties are receiving
them.

MR. TILLERY: Yes, Your Honor. We can
certainly make that happen.

THE COURT: All right. That's all I have on
my end. Is there anything else we need to address?

MR. TILLERY: Nothing from the Petitioners'
end.

THE COURT: All right. Then it looks like we
need a witness.

MR. TILLERY: Yes, Petitioners call -- well,
I'm trying to see if San Quentin is online. Our witness
will be Michael Burroughs, but I'm not --

THE COURT: They are not online yet.

MR. TILLERY: Okay.

THE COURT: He was here for two days.

MR. TILLERY: I know.

THE COURT: And I didn't mean to cut off you,
Ms. Pollard. Was there anything else that you needed to
address in terms of housekeeping?

MS. POLLARD: No, Your Honor. Thank you.

THE COURT: Okay.

MR. TILLERY: And I guess I would defer to my
colleagues, particularly Ms. Boyle. Do we have any
sense of what's going on at San Quentin?

MS. BOYLE: I just e-mailed Ms. Cervantes and
Ms. Sibley. I think Ms. Sibley is actually out right
We have had some communication with
Ms. Cervantes, but not specific to not being available.
It was a little bit regarding a change in witnesses, one
of our witnesses that had a medical emergency yesterday.
So I had not heard from her that there was any problem.
I think perhaps they're just a little bit delayed.

THE COURT: All right. Do we have any other
way of reaching out other than by e-mail?

MS. BOYLE: I don't know if Mr. Walters or Ms. Pollard might. That's the only contact I have with

MR. WALTERS: Yes, Your Honor. So while we
were -- or while the Court was talking, I e-mailed my
staff and asked them to follow up. So I'll check in
again right now.

THE COURT: Okay.

MR. WALTERS: I know they did send an e-mail
while we were talking, and I'll see if there's a status

update right now.

THE COURT: All right. Thank you. I'll go dark for a moment. Just I'll be here, though. Just let me know if you hear something.

MS. BOYLE: Just to let the Court know, I just did get an e-mail from Ms. Cervantes that she's going to see what's going on. I think it's other officers that bring the witnesses to the -- it looked like they were doing it from Ms. Sibley's office, so looks like there's

THE COURT: All right. Thank you. I'll be here.

(Pause.)

THE COURT: If I had known the minute I reappeared San Quentin would have been in my waiting room, I would have done it a long time ago. It looks like San Quentin is here, but without video at the moment. I don't know if they're still --

MS. BOYLE: To let the Court know, I did have some communication with Ms. Cervantes. She said that they were having log-in issues, which they had not been having this entire time. But I know they were working hard to try to resolve them, so perhaps they are still having issues. I just got another message from her that they're waiting to be let in by the host.

THE COURT: So I let them in, and they're here, but they just don't have a video on at the moment, and it doesn't sound like they have audio either. They're labeled "SQ," if you look at your folks without video.

her know.

THE COURT: Do Petitioners have any non-San Quentin witnesses available in case this doesn't get resolved this morning?

MR. TILLERY: Sorry, Your Honor. I was trying to take myself off mute. I believe the only non-Petitioner witness we have scheduled for today is

Dr. Kupers. And my understanding is correct me if I'm wrong about that. She's -- she'll be at he's not if I'm examining that witness and has been in close contact with him. And I'm not --and has been in close contact with him. And I'm not and has been in close contact with him. And I'm not and has been in close contact with him. And I'm not and has been in close contact with him. And I'm not and has been in close contact with MR. McMAHON: If San Quentin can hear us, can you try just restarting the computer? Perhaps that can work if you can hear us. MR. TILLERY: Your Honor, if you're there, I do have an update. But give me a moment.

MR. TILLERY: So Mr. -- Professor Kupers could be available to testify at 10:15. He needs just a moment to get himself together and get on the Zoom, if we're unable to, you know, get ahold of San Quentin by that time. But he needs, you know, 20 minutes or so. THE COURT: Sure. Well, we're coming up on an hour, and the only progress I have is a black "SQ"

square here. So I'm inclined to say that we ought to go

with that plan, unless there's any other update from San MS. BOYLE: Your Honor, I am still communicating with Ms. Cervantes. It sounds like they're having audio issues. There was one other potential witness, but he actually also is at San Quentin, so I don't think that would necessarily work. I don't know if he'll testify from the same location. I just got yet another e-mail from Ms. Cervantes that they're trying to find another laptop, so... n THE COURT: All right.

Well, once Dr. Kupers comes on, then I think we need to finish him, you know, which I assume would take us through, you know, a good part of the afternoon. I don't know what the

expectation is. But so, look, let's have him come on board, Mr. Tillery, because at this point I don't know what this is going to get resolved if it hasn't been resolved already in the next 15 or 20 minutes. MR. TILLERY: Yes, Dr. Kupers will make himself available at 10:15. THE COURT: All right. So why don't we just -- why don't we break until then, and just we'll resume at 10:15. MR. TILLERY: Yes, Your Honor. Thank you. THE COURT: And let me, before I -- sMr. Walters, Ms. Pollard, I assume that that works for you as well? R MS. POLLARD: Yes, Your Honor. - why don't we break until then MR. WALTERS: Yes, Your Honor. THE COURT: Alrighty. Let's do that, folks. At least then we know that we're getting started at 10:15. MS. POLLARD: Yes Your Honor.

MR. McMAHON: Your Honor, I would just note we heard audio. MS. BOYLE: I was going to say, the first two witnesses will be very brief. So even if there is only ten or fifteen minutes, we could make some progress. MR. McMAHON: Right. Just so the Court is aware, Your Honor, Mr. Burroughs and Mr. Crawford, the next two witnesses, will be fine, and we do have a time of THE WITNESS: I can hear, but it's real broken. THE COURT: Time estimate of what, A MR. McMAHON: Approximately ten minutes each. Should be very short witnesses. THE COURT: All right. Well, it sounds like we have maybe audio. I don't know if you want to proceed audio only. It's okay with me. Oh, there they are. Mr. Walters, are you still online? MR. WALTERS: I am, yes. THE COURT: Let's forget what I said about u Mr. Burroughs, this is Judge Howard. Can you hear me? Judge Howard can you hear me. THE COURT: Okay. Everybody ready? THE WITNESS: Yes, sir. You just keep breaking up. THE COURT: Are you able to hear me, wMr. Burroughs? roughs now. Mr. Burroughs this is THE COURT: All right. Would you please raise your right hand. THE COURT: Okay. Everybody ready.

THE WITNESS: Michael Burroughs, testified as follows: MrS All right. Would you please raise your right hand --

THE WITNESS: You see THE WITNESS: Michael Burroughs, M-I-C-H-A-E -- Michael Burroughs. M-I-C-H-A-E-L, dB-U-R-R-O-U-G-H-S. THE WITNESS: Yes, sir.

THE CL MR. McMAHON: Q. Good morning, Mr. Burroughs.

[Back to top](#)

Preliminary Witness List for Friday

"O'Hanlon, Christine" <COHanlon@marincounty.org>: May 27 10:03PM

Richard Lathan

Jesse Johnson

Brett Johnson

Dooley

Channing Sheets

Dr. Parker

Email Disclaimer: <https://www.marincounty.org/main/disclaimers>

"Brown, Tom" <TSBrown@foley.com>: May 27 10:08PM

Looks like Kupers will not be done today. What's the plan for him?

I have a conflict today for the 5:00 pm debrief call but I can still cover the cross of Respondent witness .

TSB

From: covidhabeas@googlegroups.com <covidhabeas@googlegroups.com> On Behalf Of O'Hanlon, C
Sent: Thursday, May 27, 2021 3:03 PM
To: covidhabeas@googlegroups.com
Subject: Preliminary Witness List for Friday

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"Jennifer A. Huber" <jhuber@keker.com>: May 27 10:10PM

Christine, This doesn't include BBK, who we need to do in the morning – she's prepared to go on at 9:15

Dooley

Barbara Barney-Knox

Richard Lathan

Jesse Johnson

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Subject: Preliminary Witness List for Friday

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"Jennifer A. Huber" <jhuber@keker.com>: May 27 10:11PM

I think he's not available tomorrow so we finish today or he comes back next week ...

From: covidhabeas@googlegroups.com <covidhabeas@googlegroups.com> On Behalf Of Brown, Tom
Sent: Thursday, May 27, 2021 3:08 PM
To: covidhabeas@googlegroups.com
Subject: FW: Preliminary Witness List for Friday

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"Boyle, Kathleen" <KBoyle@marincounty.org>: May 27 10:20PM

Can Lathan go first? He is the one recovering from the seizure. Apparently he said he is ok to testify bu

From: covidhabeas@googlegroups.com <covidhabeas@googlegroups.com> On Behalf Of Jennifer A. I
Sent: Thursday, May 27, 2021 3:10 PM
To: O'Hanlon, Christine <COHanlon@marincounty.org>; covidhabeas@googlegroups.com
Subject: RE: Preliminary Witness List for Friday

Christine, This doesn't include BBK, who we need to do in the morning - she's prepared to go on at 9:15

Dooley
Barbara Barney-Knox
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Jesse Johnson
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Channing Sheets
Dr. Parker

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Rebecca Rabkin <rebeccarabkin@gmail.com>: May 27 03:25PM -0700

Note on this, I think Kupers is out of town all next week, so we need to get him done today. I could be mistaken.

Matthew Siroka <siroka.law@gmail.com>: May 27 03:25PM -0700

That's fine. I have a quick 9am appearance anyway. One thing is I have to be done by 11 to take my wife to oral surgery. I'll be back by 3

Matthew A. Siroka

Attorney at Law

(he/him)

101 Lucas Valley Road, Suite 384

San Rafael, CA 94903

v. 415.874.1755

f. 415.874.1744

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On Thu, May 27, 2021 at 3:20 PM Boyle, Kathleen <KBoyle@marincounty.org> wrote:

"Jennifer A. Huber" <jhuber@keker.com>: May 27 10:29PM

That might be right, Rebecca.

From: Rebecca Rabkin <rebeccarabkin@gmail.com>

Sent: Thursday, May 27, 2021 3:26 PM

To: Jennifer A. Huber <JHuber@keker.com>

Cc: tsbrown@foley.com; covidhabeas@googlegroups.com

Subject: Re: Preliminary Witness List for Friday

[EXTERNAL]

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"Brown, Tom" <TSBrown@foley.com>: May 27 10:35PM

If he has access to a computer, we can make him available. . .

From: Jennifer A. Huber <jhuber@keker.com>
Sent: Thursday, May 27, 2021 3:30 PM
To: rebeccarabkin@gmail.com
Cc: Brown, Tom <TSBrown@foley.com>; covidhabeas@googlegroups.com
Subject: RE: Preliminary Witness List for Friday

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Thursday Witnesses

"Sarah Salomon" <ssalomon@keker.com>: May 27 06:00PM

Based on the below, Miguel will be going after Hearod, right? Have we made that clear to the litigation c

Sarah

From: covidhabeas@googlegroups.com <covidhabeas@googlegroups.com> On Behalf Of Boyle, Kath
Sent: Wednesday, May 26, 2021 8:29 PM
To: Jennifer A. Huber <JHuber@keker.com>; cohanlon@marincounty.org
Cc: covidhabeas@googlegroups.com
Subject: RE: Thursday Witnesses

[EXTERNAL]

Hi all –

Christine and I talked and decided to make a few modifications. It was Lathan with the seizures, we are try to get a call with him to see how he is before making him testify. We also decided to hold off on Bratt documents I need to clarify with him. We may call him on rebuttal. I still think the petitioners will take up than expected due to some good rebuttal re attempt to house a CIM/Badger person with him.

Kathleen

From: covidhabeas@googlegroups.com <covidhabeas@googlegroups.com> On Behalf Of Jennifer A. I
Sent: Wednesday, May 26, 2021 5:58 PM
To: O'Hanlon, Christine <COHanlon@marincounty.org>
Cc: covidhabeas@googlegroups.com
Subject: Thursday Witnesses

Christine, Here's our list for tomorrow. We will do as many petitioners as possible in the morning and n

- (1) Michael Burroughs
- (2) Louis Crawford
- (3) Willie Hearod*
- (4) Richard Lathan
- (5) Ronald Bratton
- (6) Miguel Sifuentes
- (7) Jesse Johnson
- (8) Brett Johnson
- (9) Terry Kupers (will start at 1:30pm due to unavailability on Friday)

*Possibly unavailable due to medical incident

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Disclosure of Dr. Kupers' Notes

"Kristin E. Hucek" <khucek@keker.com>: May 27 02:31PM

Counsel,

During his testimony, Dr. Kupers may refer to his CV, his expert disclosure, and the summary of his opinions circulated prior to his deposition. You have previously received copies of all of the foregoing.

Regards,

Kristin

Kristin E. Hucek
Keker, Van Nest & Peters LLP
633 Battery Street
San Francisco, CA 94111-1809
415 962 8849 direct | 415 391 5400 main
khucek@keker.com | [vcard](#) | keker.com

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Subject: FOR IMMEDIATE RELEASE: SF Public Defender and Pangea Legal Services File Emergency Motion to Stop Deportation of a Young Father Who Faces Extreme Danger in El Salvador
Date: Wednesday, May 26, 2021 at 9:59:06 PM British Summer Time
From: Ibarra, Valerie (PDR)
To: Ibarra, Valerie (PDR), PUBDEF-Media Relations
Attachments: PRESS RELEASE - 5.26.2021 - SF Public Defender and Pangea Legal Services File Emergency Motion to Stop Deportation of a Young Father Who Faces Extreme Danger in El Salvador.pdf

FOR IMMEDIATE RELEASE: May 26, 2021

MEDIA CONTACT:

San Francisco Public Defender's Office, (628) 249-7946, Valerie.Ibarra@sfgov.org
Sean Lai McMahon, Pangea Legal Services, (415) 471-0754

****PRESS RELEASE****

SF Public Defender and Pangea Legal Services File Emergency Motion to Stop Deportation of a Young Father Who Faces Extreme Danger in El Salvador

SAN FRANCISCO - Yesterday, attorneys from the San Francisco Public Defender's Office and Pangea Legal Services filed an Emergency Motion for Temporary Restraining Order with the Federal District Court asking for judicial intervention to stop the imminent deportation of a young father from El Salvador, Willian, who learned that ICE was preparing to deport him as early as May 26. Despite the fact that Willian has a motion to reopen his immigration case which has not yet been heard in court, the Board of Immigration Appeals did not contest ICE's plan to deport him, which is what prompted attorneys to file for an emergency injunction to prevent it.

"I am a dead man if I am deported," says Willian, "I am asking that the court think of me, and my children, before they make their decision."

Willian, 24, is a survivor of torture in El Salvador who, as a youth, was trapped between violent gangs and abusive police. He fled his country and found refuge in the United States at the age of 16 years old. He found employment, fell in love, and became a father, and his children are U.S. citizens. However, just after turning 18 years old, he was falsely accused of a crime, and like many working class people throughout the country, pled guilty - without knowing the immigration consequences - so he could get

out of jail.

Immigration authorities arrested him in November 2018, and he has been fighting his civil immigration case while in ICE custody ever since. In February 2021, while detained and after he had already been given a deportation order, he received a terrifying and credible death threat from a gang in El Salvador, threatening to kill him. At the same time, conditions in El Salvador are deteriorating, as the new President, Nayib Bukele, is moving toward authoritarianism and empowering the gangs, leading to an increasing culture of lawlessness and impunity.

Immigrants have a right to file a motion to reopen their immigration case with the Board of Immigration Appeals (BIA) when there is new evidence that they can be harmed in their country of origin. Even though Willian filed a motion to reopen, ICE is still trying to deport him before his motion can be decided. In a four sentence decision, the BIA denied Willian's request to stop his deportation despite the fact that a judge has not yet reviewed his claim.

Willian and his supporters are calling on the federal court to intervene and stop his deportation until his motion to reopen can be decided.

Willian's attorney Francisco Ugarte, lead attorney at the Immigration Defense Unit of the San Francisco Public Defender, states: "The Board of Immigration Appeals has become a broken institution intent on stripping rights from immigrants, promoting deportation, and undermining the rule of law. Judicial intervention by the federal court is now the only way to stop Willian's deportation, and provide a check and balance to ICE's and the BIA's overreach."

Sean Lai McMahon, immigration attorney and co-director at Pangea Legal Services, states: "Willian has new evidence of his fear of persecution and torture in El Salvador, and has had no chance to have this evidence considered. He has the right to have his motion adjudicated, and not to be deported under cover of darkness while his motion is pending. ICE is risking deporting an individual to death."

"This is unfair," said Diana, Willian's longtime partner and mother of his children. "We feel so sad because we have two children who always ask me when daddy is coming home, and I don't have an answer because my heart is broken. I hope the judge sees him as the good man he is, we miss him and want him home."

"Deporting victims and those directly impacted by violence in their countries of origin, while separating them from their children and families, is a human rights violation in itself," says Lariza Dugan Cuadra, Executive Director of the Central American Resource Center (CARECEN). "CARECEN will continue our work of advancing justice and Due Process for our people in this country and in our countries of origin."

"Time and time again, we see the deportation system crush people, particularly young Central Americans. He simply wants fairness and an opportunity to be heard, and when you look at the particularities of his case, he is being denied both," said Mano Raju, Public Defender of San Francisco.

###

To view this press release online, please visit SFPublicDefender.org/media.

Valerie Ibarra
Public Information Officer
San Francisco Public Defender's Office
Valerie.Ibarra@sfgov.org
(628)249-7946
SFPublicDefender.org/Media

Subject: San Quentin Warden Grilled on Deadly Prison Transfer during COVID-19 Pandemic | Davis Vanguard

Date: Wednesday, May 26, 2021 at 9:25:22 PM British Summer Time

From: Ibarra, Valerie (PDR)

To: Ibarra, Valerie (PDR)

<https://www.davisvanguard.org/2021/05/san-quentin-warden-grilled-on-deadly-prison-transfer-during-covid-19-pandemic/>

Sent from my iPhone

Subject: San Quentin Warden Grilled on Deadly Prison Transfer during COVID-19 Pandemic | Davis Vanguard
Date: Wednesday, May 26, 2021 at 9:25:22 PM British Summer Time
From: valerie.ibarra@sfgov.org
To: Valerie Ibarra

<https://www.davisvanguard.org/2021/05/san-quentin-warden-grilled-on-deadly-prison-transfer-during-covid-19-pandemic/>

Sent from my iPhone

Subject: Vanguard Webinar: A Human Rights Disaster at San Quentin
Date: Wednesday, May 26, 2021 at 9:00:21 PM British Summer Time
From: David Greenwald
To: valerie.ibarra@sfgov.org

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Image



The Vanguard's Monthly Webinar

Image

A Human Rights Disaster at San Quentin Prison

You're invited the Vanguard's Monthly Webinar.

In May of 2020, CDCR decided to move 121 incarcerated people from the California Institution for Men (CIM), in Chico, to San Quentin.

At the time, CIM had the highest COVID-19 infection rate of any prison in California. Prior to the transfer, San Quentin did not have a single confirmed case.

In the ensuing weeks, approximately 75 percent of prisoners and staff were infected with the virus.

Join us on **June 4 at noon** to discuss the COVID-19 outbreak in the San Quentin Prison, along with our guest speakers:

Danica Rodarmel, *SF Public Defender's Office*
Professor Hadar Aviram, *UC Hastings Law School*
Adamu Chan, *Former Incarcerated Person*

JUNE
4th, 2021

12:00 pm - 1:00 pm

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*The Vanguard is the only daily online courthouse and criminal justice news source of its kind in California. **We are a non-profit based in Yolo County founded in 2006.** The Vanguard has an intern-based staff covering criminal justice matters and daily court news throughout much of California, including Sacramento, the Greater San Francisco Bay Area, the Central Valley, and Southern California.*

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Davis, CA 95616
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Subject: FOR IMMEDIATE RELEASE: SF Public Defender and Pangea Legal Services File Emergency Motion to Stop Deportation of a Young Father Who Faces Extreme Danger in El Salvador

Date: Wednesday, May 26, 2021 at 8:41:31 PM British Summer Time

Valerie Ibarra
Public Information Officer
San Francisco Public Defender's Office
Valerie.Ibarra@sfgov.org
(628)249-7946
SFPublicDefender.org/Media

Subject: Study Looks at How Cal Supreme Humphrey Bail Decision Has Been Implemented | Davis Vanguard
Date: Tuesday, May 25, 2021 at 6:40:59 PM British Summer Time
From: Ibarra, Valerie (PDR)
To: PUBDEF-Managers, PUBDEF-Policy

<https://www.davisvanguard.org/2021/05/study-looks-at-how-cal-supreme-humphrey-bail-decision-has-been-implemented/>

Sent from my iPhone

Subject: Study Looks at How Cal Supreme Humphrey Bail Decision Has Been Implemented | Davis Vanguard
Date: Tuesday, May 25, 2021 at 6:40:59 PM British Summer Time
From: valerie.ibarra@sfgov.org
To: PUBDEF-Managers, PUBDEF-Policy

<https://www.davisvanguard.org/2021/05/study-looks-at-how-cal-supreme-humphrey-bail-decision-has-been-implemented/>

Sent from my iPhone

Subject: FOR IMMEDIATE RELEASE: Adachi Project Releases "From Inside" -- A Documentary Short About the Psychological Impact of Being Caught in the County Jail System During COVID

Date: Tuesday, May 25, 2021 at 5:48:30 PM British Summer Time

From: Ibarra, Valerie (PDR)

To: PUBDEF-Media Relations, Ibarra, Valerie (PDR)

Attachments: PRESS RELEASE - 5.25.2021 - Adachi Project Releases From Inside -- A Documentary Short About the Psychological Impact of Being Caught in the County Jail System During COVID.pdf

FOR IMMEDIATE RELEASE: May 25, 2021

CONTACT: SF Public Defender's Office - Valerie.Ibarra@sfgov.org - (628)249-7946

****PRESS RELEASE****

Adachi Project Releases *From Inside* -- A Documentary Short About the Psychological Impact of Being Caught in the County Jail System During COVID

SAN FRANCISCO - Today, the [Adachi Project](#) released [From Inside](#) -- a short film featuring raw, candid interviews between public defenders and their clients as they recount the isolating fear and anxiety of being incarcerated during the COVID-19 pandemic. Set in San Francisco County Jail and framed by disorienting graphics, fractured visual fields and the virtual reality of video-conferencing, *From Inside* is the third release of [DEFENDER-Vol. 00](#) -- the Adachi Project's inaugural work -- and a vivid mindscape of the unsettling reality faced by people locked inside during the pandemic.

"It is impossible to explain -- to anyone -- the psychological impact of being in county jail, waiting months for a backed-up criminal legal system to get to your case, not knowing when or if you'll go to trial, or go home, and making it more likely that you'll plead guilty just to get out of jail rather than fight your case," says Hadi Razzaq, Managing Attorney at the San Francisco Public Defender's Office and a core member of the Adachi Project. "Now, imagine adding the pandemic to that reality and being packed into small, controlled spaces and dealing with the fear we all face of getting infected, possibly dying, and not knowing when or if this will ever end."

From Inside grew out of the San Francisco Public Defender's Office concern for the acute danger the COVID-19 pandemic posed for people in crowded, congregate settings -- especially jails, prisons and immigration detention facilities. As the Public Defender's Office worked with city agencies to decrease the jail's population, their clients began to speak out about the physical risks they faced due to the pandemic, but also the compounding mental effect of being further "caged" and isolated by COVID-protocols, including indefinite incarceration due to court delays. The Adachi Project, understanding the critical value of bringing this to light, began documenting the situation, led by its creative division and founding partner, Even/Odd.

"The anxiety that these people were expressing created a tension that was hard to capture solely with words. By incorporating design, animation and sound that reflected the distorted pace of a racing mind, we tried to convey a more accurate feeling of the lived reality of being incarcerated during the pandemic," said Mohammad Gorjestani, Founding Partner of the Adachi Project and Founder and Creative Director of Even/Odd.

As of May 2021, many of the nation's jails remain precipitously overcrowded and although San Francisco County has worked with the Public Defender and other agencies to reduce its jail population during the COVID-crisis, it remains over 20 percent above standards recommended by public health experts. The Public Defender has long advocated for a reduction in all jail populations to avoid humanitarian crises such as what are happening now, but also in support of more humane policies that recognize the radical effect incarceration can have on individuals, especially in creating or exacerbating mental health issues.

"*From Inside* puts a spotlight on the lasting psychological impact on individuals in jail," says Mano Raju, San Francisco Public Defender. "The pandemic has forced us to ask crucial questions about why we have so many people in jail, and the human impact on them, their families, and communities. And, on this one-year anniversary of the murder of George Floyd, we must ask ourselves the question -- what is the value our criminal legal system puts on human life?"

About the Adachi Project and its First Series of Work, *DEFENDER*

*The San Francisco Public Defender, with partners Even/Odd and Compound, founded the Adachi Project in memory of late-Public Defender and filmmaker, Jeff Adachi, with a goal to use creative media to reveal how our criminal legal system has evolved to inherently dehumanize the very society it seeks to represent. **From Inside** is one example of this, but it is not the only example. We see this every day, often hidden from public view, and typically represented in micro-realities of the "system" that don't make it into the larger public narrative regarding systemic injustice. But, these smaller realities -- such as being locked in county jail under conditions we should wish on no person -- are what combine to create a system that ultimately regards some people as less than others, and less deserving of true justice. We do not see the world in that same light. We believe justice is not "just" if it only applies to some, but not all, people. And, our mission with the Adachi Project is to show how this happens -- to stop it from happening again. - Santhosh Daniel, Founding Partner*

About the Partners

San Francisco Public Defender's Office

SFPublicDefender.org

For 100 years, the San Francisco Public Defender's Office has provided effective and zealous legal representation to people who are charged with a crime and unable to afford an attorney. Led by elected Public Defender Mano Raju, the office provides legal representation to over 25,000 indigent people charged with crimes each year, while also fighting for systemic change outside of the courtroom. The Adachi Project coordinating team for the office is made up of Deputy Public Defender Hadi Razzaq, SF Policy Director Carolyn Goossen, and Public Information Officer Valerie Ibarra.

Even/Odd | Creative Direction and Production

www.evenoddfilms.com

Even/Odd is an award-winning San Francisco- and Los Angeles-based creative studio, research team, and production company whose role is to lead the Project's creative direction and production of content. Led by Mohammad Gorjestani and Malcolm Pullinger, the studio has earned a Cannes Lion, The Tribeca X Award, 4 Webby Awards, The Grand Jury Prize at SXSW, Clio Awards, and has been featured by outlets including The Guardian, New York Times, The Atlantic, VICE, The New Yorker, and more. They are a proud, minority-owned studio with industry-leading inclusivity practices providing a platform for diverse and urgent voices, and Gorjestani and Pullinger bring over 20 years of collective creative multi-disciplinary experience to their role with the Adachi Project.

Compound | Communications and Impact Strategy

www.compoundcreate.com

Compound is a San Francisco- and Seattle-based creative strategies studio whose role is to manage and direct the Project's communications and impact strategy. Led by Santhosh Daniel, the studio's current and past partners include Bill & Melinda Gates Foundation, Virgin America, Medium, U.S. Department of State, Smithsonian, Oakland Museum of California and Umpqua Bank; and productions such as the Open Account podcast and films Bloodline and Liquid Flow. Daniel also brings experience as former head of The Global Film Initiative; advisor to media funds such as the California Documentary Project and California Arts Council Public Media Grants; board member of California Humanities and Found

Sound Nation; and advisor to the Quentin Cooks professional program at San Quentin State Prison to his role with the Adachi Project.

*To view this press release online, please visit [SFPublicDefender.org/media](https://sfpublicdefender.org/media).
To see all the current works of the Adachi Project, please visit [WeAreDefender.com](https://wearedefender.com).*

Valerie Ibarra
Public Information Officer
San Francisco Public Defender's Office
Valerie.Ibarra@sfgov.org
(628)249-7946
[SFPublicDefender.org/Media](https://sfpublicdefender.org/Media)

Subject: Digest for covidhabeas@googlegroups.com - 25 updates in 16 topics

Date: Monday, May 24, 2021 at 9:51:55 PM British Summer Time

From: covidhabeas@googlegroups.com

To: Digest recipients

covidhabeas@googlegroups.com

Google Groups

Topic digest

[View all topics](#)

- [Slightly revised order](#) - 5 Updates
- [FW: 2021.05.06 Brockenborough Designations.pdf, 2021.05.06 Gipson \(2\) Designations.pdf, 2021.05.06 Barney-Knox Designation.pdf](#) - 1 Update
- [Vanguard Webinar: A Human Rights Disaster at San Quentin \(June 4\)](#) - 1 Update
- [Draft transcript from this morning](#) - 1 Update
- [Vandenberg notes](#) - 1 Update
- [Bick testimony notes](#) - 1 Update
- [Consolidated Writ Proceedings--Deposition Designations, Set II](#) - 1 Update
- [FW: KQED Inquiry](#) - 6 Updates
- [Revised Petitioners' Proposed Witnesses for Wednesday](#) - 1 Update
- [Petitioners' Proposed Witnesses for Wednesday](#) - 1 Update
- [Stipulated Exhibits Cheat Sheet](#) - 1 Update
- [witness notes for Jesse Johnson](#) - 1 Update
- [Habeas Information | San Francisco Public Defender's Office](#) - 1 Update
- [CDCR doesn't even notice beheadings](#) - 1 Update
- [Cullen/ BBK questions](#) - 1 Update
- [Consolidated Writ Proceeding--Stipulated Acronyms](#) - 1 Update

Slightly revised order

"Sarah Salomon" <ssalomon@keker.com>: May 24 07:26PM

All,

I checked base with respect to whether Dr. Sears can go tomorrow, and his counsel is in a full day medi

To make sure that Dr. Sears get's on and off, can we move him to after Kevin Sample today? So new or

(1) Dr. Allison Pachynski (KH) (45)

(2) Kevin Sample (30) (MS)

(3) Dr. David Sears (SS) (afternoon necessary?)(45)

(4) Demetrius McGee (KB) (20) [may call]

(5) Ellis Hollis (KB) (20)

(6) Michael Burroughs (TMC) (10)[may call]

(7) Louis Crawford (TMC)(10)

(8) Willie Hearod (KB) (20)

(9) Richard Lathan (KB) (30)

(10) Ronald Bratton (KB) (15) [may call]

(11)Fydor Urnov (Anita) (15)

Thanks!
Sarah

"Sarah Salomon" <ssalomon@keker.com>: May 24 07:30PM

Edit: Ok if he goes before Sample, once Pachynski is done? Sears apparently has a special conflict ton

Sarah

From: Sarah Salomon
Sent: Monday, May 24, 2021 12:26 PM
To: covidhabeas@googlegroups.com
Subject: Slightly revised order

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(9) Richard Lathan (KB) (30)

(10) Ronald Bratton (KB) (15) [may call]

(11)Fydor Urnov (Anita) (15)

Thanks!
Sarah

"Boyle, Kathleen" <KBoyle@marincounty.org>: May 24 07:38PM

Fine with me

[Description: Description: Description: cid:3399443836_150421469]

.....

Kathleen Boyle

Deputy Public Defender

County of Marin

Public Defender

3501 Civic Center Drive, Suite 139

San Rafael, CA 94903

415.473.6321

kboyle@marincounty.org<mailto:cbosworth@marincounty.org>

From: covidhabeas@googlegroups.com <covidhabeas@googlegroups.com> on behalf of Sarah Salom
Sent: Monday, May 24, 2021 12:30 PM
To: covidhabeas@googlegroups.com <covidhabeas@googlegroups.com>
Subject: RE: Slightly revised order

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Thanks!
Sarah

--

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"Jennifer A. Huber" <jhuber@keker.com>: May 24 08:32PM

I've shifted Sears up to follow Pachynski. Matt, confirming you're ok with this too since you have Samp

From: covidhabeas@googlegroups.com <covidhabeas@googlegroups.com> On Behalf Of Boyle, Kath
Sent: Monday, May 24, 2021 12:38 PM
To: Sarah Salomon <SSalomon@keker.com>; covidhabeas@googlegroups.com
Subject: Re: Slightly revised order

[EXTERNAL]

Fine with me

.

Kathleen Boyle

Deputy Public Defender

County of Marin

Public Defender

3501 Civic Center Drive, Suite 139

San Rafael, CA 94903

415.473.6321

kboyle@marincounty.org

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Sent: Monday, May 24, 2021 12:30 PM
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- (10) Ronald Bratton (KB) (15) [may call]
- (11)Fydor Urnov (Anita) (15)

Thanks!
Sarah

--

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Matthew Siroka <siroka.law@gmail.com>: May 24 01:51PM -0700

yes absolutely. Any schedule is fine.

Matthew A. Siroka

Attorney at Law

(he/him)

101 Lucas Valley Road, Suite 384

San Rafael, CA 94903

v. 415.874.1755

f. 415.874.1744

<https://avanan.url-protection.com/v1/url?o=www.sirokalaw.com&g=NGNjYzkwNDA2Y2I1MjEzMA==&h=>

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**FW: 2021.05.06 Brockenborough Designations.pdf, 2021.05.06
Gipson (2) Designations.pdf, 2021.05.06 Barney-Knox
Designation.pdf**

"Guneratne, Kathleen (PDR)" <kathleen.guneratne@sfgov.org>: May 24 08:43PM

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

From: Oser, Robert <Robert.Oser@marin.courts.ca.gov>

Sent: Monday, May 24, 2021 1:42 PM

To: Sarah Salomon <ssalomon@keker.com>; Guneratne, Kathleen (PDR)

<kathleen.guneratne@sfgov.org>; charles <charles@charlescarbone.com>

Cc: andrew.gibson@doj.ca.gov; 'denise.yates@doj.ca.gov' <denise.yates@doj.ca.gov>;

'Krista.Pollard@doj.ca.gov' <Krista.Pollard@doj.ca.gov>; john.walters@doj.ca.gov

Subject: 2021.05.06 Brockenborough Designations.pdf, 2021.05.06 Gipson (2)

Designations.pdf, 2021.05.06 Barney-Knox Designation.pdf

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untrusted sources.

Good Afternoon,

Rulings as discussed are attached.

This has only been sent to petitioner attorneys listed in the deposition transcript. Please forward
along as you see fit.

Thanks,

Rob Oser
Courtroom Clerk

Superior Court of California, County of Marin robert.oser@marin.courts.ca.gov

Mission: To ensure fair and equal access to justice and serve the public with dignity and respect.

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

From: Howard, Geoffrey

Sent: Monday, May 24, 2021 12:58 PM

To: Oser, Robert

Subject: Emailing: 2021.05.06 Brockenborough Designations.pdf, 2021.05.06 Gipson (2) Designations.pdf, 2021.05.06 Barney-Knox Designation.pdf

Your message is ready to be sent with the following file or link attachments:

2021.05.06 Brockenborough Designations.pdf

2021.05.06 Gipson (2) Designations.pdf

2021.05.06 Barney-Knox Designation.pdf

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Vanguard Webinar: A Human Rights Disaster at San Quentin (June 4)

"Rodarmel, Danica (PDR)" <danica.rodarmel@sfgov.org>: May 24 08:23PM

[\[https://www.davisvanguard.org/wp-content/uploads/2021/05/Vanguard-SQ-Webinar.jpg\]](https://www.davisvanguard.org/wp-content/uploads/2021/05/Vanguard-SQ-Webinar.jpg)

June 4 at Noon

Proceedings have begun in Marin County Superior Court against San Quentin State Prison and the Cal

More than 300 individuals have filed 'habeas corpus' petitions, alleging the prison violated 8th Amendm

In May of 2020, CDCR decided to move 121 incarcerated people from the California Institution for Men

In the ensuing weeks, approximately 75 percent of prisoners and staff were infected with the virus.

We will have a panel to discuss this massive injustice.

Confirmed speakers:

Danica Rodarmel, SF Public Defender's Office

Professor Hadar Aviram, UC Hastings Law School
Adamu Chan, Former Incarcerated Person
Member of the Legal team, invited

To register click here: <http://bit.ly/webinarvanguard><<https://avanan.url-protection.com/v1/url?o=http%3A/bit.ly/webinarvanguard&g=ZTgzMjcwMjZiMzZhZTZIMQ==&h=NzU2MTAzYTE4NzlmNDJjYz>

[Back to top](#)

Draft transcript from this morning

"Karen Bringola" <kbringola@keker.com>: May 24 07:18PM

Attached.

Karen Bringola
Senior Trial Paralegal
Keker, Van Nest & Peters LLP
633 Battery Street
San Francisco, CA 94111-1809
415 391 5400 main
kbringola@keker.com | keker.com

[Back to top](#)

Vandenberg notes

Rebecca Rabkin <rebeccarabkin@gmail.com>: May 24 11:29AM -0700

[Back to top](#)

Bick testimony notes

Rebecca Rabkin <rebeccarabkin@gmail.com>: May 24 10:53AM -0700

[Back to top](#)

Consolidated Writ Proceedings--Deposition Designations, Set II

"Taylor L. Reeves" <treeves@keker.com>: May 24 05:42PM

Judge Howard,

Attached please find the following:

A zip file containing transcripts with the parties' second set of proposed deposition designations.
A cover pleading containing Petitioners' responses to Respondent's objections and counter-

designations.

A list of exhibits that Petitioners propose should be admitted with the deposition designations, which also indicates Respondent's objections.

We will file hard copies of these materials with the Court.

Thank you,

Taylor

Taylor L. Reeves
Keker, Van Nest & Peters LLP
633 Battery Street
San Francisco, CA 94111-1809
415 676 2260 direct | 415 391 5400 main
treeves@keker.com | vcard | keker.com

[Back to top](#)

FW: KQED Inquiry

"O'Hanlon, Christine" <COHanlon@marincounty.org>: May 24 03:51PM

Ok to let KQED know who we are calling?

From: kwolffe@kqed.org <kwolffe@kqed.org>
Sent: Sunday, May 23, 2021 2:16 PM
To: O'Hanlon, Christine <COHanlon@marincounty.org>
Subject: KQED Inquiry

Kate Wolffe would like information about:
Hi Christine,

Kate Wolffe here with KQED News in San Francisco. We've been reporting on the evidentiary hearing tl

Thanks!
Kate
Email Disclaimer: <https://www.marincounty.org/main/disclaimers>

Matthew Siroka <siroka.law@gmail.com>: May 24 08:57AM -0700

I don't see why not....

Matthew A. Siroka
Attorney at Law
(he/him)
101 Lucas Valley Road, Suite 384
San Rafael, CA 94903
v. 415.874.1755
f. 415.874.1744
<https://avanan.url-protection.com/v1/url?o=www.sirokalaw.com&g=ZDY1YThiZDNjMzc2MzQzZQ==&h=>

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On Mon, May 24, 2021 at 8:51 AM O'Hanlon, Christine <

"Rodarmel, Danica (PDR)" <danica.rodarmel@sfgov.org>: May 24 04:00PM

Looping Valerie in here to make sure she's available to assist as needed.

From: covidhabeas@googlegroups.com <covidhabeas@googlegroups.com> on behalf of Matthew Siroka
Date: Monday, May 24, 2021 at 8:58 AM
To: O'Hanlon, Christine <COHanlon@marincounty.org>
Cc: covidhabeas@googlegroups.com <covidhabeas@googlegroups.com>
Subject: Re: FW: KQED Inquiry

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I don't see why not....

Matthew A. Siroka
Attorney at Law
(he/him)
101 Lucas Valley Road, Suite 384
San Rafael, CA 94903
v. 415.874.1755
f. 415.874.1744
<https://avanan.url-protection.com/v1/url?o=www.sirokalaw.com%26lt&g=MDQ5OGlxMmM3ZGU0ZDkwI2o=http%3A/www.sirokalaw.com&g=ZThlZjQ5MjE4Njk4YTawZQ==&h=YmRhOTkzMmJkMjdIMGQ5ZDI>

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On Mon, May 24, 2021 at 8:51 AM O'Hanlon, Christine <COHanlon@marincounty.org><mailto:COHanlon@marincounty.org>
Ok to let KQED know who we are calling?

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Thanks!
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"Christine O'Hanlon" <christinemeganohanlon@gmail.com>: May 24 09:12AM -0700

It's done.

On Mon, May 24, 2021 at 8:51 AM O'Hanlon, Christine <

"Ibarra, Valerie (PDR)" <valerie.ibarra@sfgov.org>: May 24 04:19PM

Yes, I'm available to assist this week. Please loop me in either way:

a. you could provide me the list she's requesting and I can liaise with her directly
...or...

b. reply to her with the list and cc me so she knows that I'm a resource

Whichever you prefer.

Thank you,

Valerie
(628)249-7946
Valerie.Ibarra@sfgov.org

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>

Sent: Monday, May 24, 2021 9:00 AM

To: Matthew Siroka <siroka.law@gmail.com>; O'Hanlon, Christine <COHanlon@marincounty.org>

Cc: covidhabeas@googlegroups.com <covidhabeas@googlegroups.com>; Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: Re: FW: KQED Inquiry

Looping Valerie in here to make sure she's available to assist as needed.

From: covidhabeas@googlegroups.com <covidhabeas@googlegroups.com> on behalf of Matthew Siroka

Date: Monday, May 24, 2021 at 8:58 AM

To: O'Hanlon, Christine <COHanlon@marincounty.org>

Cc: covidhabeas@googlegroups.com <covidhabeas@googlegroups.com>

Subject: Re: FW: KQED Inquiry

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I don't see why not....

Matthew A. Siroka
Attorney at Law

(he/him)

101 Lucas Valley Road, Suite 384

San Rafael, CA 94903

v. 415.874.1755

f. 415.874.1744

<https://avanan.url-protection.com/v1/url?o=www.sirokalaw.com%26lt&g=OTQ0ZDhkMDk1YTNmM2EyC%3A/https%3A/www.sirokalaw.com&g=ZThlZjQ5MjE4Njk4YTAwZQ==&h=YmRhOTkzMmJkMjdIMGQ5ZDI>

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On Mon, May 24, 2021 at 8:51 AM O'Hanlon, Christine <COHanlon@marincounty.org<mailto:COHanlon@marincounty.org>>

Ok to let KQED know who we are calling?

From: kwolffe@kqed.org<mailto:kwolffe@kqed.org> <kwolffe@kqed.org<mailto:kwolffe@kqed.org>>
Sent: Sunday, May 23, 2021 2:16 PM
To: O'Hanlon, Christine <COHanlon@marincounty.org<mailto:COHanlon@marincounty.org>>
Subject: KQED Inquiry

Kate Wolffe would like information about:
Hi Christine,

Kate Wolffe here with KQED News in San Francisco. We've been reporting on the evidentiary hearing tl

Thanks!
Kate

Email Disclaimer: <https://www.marincounty.org/main/disclaimers><<https://avanan.url-protection.com/v1/u>

--

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To view this discussion on the web visit <https://groups.google.com/d/msgid/covidhabeas/BY3PR09MB7474BF84C7B260A51B3035DACI>
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To view this discussion on the web visit https://groups.google.com/d/msgid/covidhabeas/CALRPPDnaBqhVhxukLrRtRhg%2540mail.gmail.com%3Futm_medium%3Demail%26amp%3Butm_source%3Dfooter

"Rodarmel, Danica (PDR)" <danica.rodarmel@sfgov.org>: May 24 04:26PM

I think it was already sent, but please do reach out and let her know you're available as liaison!

D

From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Date: Monday, May 24, 2021 at 9:19 AM

To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>, Matthew Siroka <siroka.law@gmail.com>,

Cc: covidhabeas@googlegroups.com <covidhabeas@googlegroups.com>

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Thanks!

Kate

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[o=https%3A//groups.google.com/d/msgid/covidhabeas/BY3PR09MB7474BF84C7B260A51B3035DACI](https://groups.google.com/d/msgid/covidhabeas/BY3PR09MB7474BF84C7B260A51B3035DACI)

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[qhVhxukLrRtRhg%2540mail.gmail.com%3Futm_medium%3Demail%26amp%3Butm_source%3Dfoote](https://groups.google.com/d/msgid/covidhabeas/CALRPPDnaBqhVhxukLrRtRhg%2540mail.gmail.com%3Futm_medium%3Demail%26amp%3Butm_source%3Dfooter)

[Back to top](#)

Revised Petitioners' Proposed Witnesses for Wednesday

"O'Hanlon, Christine" <COHanlon@marincounty.org>: May 24 04:22PM

Petitioners will NOT be calling Vince Cullen.

Revised List for Wednesday:

Barbara Barney-Knox
Channing Sheets
Meghan Morris
Terry Kupers

Thank you,
Christine O'Hanlon
Deputy Public Defender

From: O'Hanlon, Christine
Sent: Monday, May 24, 2021 9:19 AM
To: Krista Pollard <Krista.Pollard@doj.ca.gov>; John Walters <John.Walters@doj.ca.gov>; Gibson, Steve <S_Gibson@marinsheriff.org>; Denise Yates <Denise.Yates@doj.ca.gov>; Oser, Robert <Robert.Oser@marin.courts.ca.gov>; Howard, Geoffrey <Geoffrey.Howard@marin.courts.ca.gov>; covidhabeas@googlegroups.com; Collier, Logan <LCollier@marincounty.org>
Subject: Petitioners' Proposed Witnesses for Wednesday

Good Morning,

Please find Petitioners' proposed witnesses for Wednesday. If there are changes, I will notify you as soon as we become aware of such change.

Vince Cullen
Barbara Barney-Knox
Channing Sheets
Meghan Morris
Terry Kupers

Please do not hesitate to contact me if you have questions.

Thank you,
Christine O'Hanlon
Deputy Public Defender

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Petitioners' Proposed Witnesses for Wednesday

"O'Hanlon, Christine" <COHanlon@marincounty.org>: May 24 04:18PM

Good Morning,

Please find Petitioners' proposed witnesses for Wednesday. If there are changes, I will notify you as soon as we become aware of such change.

Vince Cullen
Barbara Barney-Knox
Channing Sheets
Meghan Morris
Terry Kupers

Please do not hesitate to contact me if you have questions.

Thank you,
Christine O'Hanlon
Deputy Public Defender

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Stipulated Exhibits Cheat Sheet

"Karen Bringola" <kbringola@keker.com>: May 24 04:00PM

FWIW – attached.

Karen Bringola
Senior Trial Paralegal
Keker, Van Nest & Peters LLP
633 Battery Street
San Francisco, CA 94111-1809
415 391 5400 main
kbringola@keker.com | keker.com

[Back to top](#)

witness notes for Jesse Johnson

Matthew Siroka <siroka.law@gmail.com>: May 24 08:50AM -0700

Counsel,

Please find attached a copy of notes Mr. Johnson made to which he may refer to refresh his recollection during his testimony tomorrow.

Thank you.

Matthew A. Siroka
Attorney at Law
(he/him)
101 Lucas Valley Road, Suite 384
San Rafael, CA 94903

v. 415.874.1755

f. 415.874.1744

<https://avanan.url-protection.com/v1/url?>

[o=www.sirokalaw.com&g=Zjg3YjM3MmY3MjlxNzRIYw==&h=ZTMyMWNjNjFiNDA2N2E5NDQyODQ4M](https://avanan.url-protection.com/v1/url?o=www.sirokalaw.com&g=Zjg3YjM3MmY3MjlxNzRIYw==&h=ZTMyMWNjNjFiNDA2N2E5NDQyODQ4M)

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Habeas Information | San Francisco Public Defender's Office

"Rodarmel, Danica (PDR)" <danica.rodarmel@sfgov.org>: May 24 03:45PM

FYI public court watching link now available on our webpage for easier access.

<https://sfpublicdefender.org/habeas/>

[Back to top](#)

CDCR doesn't even notice beheadings

"Rodarmel, Danica (PDR)" <danica.rodarmel@sfgov.org>: May 24 03:39PM

I think we may not want to make a big deal about the facts of this particular example, but there may be some helpful info in the new OIG report about staff failures and subsequent investigatory failures... really helps to shine more light on their ineptitude.

<https://witnessla.com/new-ca-oig-report-shows-cdcrcs-investigation-of-employee-misconduct-poor-including-officers-failure-to-notice-a-beheading/>

[Back to top](#)

Cullen/ BBK questions

"Guneratne, Kathleen (PDR)" <kathleen.guneratne@sfgov.org>: May 24 03:28PM

Team:

* I reviewed Cullen's depo designations again and am comfortable with the emails he discusses, even a not call Cullen Wed am.

* Re: Barney-Knox, I have a question. New email is helpful but I do already have her generally acknowledge her, and AG does a direct of her, because judge wants us to call witnesses once for all purposes, we can

From: covidhabeas@googlegroups.com <covidhabeas@googlegroups.com> On Behalf Of Ibarra, Valerie

Sent: Sunday, May 23, 2021 8:30 PM

To: covidhabeas <covidhabeas@googlegroups.com>

Subject: Habeas News Coverage - Week 1

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Hi Habeas Team --

Here are the available links to news coverage of the first week of the habeas hearing. We've been sharing in <https://sfpublicdefender.org/news/2021/05/media-advisory-san-quentin-covid-19-outbreak-on-trial-he>

CBS Local drew from an interview Danica did with Bay City News:

<https://sanfrancisco.cbslocal.com/2021/05/20/san-quentin-deadly-covid-19-outbreak-trial/>

The Davis Vanguard is planning to cover it every day, and so far, it's been powerful and pointed:

* <https://www.davisvanguard.org/2021/05/horrific-stories-of-neglect-heard-in-hearing-about-san-quentin>

* <https://www.davisvanguard.org/2021/05/san-quentin-cdcr-hearing-inmate-describes-covid-mistreatment>

Other:

* I know that Kathy Novak KCBS radio did some coverage, but haven't been able to track down those sources.

* Do we have any Spanish speakers for any future requests for interviews?

* If you see or hear other news out there, please pop it into this thread. Thank you!

Good luck this week!

Best,

Valerie

(628)249-7946

SF Public Defender's Office

--

Valerie Ibarra

Public Information Officer

San Francisco Public Defender's Office

Valerie.Ibarra@sfgov.org<mailto:Valerie.Ibarra@sfgov.org>

(628)249-7946

SFPublicDefender.org/Media<<https://sfpublicdefender.org/media/>>

--

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https://groups.google.com/d/msgid/covidhabeas/BY5PR09MB5204FA635B3F580EA002C82880269%4utm_medium=email&utm_source=footer.

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Consolidated Writ Proceeding--Stipulated Acronyms

"Taylor L. Reeves" <trees@keker.com>: May 24 03:09PM

Judge Howard,

Per the Court's request on Friday, attached please find a list of acronyms and their stipulated definitions for purposes of this litigation. We will file a hard copy with the Court today.

Thank you,

Taylor

Taylor L. Reeves
Keker, Van Nest & Peters LLP
633 Battery Street
San Francisco, CA 94111-1809
415 676 2260 direct | 415 391 5400 main
treeves@keker.com | [vcard](#) | [keker.com](#)

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Subject: Re: Vanguard Webinar: A Human Rights Disaster at San Quentin (June 4)
Date: Monday, May 24, 2021 at 9:49:19 PM British Summer Time
From: David M. Greenwald
To: Rodarmel, Danica (PDR)
CC: Ibarra, Valerie (PDR)

I don't know why the [bit.ly](#) is being fussy.

I guess just send it out again with link

https://us02web.zoom.us/webinar/register/WN_jHDsYMB0RyWIDx0X93_B8Q

On Mon, May 24, 2021 at 1:39 PM Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org> wrote:

Ha – I'll send another round and include a bunch of folks in the capitol who I know are very interested in the case.

Thanks for doing this -and cannot thank you enough for your extensive coverage of the hearings.

From: David M. Greenwald <info@davisvanguard.org>
Date: Monday, May 24, 2021 at 1:26 PM
To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Cc: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: Vanguard Webinar: A Human Rights Disaster at San Quentin (June 4)

You're too efficient! No one would notice other than Professor Aviram!

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Subject: Vanguard Webinar: A Human Rights Disaster at San Quentin (June 4)

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Any help you can give pushing this out, is greatly appreciated.

June 4 at Noon

Proceedings have begun in Marin County Superior Court against San Quentin State Prison and the California Department of Corrections (CDCR) for what one judge has called “the worst epidemiological disaster in California correctional history.”

More than 300 individuals have filed ‘habeas corpus’ petitions, alleging the prison violated 8th Amendment protections against “cruel and unusual punishment” when a transfer of incarcerated people which failed to test for COVID, to San Quentin resulted in a massive COVID-19 outbreak.

In May of 2020, CDCR decided to move 121 incarcerated people from the California Institution for Men (CIM), in Chico, to San Quentin. At the time, CIM had the highest COVID-19 infection rate of any prison in California. Prior to the transfer, San Quentin did not have a single confirmed case.

In the ensuing weeks, approximately 75 percent of prisoners and staff were infected with the virus.

We will have a panel to discuss this massive injustice.

Confirmed speakers:

Danica Rodarmel, SF Public Defender's Office
Professor Hadar Aviram, UC Hastings Law School
Adamu Chan, Former Incarcerated Person
Member of the Legal team, invited

To register click here: <http://bit.ly/webinarvanguard>

--

David M. Greenwald

Executive Director
[The People's Vanguard of Davis](#)

530.400.2512

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Sent from Gmail Mobile

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CC: Ibarra, Valerie (PDR)

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Executive Director

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CC: Ibarra, Valerie (PDR)

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Subject: Re: Vanguard Webinar: A Human Rights Disaster at San Quentin (June 4)

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On Mon, May 24, 2021 at 1:22 PM Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org> wrote:

You got it!

From: David M. Greenwald <info@davisvanguard.org>

Date: Monday, May 24, 2021 at 1:18 PM

To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>, Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: Vanguard Webinar: A Human Rights Disaster at San Quentin (June 4)

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June 4 at Noon

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Danica Rodarmel, SF Public Defender's Office
Professor Hadar Aviram, UC Hastings Law School
Adamu Chan, Former Incarcerated Person
Member of the Legal team, invited

To register click here: <http://bit.ly/webinarvanguard>

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David M. Greenwald
Executive Director
[The People's Vanguard of Davis](#)

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Subject: Re: Vanguard Webinar: A Human Rights Disaster at San Quentin (June 4)

Date: Monday, May 24, 2021 at 9:25:06 PM British Summer Time

From: David M. Greenwald

To: Rodarmel, Danica (PDR)

CC: Ibarra, Valerie (PDR)

Try this again...

June 4 at Noon

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Subject: Re: Vanguard Webinar: A Human Rights Disaster at San Quentin (June 4)
Date: Monday, May 24, 2021 at 9:24:43 PM British Summer Time
From: Rodarmel, Danica (PDR)
To: David M. Greenwald
CC: Ibarra, Valerie (PDR)

Oops I already did it, but will circulate a corrected one after you send!

From: David M. Greenwald <info@davisvanguard.org>
Date: Monday, May 24, 2021 at 1:23 PM
To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Cc: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: Vanguard Webinar: A Human Rights Disaster at San Quentin (June 4)

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Subject: Vanguard Webinar: A Human Rights Disaster at San Quentin (June 4)

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Subject: Re: Vanguard Webinar: A Human Rights Disaster at San Quentin (June 4)
Date: Monday, May 24, 2021 at 9:23:10 PM British Summer Time
From: David M. Greenwald
To: Rodarmel, Danica (PDR)
CC: Ibarra, Valerie (PDR)

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To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>, Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Vanguard Webinar: A Human Rights Disaster at San Quentin (June 4)

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Subject: Re: Vanguard Webinar: A Human Rights Disaster at San Quentin (June 4)
Date: Monday, May 24, 2021 at 9:22:16 PM British Summer Time
From: Rodarmel, Danica (PDR)
To: David M. Greenwald, Ibarra, Valerie (PDR)

You got it!

From: David M. Greenwald <info@davisvanguard.org>
Date: Monday, May 24, 2021 at 1:18 PM
To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>, Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
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Date: Monday, May 24, 2021 at 9:18:00 PM British Summer Time

From: David M. Greenwald

To: Rodarmel, Danica (PDR), Ibarra, Valerie (PDR)

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Subject: Digest for covidhabeas@googlegroups.com - 6 updates in 4 topics

Date: Monday, May 24, 2021 at 7:06:29 AM British Summer Time

From: covidhabeas@googlegroups.com

To: Digest recipients

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covidhabeas@googlegroups.com

Google Groups

Topic digest

[View all topics](#)

- [Habeas News Coverage - Week 1](#) - 1 Update
- [Stipulated Acronyms](#) - 3 Updates
- [Witnesses for Tuesday](#) - 1 Update
- [San Quentin Habeas: Sheets Email](#) - 1 Update

Habeas News Coverage - Week 1

"Ibarra, Valerie (PDR)" <valerie.ibarra@sfgov.org>: May 24 03:29AM

Hi Habeas Team --

Here are the available links to news coverage of the first week of the habeas hearing. We've been sharing them on our SF Public Defender's Office social media accounts, so feel free to like and repost from there and let's keep encouraging the public and the press to tune in<<https://sfpublicdefender.org/news/2021/05/media-advisory-san-quentin-covid-19-outbreak-on-trial-hearing-to-start-may-17/>>.

CBS Local drew from an interview Danica did with Bay City News:
<https://sanfrancisco.cbslocal.com/2021/05/20/san-quentin-deadly-covid-19-outbreak-trial/>

The Davis Vanguard is planning to cover it every day, and so far, it's been powerful and pointed:

* <https://www.davisvanguard.org/2021/05/horrific-stories-of-neglect-heard-in-hearing-about-san-quentin-prison-covid-19-practices/>

* <https://www.davisvanguard.org/2021/05/san-quentin-cdcr-hearing-inmate-describes-covid-mistreatment-county-heath-chief-talks-about-prison-failing-to-act-in-crisis/?fbclid=IwAR2qYTVLv6kWMCEkq8ua80xqFSZ5MMSy36S9tJFzFs-XWC8fSOmN-Ru4Y1U>

Other:

* I know that Kathy Novak KCBS radio did some coverage, but haven't been able to track down those segments yet.

* Do we have any Spanish speakers for any future requests for interviews?

* If you see or hear other news out there, please pop it into this thread. Thank you!

Good luck this week!

Best,

Valerie
(628)249-7946
SF Public Defender's Office

--

Valerie Ibarra
Public Information Officer
San Francisco Public Defender's Office
Valerie.Ibarra@sfgov.org
(628)249-7946
SFPublicDefender.org/Media<<https://sfpublicdefender.org/media/>>

[Back to top](#)

Stipulated Acronyms

"Taylor L. Reeves" <treeves@keker.com>: May 23 07:53PM

Hi All,

On Friday, Judge Howard asked us for a list of acronyms and stipulated definitions to include in the record for clarity. We asked opposing counsel to put together a draft list, and they sent along the following, which is (unsurprisingly) pretty paltry:

CDCR – California Department of Corrections and Rehabilitation

CCHCS – California Correctional Health Care Services

PPE – Personal Protective Equipment

CDC – Centers for Disease Control

PSR – Program Status Report

CDPH -- California Department of Public Health

We are going to add to this list (PIA, ACS, N95, KN95, TTA, DIA, etc.) and prepare a submission to the court. If there are other acronyms that we need to include, please send me the acronym and its definition this afternoon.

Thanks!

Taylor

Taylor L. Reeves
Keker, Van Nest & Peters LLP
633 Battery Street
San Francisco, CA 94111-1809
415 676 2260 direct | 415 391 5400 main
treeves@keker.com | vcard | keker.com

Rebecca Rabkin <rebeccarabkin@gmail.com>: May 23 04:27PM -0700

EOP - Enhanced Outpatient Program
CCCMS - Correctional Clinical Case Management System
DOC - Department Operations Center
MCPH - Marin County Public Health
Cal OES - California Governor's Office of Emergency Services
UC - Unified Command
ICS - Incident Command System

Separately - is there any progress on the stipulations related to cellmate pairs (Manson and Shabazz)?

"Taylor L. Reeves" <treeves@keker.com>: May 24 12:25AM

FYI, below is our updated list of acronyms. I took the N95 definition from Wikipedia. I'm not seeing a comparably clean definition for a KN95, so if anyone has one, please send along.

PCR [test] - polymerase chain reaction [COVID-19 test].

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CCHCS – California Correctional Health Care Services

PPE – Personal Protective Equipment

CDC – Centers for Disease Control

PSR – Program Status Report

CDPH -- California Department of Public Health

PIA- Prison Industry Authority

ACS- Alternative Care Site

N95 – particulate-filtering facepiece respirator that meets the U.S. National Institute for Occupational Safety and Health (NIOSH) N95 classification of air filtration

KN95 -

TTA – Treatment and Triage

DIA -Division of Adult Institutions

EOP - Enhanced Outpatient Program

CCCMS - Correctional Clinical Case Management System

DOC - Department Operations Center

MCPH - Marin County Public Health

Cal OES - California Governor's Office of Emergency Services

UC - Unified Command

ICS - Incident Command System

IAC - Inmate Advisory Council

CCC - California Correctional Center

CIM - California Institution for Men

Plata – Plata v. Newsom, No. 01-1351 JST (N.D. Cal.)

UCSF – University of California San Francisco

From: Taylor L. Reeves

Sent: Sunday, May 23, 2021 12:54 PM

To: covidhabeas@googlegroups.com; SQC-KVP <SQCKVP@keker.com>

Subject: Stipulated Acronyms

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[Witnesses for Tuesday](#)

"O'Hanlon, Christine" <COHanlon@marincounty.org>: May 23 04:13PM

Good Morning Court and Counsel,

Petitioners intend to call the following witnesses on Tuesday.

Ronald Broomfield

Miguel Sifuentes

Jesse Johnson

Brett Johnson

Please do not hesitate to contact me if you have questions.

Thank you,

Christine O'Hanlon

Deputy Public Defender

Email Disclaimer: <https://www.marincounty.org/main/disclaimers>

[Back to top](#)

San Quentin Habeas: Sheets Email

"Kristin E. Hucek" <khucek@keker.com>: May 23 04:03PM

Team,

I would like to get the attached email admitted as an exhibit during Sheets' examination. (Despite CDCR's redactions, I know that Sheets sent this email to Susan Fanelli of CDPH and can get him to authenticate it). Can you all help me brainstorm ways to get it in? I am going to ask him questions about it to elicit this information, but would be nice for Howard to see it in writing.

Thanks for your help!

Kristin

Kristin E. Hucek
Keker, Van Nest & Peters LLP
633 Battery Street
San Francisco, CA 94111-1809
415 962 8849 direct | 415 391 5400 main
khucek@keker.com | vcard | keker.com

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To unsubscribe from this group and stop receiving emails from it send an email to covidhabeas+unsubscribe@googlegroups.com.

Subject: [ICEoutofCA] San Quentin Habeas Coverage by Davis Vanguard

Date: Friday, May 21, 2021 at 8:54:12 PM British Summer Time

From: on behalf of Sarah Lee

To: iceoutofca@googlegroups.com, VISION Act Co-Sponsors

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Passing along updates about the evidentiary hearing in the case against San Quentin and California Department of Corrections and Rehabilitation (CDCR) during the COVID-19 crisis. Danica mentioned this yesterday on the IOOCA call.

----- Forwarded message -----

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>

Date: Fri, May 21, 2021 at 12:41 PM

Subject: [StopSQOutbreakOrganizing] SQ Habeas Coverage by Davis Vanguard

To: #StopSanQuentinOutbreak Organizing Group <stopsqoutbreak1@googlegroups.com>

Hey Folks-

I wanted everyone to know that the Davis Vanguard is doing extensive coverage of the evidentiary hearing. You can see their story about yesterday's hearing here:

<https://www.davisvanguard.org/2021/05/horrific-stories-of-neglect-heard-in-hearing-about-san-quentin-prison-covid-19-practices/>

For folks watching today- I hope you're hanging in there. It's been an emotional day.

Warmly,

Danica

Danica Rodarmel (She/Her)

State Policy Director

San Francisco Public Defender

Danica.rodarmel@sfgov.org

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--

Sarah Lee (she, her, hers)

Community Advocate - Criminal Justice Reform Program

Asian Americans Advancing Justice – Asian Law Caucus

T: (415) 848-7717

sarahl@advancingjustice-alc.org

www.advancingjustice-alc.org

--

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<https://groups.google.com/d/msgid/iceoutofca/CAEdJkKvOX7OFWTAKKkRa04gzUOi-ZrBxKGvZ08zLLgs3aQYSA%40mail.gmail.com>.

Subject: [StopSQOutbreakOrganizing] SQ Habeas Coverage by Davis Vanguard

Date: Friday, May 21, 2021 at 8:40:53 PM British Summer Time

From: on behalf of Rodarmel, Danica (PDR)

To: #StopSanQuentinOutbreak Organizing Group

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hey Folks-

I wanted everyone to know that the Davis Vanguard is doing extensive coverage of the evidentiary hearing. You can see their story about yesterday's hearing here:

<https://www.davisvanguard.org/2021/05/horrific-stories-of-neglect-heard-in-hearing-about-san-quentin-prison-covid-19-practices/>

For folks watching today- I hope you're hanging in there. It's been an emotional day.

Warmly,
Danica

Danica Rodarmel (She/Her)
State Policy Director
San Francisco Public Defender
Danica.rodarmel@sfgov.org

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To view this discussion on the web visit

<https://groups.google.com/d/msgid/stopsqoutbreak1/SJ0PR09MB6351317BECDAF5167F685ABEE5299%40SJ0PR09MB6351.namprd09.prod.outlook.com>.

Subject: Re: First article on the San Quentin hearings

Date: Friday, May 21, 2021 at 6:11:22 PM British Summer Time

From: Rodarmel, Danica (PDR)

To: David M. Greenwald

CC: Ibarra, Valerie (PDR)

Thank you!!!!

From: David M. Greenwald <info@davisvanguard.org>
Sent: Friday, May 21, 2021 10:09:01 AM
To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Cc: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: First article on the San Quentin hearings

I switched it to a generic courthouse photo. Wasn't really thinking about that this morning. Usually I try to find photos of the people when they get released or exonerated.

On Fri, May 21, 2021 at 9:54 AM Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org> wrote:

Thanks so much, David. Really appreciate all your work.

Hey- I actually just asked Valerie to reach out and ask if it would be possible to remove Tare's photo from this story (which we also appreciate you all covering): <https://www.davisvanguard.org/2021/05/progressives-butt-heads-sf-public-defender-district-attorney-disagree-over-parole-grant-for-sf-killer/>

I know this may be your general policy, but we've been doing quite a bit of advocacy around use of mugshots and how harmful they are not only to our clients, but to society at large (they are almost always AWFUL and make people look scary – leading to the sense in the community that these folks truly are monsters... when in reality we would pretty much all look awful in these photos).

I understand if it's not possible w/ this one – but would appreciate the reconsideration by DVG about their use of these photos here and going forward.

Warmly,

Danica

From: David M. Greenwald <info@davisvanguard.org>
Date: Friday, May 21, 2021 at 9:45 AM
To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>, Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: First article on the San Quentin hearings

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Danica and Valerie,

FYI - This is from yesterday's hearing

<https://www.davisvanguard.org/2021/05/horrific-stories-of-neglect-heard-in-hearing-about-san-quentin-prison-covid-19-practices/>

--

David M. Greenwald
Executive Director
[The People's Vanguard of Davis](#)

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Subject: Re: First article on the San Quentin hearings
Date: Friday, May 21, 2021 at 6:09:01 PM British Summer Time
From: David M. Greenwald
To: Rodarmel, Danica (PDR)
CC: Ibarra, Valerie (PDR)

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Follow us on Twitter: <https://twitter.com/DavisVanguard>

Subject: Re: First article on the San Quentin hearings

Date: Friday, May 21, 2021 at 5:54:11 PM British Summer Time

From: Rodarmel, Danica (PDR)

To: David M. Greenwald, Ibarra, Valerie (PDR)

Thanks so much, David. Really appreciate all your work.

Hey- I actually just asked Valerie to reach out and ask if it would be possible to remove Tare's photo from this story (which we also appreciate you all covering): <https://www.davisvanguard.org/2021/05/progressives-butt-heads-sf-public-defender-district-attorney-disagree-over-parole-grant-for-sf-killer/>

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I understand if it's not possible w/ this one – but would appreciate the reconsideration by DVG about their use of these photos here and going forward.

Warmly,
Danica

From: David M. Greenwald <info@davisvanguard.org>

Date: Friday, May 21, 2021 at 9:45 AM

To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>, Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: First article on the San Quentin hearings

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Hi Danica and Valerie,

FYI - This is from yesterday's hearing

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Subject: First article on the San Quentin hearings
Date: Friday, May 21, 2021 at 5:44:57 PM British Summer Time
From: David M. Greenwald
To: Rodarmel, Danica (PDR), Ibarra, Valerie (PDR)

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Hi Danica and Valerie,

FYI - This is from yesterday's hearing

<https://www.davisvanguard.org/2021/05/horrific-stories-of-neglect-heard-in-hearing-about-san-quentin-prison-covid-19-practices/>

--

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Follow us on Twitter: <https://twitter.com/DavisVanguard>

Subject: Re: Vanguard SF intern Court Watch Articles
Date: Friday, May 21, 2021 at 1:07:33 AM British Summer Time
From: Ibarra, Valerie (PDR)
To: Michelle Lagos

Thanks so much, Michelle. We posted the SQ one on our twitter this week. Love the work everyone is doing and the many hats everyone continues to wear.

Thank you,
Valerie

From: Michelle Lagos <mlagos@davisvanguard.org>
Sent: Thursday, May 20, 2021 4:43 PM
To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Vanguard SF intern Court Watch Articles

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello Valerie,

Here are the articles from the San Francisco interns this week. Ned Meiners is currently the only SF intern with us. Lovepreet mentioned she would be rejoining next month.

Thank you,
Michelle Lagos

<https://www.davisvanguard.org/2021/05/nightmare-continues-despite-strong-evidence-of-id-theft-woman-accused-of-string-of-thefts-across-ca-still-held-without-bail-in-sacramento/>

<https://www.davisvanguard.org/2021/05/hearings-begin-monday-for-300-plus-prisoner-suit-against-san-quentin-for-deadly-covid-19-outbreak/>

<https://www.davisvanguard.org/2021/05/judge-sets-trial-for-stepfather-accused-of-14-counts-of-lewd-and-lascivious-acts-with-a-minor/>

Subject: Vanguard SF intern Court Watch Articles

Date: Friday, May 21, 2021 at 12:43:23 AM British Summer Time

From: Michelle Lagos

To: valerie.ibarra@sfgov.org

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello Valerie,

Here are the articles from the San Francisco interns this week. Ned Meiners is currently the only SF intern with us. Lovepreet mentioned she would be rejoining next month.

Thank you,
Michelle Lagos

<https://www.davisvanguard.org/2021/05/nightmare-continues-despite-strong-evidence-of-id-theft-woman-accused-of-string-of-thefts-across-ca-still-held-without-bail-in-sacramento/>

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<https://www.davisvanguard.org/2021/05/judge-sets-trial-for-stepfather-accused-of-14-counts-of-lewd-and-lascivious-acts-with-a-minor/>

Subject: How can you make a difference, Valerie?

Date: Thursday, May 20, 2021 at 11:00:08 PM British Summer Time

From: David Greenwald

To: valerie.ibarra@sfgov.org

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Image

Image

Hi Valerie,

Thanks to you and other generous supporters in our area, Vanguard interns have been a part of a program that allows them to shed light on everyday injustices in our communities.

Just last week, one of the interns captured a moment in Sacramento County Superior Court. It was revealed that a defendant had been racially discriminated against by a store clerk for being Black.

[CLICK HERE TO READ MORE ABOUT THIS CASE](#)

The shocking truth is moments like these aren't unique.

However, you have the power to change all of that. That's why I'm reaching out to you today.

I hope you'll join the sustaining donor program to help the Vanguard recruit more interns and pay reporters to capture moments that need more public attention.

You know how subscriptions work. You probably have a few already – for entertainment, news, food or health care products. We live in a subscription world.

So, I'm asking you to subscribe for GOOD.

By joining the sustaining donor program, your monthly support will:

- Enable the Vanguard to investigate wrongful conviction cases
- Investigate ongoing COVID-19 outbreaks in California prisons
- Offer internship and employment opportunities to undergraduates interested in law journalism

You'll have the joy of knowing that your donation is put to work immediately, changing lives.

With your gift of just \$10 a month, you'll have the joy of knowing that your donation is put to work immediately, changing lives.

Can I count on you today?

COUNT ME IN!

Thanks in advance,

David Greenwald
Director of the Davis Vanguard

The Peoples Vanguard of Davis Inc
221 G St Ste 203
Davis, CA 95616
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Subject: PRESS STATEMENT: Statement from the Office of the San Francisco Public Defender - In Support of Tare Beltran Chuc's Parole Grant
Date: Thursday, May 20, 2021 at 9:33:31 PM British Summer Time
From: Ibarra, Valerie (PDR)
To: Ibarra, Valerie (PDR), PUBDEF-Media Relations
Attachments: PRESS STATEMENT - 5.20.21 - Statement from the Office of the San Francisco Public Defender.pdf

FOR IMMEDIATE RELEASE: May 20, 2021

CONTACT: San Francisco Public Defender's Office – (628)249-7946 – Valerie.Ibarra@sfgov.org

****PRESS STATEMENT****

Statement from the Office of the San Francisco Public Defender In Support of Tare Beltran Chuc's Parole Grant

In response to public statements made by the San Francisco District Attorney's Office and others who have expressed opposition to the Board of Parole's decision to grant parole to our client, Tare Beltran Chuc, we stand in support of the Board's decision.

Let us be clear: the Board of Parole does not make decisions to release people lightly. The Board of Parole is tasked with the specific mandate to make release decisions for people serving indeterminate life sentences. In recent years, on average less than 20% of people appearing before the Parole Board are granted release, which should give pause to anyone who objects to the BPH's decision to *grant* parole. These grants then undergo an administrative and Gubernatorial review. Before being granted

parole, a person incarcerated on a life-term must undergo mental health evaluations, multiple assessments, and an intensive hours-long hearing where two Board of Parole Hearing commissioners extensively question the individual being considered. Many, like Mr. Beltran Chuc, go through this process more than once over the years after they become eligible to be considered.

A study from the [Stanford Criminal Justice Center](#) noted that the rate of re-offense for people who have been granted parole is exceedingly low — of the 860 people convicted of murder and subsequently granted parole over a 15-year period, only 0.5% went on to commit another felony, and none resulted in a subsequent life term.

It is particularly notable that the Parole Board has now granted Mr. Beltran Chuc parole on two different occasions, even in spite of strong opposition. Over the years, Mr. Beltran Chuc has participated in thousands of hours of programs while incarcerated, numerous substance abuse, victim impact, and anti-violence courses, and has been certified by Marin County Probation Department as a Batterer's Program Facilitator. In addition, he picked up five vocations, completed his GED, and is working towards his Associate Degree in prison. The Board received numerous letters in support of Mr. Beltran Chuc's parole, including from San Quentin teachers and staff.

While Mr. Beltran Chuc and our office recognize that nothing can restore the life lost or ever fully repair the harm done, he has made tremendous progress over the past decade. Our office stands ready to support him in ensuring his successful reentry.

We are sensitive to the pain and fear related to intimate partner violence, and violence more generally, as most of our clients have endured it all their lives in myriad forms. We are committed to continuing to support efforts to undo the harms of this violence, not through single-minded punishment and retribution, but through challenging the conditions that give rise to a society in which safety is tenuous for the most marginalized, including in particular for women of color. Incarceration does not make us safe, and the idea that any human being is beyond repair is an inhumane one.

###

To view this press statement online, please visit [SFPublicDefender.org/media](https://sfpublicdefender.org/media).

--

Valerie Ibarra
Public Information Officer
San Francisco Public Defender's Office
Valerie.Ibarra@sfgov.org
(628)249-7946
[SFPublicDefender.org/Media](https://sfpublicdefender.org/Media)

stuart@cityofdm.org/mediam

Subject: Tell me this story isn't everyday injustice...

Date: Thursday, May 20, 2021 at 1:05:47 PM British Summer Time

From: David M. Greenwald

To: Ibarra, Valerie (PDR), Wilson, Jacque (PDR)

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This is from Ned Meiners....

<https://www.davisvanguard.org/2021/05/nightmare-continues-despite-strong-evidence-of-id-theft-woman-accused-of-string-of-thefts-across-ca-still-held-without-bail-in-sacramento/>

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David M. Greenwald

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[The People's Vanguard of Davis](#)

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Follow us on Twitter: <https://twitter.com/DavisVanguard>

Subject: Re: Davis Vanguard - San Quentin COVID outbreak

Date: Thursday, May 20, 2021 at 2:43:08 AM British Summer Time

From: Ibarra, Valerie (PDR)

To: Edward Meiners

FYI - I just tweeted the article from @sfdefender noting that the testimony is set to begin tomorrow at 9am.

From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Sent: Wednesday, May 19, 2021 9:03 AM

To: Edward Meiners <emeiners@mail.ccsf.edu>

Subject: Re: Davis Vanguard - San Quentin COVID outbreak

Thanks so much, Ned. I believe the hearing is starting up tomorrow morning (finally).

From: Edward Meiners <emeiners@mail.ccsf.edu>

Sent: Tuesday, May 18, 2021 11:36 PM

To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: Davis Vanguard - San Quentin COVID outbreak

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Valerie,

Mostly used your press release for this one, but there should be ongoing coverage of this in the Vanguard for the next several weeks, especially once testimony begins. I'll keep you posted.

Thanks for the great quotes!

Ned

<https://www.davisvanguard.org/2021/05/hearings-begin-monday-for-300-plus-prisoner-suit-against-san-quentin-for-deadly-covid-19-outbreak/>

Subject: Valerie, are you up to the challenge?

Date: Wednesday, May 19, 2021 at 10:00:09 PM British Summer Time

From: David Greenwald

To: valerie.ibarra@sfgov.org

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Image

Image

Hi Valerie,

A few days ago, I shared the story about the Vanguard Interns. This week we would tell you a tremendous investigative report by our intern, Roxanna.

While Roxanna has been an intern at the Vanguard for over a year, she has been a part of several impactful reports and projects, particularly on a wrongful conviction case of Douglas Ray Stankewitz, the longest-serving inmate on death row.

Through her reporting, it became clear that new discoveries show that detectives and sheriff deputies in Fresno greatly mishandled evidence in his case, and Stankewitz may have been framed for murder.

Through additional funding, the Vanguard would be able to continue reporting on wrongful conviction cases!

You have the power to make a difference.

You've been generous with your support in the past, and that's why I'm inviting you to join our [sustaining donor program](#) today.

Your ongoing monthly contribution will:

- Enable the Vanguard to investigate wrongful convictions
- Investigate ongoing COVID-19 outbreaks in California prisons
- Offer internship opportunities for undergraduates interested in journalism and law

By joining the [sustaining donor program](#), you can make a huge impact!

With just \$10 a month, you can help the Vanguard maintain internship opportunities and other programs to help bring more awareness to injustices in our community. Can I count on you today?

COUNT ME IN!

Thanks in advance,

David Greenwald

Director of the Davis Vanguard

The Peoples Vanguard of Davis Inc
221 G St Ste 203
Davis, CA 95616

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Subject: Re: Davis Vanguard - San Quentin COVID outbreak

Date: Wednesday, May 19, 2021 at 5:03:56 PM British Summer Time

From: Ibarra, Valerie (PDR)

To: Edward Meiners

Thanks so much, Ned. I believe the hearing is starting up tomorrow morning (finally).

From: Edward Meiners <emeiners@mail.ccsf.edu>

Sent: Tuesday, May 18, 2021 11:36 PM

To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: Davis Vanguard - San Quentin COVID outbreak

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Subject: Davis Vanguard - San Quentin COVID outbreak

Date: Wednesday, May 19, 2021 at 7:36:01 AM British Summer Time

From: Edward Meiners

To: valerie.ibarra@sfgov.org

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Valerie,

Mostly used your press release for this one, but there should be ongoing coverage of this in the Vanguard for the next several weeks, especially once testimony begins. I'll keep you posted.

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<https://www.davisvanguard.org/2021/05/hearings-begin-monday-for-300-plus-prisoner-suit-against-san-quentin-for-deadly-covid-19-outbreak/>

Subject: Re: Today Webinar Recording?

Date: Friday, May 14, 2021 at 10:22:37 PM British Summer Time

From: Rodarmel, Danica (PDR)

To: David M. Greenwald

CC: Ibarra, Valerie (PDR)

Awesome!

From: David M. Greenwald <info@davisvanguard.org>

Date: Friday, May 14, 2021 at 2:14 PM

To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>

Cc: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: Re: Today Webinar Recording?

Professor Aviram is in.

On Thu, May 13, 2021 at 12:53 PM David M. Greenwald <info@davisvanguard.org> wrote:

That sounds like a good start.

We can plan on you, if we can get the legal team that day (it would be at noon on a Friday, so maybe), we can reach out to Hadar, can you reach out to get someone released during the pandemic?

On Thu, May 13, 2021 at 12:31 PM Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org> wrote:

Yours truly—but it would also be good to have others from the legal team present if possible... could be that there will be hearings that day though so it may be a little unclear who else from the team will be available that day until we're closer.

Would also be good to have someone released during the pandemic (maybe Adamu Chan)
Hadar Aviram who has been closely watching and working on this

Other thoughts?

d

From: David M. Greenwald <info@davisvanguard.org>

Date: Thursday, May 13, 2021 at 12:24 PM

To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>

Cc: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: Re: Today Webinar Recording?

I am thinking Friday at noon that week - is that a good day? And who from the PD's office would be best to get to speak on the issue?

On Thu, May 13, 2021 at 12:11 PM Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org> wrote:

Keep us posted on what you need from us, and thank you!

From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Date: Thursday, May 13, 2021 at 9:39 AM
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Date: Friday, May 14, 2021 at 10:14:16 PM British Summer Time

From: David M. Greenwald

To: Rodarmel, Danica (PDR)

CC: Ibarra, Valerie (PDR)

Professor Aviram is in.

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We can plan on you, if we can get the legal team that day (it would be at noon on a Friday, so maybe), we can reach out to Hadar, can you reach out to get someone released during the pandemic?

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Would also be good to have someone released during the pandemic (maybe Adamu Chan)

Hadar Aviram who has been closely watching and working on this

Other thoughts?

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Subject: Valerie, have you heard about The Vanguard Interns?
Date: Friday, May 14, 2021 at 8:12:44 PM British Summer Time
From: David Greenwald
To: valerie.ibarra@sfgov.org

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Image



Image



Dear Valerie,

I'm writing to you today because you've kindly supported our efforts in bringing transparency and accountability to local government in the past and I trust that you truly care – so I'd like to tell you about our amazing group of interns.

The Vanguard is proud to be partnered with several universities to offer undergraduates, partially women of color, an opportunity to gain experiences that help build their futures as journalist or lawyers.

You have the power to create more opportunities for these promising individuals.

That's why I'm inviting you to join the Vanguard sustaining membership program.

Your ongoing monthly contribution will:

- Create more leadership positions for women of color
- Expand our news coverage into areas such as San Diego
- Provide more monthly webinars to discuss issues concerning our communities

By joining the Vanguard sustaining membership program, you will make a huge impact on the opportunities offered through out program, without impacting your monthly budget.

Become a sustaining member today and you'll enjoy:

- **The knowledge that your donation is put to work immediately**
- Monthly updates on the difference your dollars are making
- The ability to change or suspend your donations at any time

With your gift of just \$10 a month you can make a difference in the move for social justice and transparency in local government.

Can The Vanguard Team count on you today?

COUNT ME IN!

Thanks in advance,

David Greenwald
Director of The Davis Vanguard

The Peoples Vanguard of Davis Inc
221 G St Ste 203
Davis, CA 95616

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Subject: FOR IMMEDIATE RELEASE: San Quentin COVID-19 Outbreak on Trial: Hearing Starts May 17 - Weeks of Evidence and Testimony Expected

Date: Friday, May 14, 2021 at 5:33:43 PM British Summer Time

From: Ibarra, Valerie (PDR)

To: Ibarra, Valerie (PDR), PUBDEF-Media Relations

Attachments: PRESS RELEASE 5.14.2021 - San Quentin COVID-19 Outbreak on Trial - Hearing Starts May 17.pdf

FOR IMMEDIATE RELEASE: May 14, 2021

CONTACT: San Francisco Public Defender's Office - Valerie.Ibarra@sfgov.org - (628) 249-7946

****PRESS RELEASE****

San Quentin COVID-19 Outbreak on Trial: Hearing Starts May 17 Weeks of Evidence and Testimony Expected

Hundreds of incarcerated petitioners allege CDCR caused an explosive, deadly COVID-19 outbreak at San Quentin constituting "cruel and unusual punishment"

SAN FRANCISCO - Nearly a year since the disastrous transfer of COVID-19-infected persons from California Institution for Men (CIM) to San Quentin, the case against San Quentin State Prison and the California Department of Corrections and Rehabilitation (CDCR) for the resulting massive outbreak of COVID-19 will be put on trial in Marin County Superior Court, beginning Monday, May 17. The hearing is expected to last several weeks.

"This case provides even more evidence of how harmful our system of mass incarceration is, exposing its fundamental failures and illuminating the dire need for decarceration," said Mano Raju, the Public Defender of San Francisco.

The cases come to court as individual "habeas corpus" petitions - emergency filings alleging unlawful incarceration under the Eighth Amendment to the United States Constitution's prohibition against "cruel and unusual punishment." Over 300 petitions were joined together for the evidentiary stage of the proceeding.

These consolidated cases have been unfolding since last summer, when hundreds of emergency petitions decrying inhumane conditions were filed after a fateful decision by CDCR in May 2021 to transfer 121 people from CIM - then the state prison with the highest COVID-19 rate in California - to San Quentin. There were no confirmed cases of COVID-19 at San Quentin before the transfer. As a result of the transfer, over 2,614 people living and working at San Quentin tested positive for COVID-19 and 29 have died - making it one of the worst outbreaks in the country. The crisis led to severe staffing shortages and extreme fear for those trapped inside and their families.

In one such habeas case, *In re Von Staich*, a three-judge Court of Appeal panel found the

conditions at San Quentin amounted to cruel and unusual punishment in violation of the Eighth Amendment because the prison did not heed expert advice to halve the population there, thus failing to take reasonable, known measures that would prevent death and serious illness. The state appealed that decision to the California Supreme Court which directed the appellate court to consider whether the matter required an evidentiary hearing. The appellate court ultimately transferred the case to the Marin County Superior Court for that purpose, where it joins hundreds of others awaiting their day in court.

Richard Braucher, Staff Attorney at the First District Appellate Project, who represented Von Staich, and is now part of the legal team representing petitioners in the Marin County case explained, “In the court of appeal opinion of *In re Von Staich*, decided last year without a hearing, Justice Anthony Kline declared: ‘By all accounts, the COVID-19 outbreak at San Quentin has been the worst epidemiological disaster in California correctional history.’ Now that this case is going to a hearing in Marin County Superior Court, the public will learn firsthand that this was also a tragic, but entirely avoidable, *human rights disaster*—something Californians do not expect to see in civilized society. The evidence will unfailingly show that the outbreak and the death, sickness, and human suffering it brought, was not at all accidental, but rather was the inevitable consequence of CDCR officials’ deliberate indifference to the lives and wellbeing of many hundreds of people at San Quentin, who, unable to protect themselves from the virus, were at the mercy of prison officials who failed to protect them.”

Petitioners are asking that prison officials be held publicly accountable for their actions in causing the worst COVID-19 outbreak in the nation and the illness and deaths that ensued. And, petitioners are asking for dramatically improved living conditions so that nothing like this can ever happen again. “This isn’t just a prison issue. It is a community and public health issue affecting everyone’s Constitutional Rights. The public has the right to know what occurred in San Quentin as part of government transparency,” said Christine O’Hanlon, Deputy Public Defender at the Marin County Public Defender’s Office.

Jennifer Huber, a partner at Keker, Van Nest & Peters LLP who also represents petitioners explains, “This is an opportunity to raise awareness of the CDCR’s utter failure to enact policies and protocols that prioritize the health and safety of incarcerated people. This horrific outbreak and the resulting deaths were preventable. We hope to hold the CDCR accountable for their actions and to highlight the need to reduce overcrowding in our prison system and ensure that incarcerated individuals are treated with the respect and dignity due to them as human beings.”

Attorneys for petitioners include the San Francisco Public Defender’s Office, Keker, Van Nest & Peters LLP, Law Offices of Charles Carbone, the Marin County Public Defender, Law Office of Matthew A. Siroka, Sanger Swysen & Dunkle, Foley & Lardner LLP, and the First District Appellate Project.

The hearing will be before Marin County Superior Court Judge Geoffrey Howard. A public access link to view the proceedings over Zoom is available on the [Marin County Superior Court website](#), and the link has been added to the original [media advisory](#).

More information about the case is available at the San Francisco Public Defender’s Website, [here](#).

###

To view this press release online, go to SFPublicDefender.org/media.

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Valerie Ibarra
Public Information Officer
San Francisco Public Defender's Office
Valerie.Ibarra@sfgov.org
(628)249-7946
SFPublicDefender.org/Media

Subject: Re: Today Webinar Recording?

Date: Thursday, May 13, 2021 at 9:48:26 PM British Summer Time

From: David M. Greenwald

To: Rodarmel, Danica (PDR)

CC: Ibarra, Valerie (PDR)

Sorry got delayed by the AG's office finally doing the right thing on the Monterrosa case....

Hi -

I am the director of the Vanguard, a non-profit that covers the courts and criminal justice reform. On June 4, we will be hosting a webinar at noon with the SF Public Defender's office among others. Starting on May 17, there will be an evidentiary hearing in the case against San Quentin and the CDCR and we will be discussing that case and underlying problems following the COVID outbreak and the disastrous transfer of infected people from another facility to San Quentin. We hope you can join us and participate in the webinar.

On Thu, May 13, 2021 at 1:02 PM Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org> wrote:

Yes: I can connect you w/ Adamu. Can you send me an email I can use as an intro?

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Date: Thursday, May 13, 2021 at 8:14:31 PM British Summer Time

From: David M. Greenwald

To: Rodarmel, Danica (PDR)

CC: Ibarra, Valerie (PDR)

I am thinking Friday at noon that week - is that a good day? And who from the PD's office would be best to get to speak on the issue?

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Subject: Re: Today Webinar Recording?

Date: Thursday, May 13, 2021 at 5:27:51 PM British Summer Time

From: David M. Greenwald

To: Rodarmel, Danica (PDR)

CC: Ibarra, Valerie (PDR)

That would be good and we're planning to cover that as it happens.

On Thu, May 13, 2021 at 9:26 AM Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org> wrote:

YES! Our evidentiary hearing in our case against San Quentin may still be happening then, or just wrapping up – so that's one option!

It would be great to have a panel talking about it because it's a really important case and it's hard for people to 1) understand the case at all because of complicated procedural history and 2) for people to understand why it's so important.

I'll keep thinking on options, but that's the first thing that comes to mind this morning!

From: David M. Greenwald <info@davisvanguard.org>
Date: Thursday, May 13, 2021 at 9:19 AM
To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Subject: Re: Today Webinar Recording?

Hey so I'm thinking about the next webinar and thinking maybe the first week of June, right after Memorial Day. What topics do you see as burning that you might be interested in partnering on ?

David

On Wed, May 5, 2021 at 8:22 AM Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org> wrote:

Thank you!!

From: David M. Greenwald <info@davisvanguard.org>
Date: Wednesday, May 5, 2021 at 8:01 AM
To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Cc: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Re: Today Webinar Recording?

Finally got the video uploaded - <https://www.youtube.com/watch?v=oqAk1y1O9Jc>

On Mon, May 3, 2021 at 5:06 PM Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org> wrote:

Awesome – thanks, David!

From: David M. Greenwald <info@davisvanguard.org>
Date: Monday, May 3, 2021 at 11:01 AM
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Cc: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
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Would love to chat about what upcoming webinars you're doing in this area and maybe some possibilities to collaborate?

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From: David M. Greenwald <info@davisvanguard.org>
Date: Friday, April 30, 2021 at 1:22 PM
To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Subject: Re: Today Webinar Recording?

And thanks for coming today!

On Fri, Apr 30, 2021 at 12:52 PM Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org> wrote:

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Date: Friday, April 30, 2021 at 12:49 PM
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Subject: Re: Today Webinar Recording?

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On Fri, Apr 30, 2021 at 12:44 PM Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org> wrote:

Hi David –

Thanks so much for all of your work!

Can you tell me where the recording of today's webinar on 1542 will be available?

Danica Rodarmel (She/Her)

State Policy Director

San Francisco Public Defender

Danica.rodarmel@sfgov.org

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David M. Greenwald
Executive Director
[The People's Vanguard of Davis](#)

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Sent from Gmail Mobile

Subject: Hear What Gascon and Woods said about the Vanguard last week!

Date: Wednesday, May 12, 2021 at 9:00:21 PM British Summer Time

From: David Greenwald

To: valerie.ibarra@sfgov.org

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Image

George Gascón and Brendon Woods Discuss the Importance of the Vanguard

Image

At the Vanguard's Big Day of Giving Event, LA District Attorney George Gascón and Alameda Public Defender Brendon Woods discuss the importance of the work of the Vanguard.

Image

"...What the Vanguard does is to put this information out there, just lay it out there so you can see what is going on so that you can be a critical thinker and make your own judgment about whether things are working or not."

George Gascón

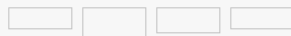
"I was thinking about your organization, court watch, and the inside lens that you guys have and have the ability to amplify is really incredible because so much happens in the dark in court, so much happens that our community is just not aware of..."

Brendon Woods

Watch the webinar on our YouTube channel: <http://bit.ly/BDOGwebinar>

Get Involved

Please consider donating or becoming a sustaining monthly member in order to continue to shine the line in the darkness of court: <http://davisvanguard.networkforgood.com>



The Peoples Vanguard of Davis Inc
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Davis, CA 95616
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Subject: Everyday Injustice - Cal AG Attacks Hate Crimes; While DP and Hate Crime Charges Filed in Atlanta
Date: Wednesday, May 12, 2021 at 7:01:43 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"Last year I told the voters of Fulton County that I could not imagine a circumstance where I would seek it," Willis said. "At that time I did not. Unfortunately, a case has arisen in the first few months of my term that I believe warrants the ultimate penalty – and we shall seek it."

Everyday Injustice Newsletter - May 12, 2021

A Step in the Wrong Direction in Atlanta...

by David Greenwald

When Fani Willis got elected as DA in November in Fulton County, home of Atlanta, Georgia, she said that she could not imagine a situation where she would charge the death penalty. Instead, she favored life without parole.

"Last year I told the voters of Fulton County that I could not imagine a circumstance where I would seek it," Willis said on Tuesday during a news conference. "At that time I did not. Unfortunately, a case has arisen in the first few months of my term that I believe warrants the ultimate penalty – and we shall seek it."

Willis said the sentence enhancement based on bias and prejudice of the alleged perpetrator, “send a message that everyone in this community is valued. We are all equal before the law – whether a victim or a defendant. This office will work tirelessly everyday to uphold that ideal.”

But does it? What we have learned over the years is that the death penalty is fraught with problems.

This is of course not a “who done it” case for sure, so we do not have the worries that an innocent person will be wrongly convicted.

But we still have the problems of unequal application of the law both in terms of who is more likely to get charged and also what victims are most likely to have the death penalty sought.

It is one thing to say you are against the death penalty on the marginal case. But the real test of one's convictions comes on cases exactly as this one - where the act is heinous, there is no ambiguity about guilt or innocence, it is simply a matter of degree, there is little sympathy for the perpetrator, the act itself is cold and calculating.

The problem is that if we allow these cases where we lack sympathy for the person involved to drive our policies, the door opens again and then the question becomes where one draws the line - and time after time, we see that line is drawn where the person committing the act is a person of color and the victims are either white or in this case, otherwise sympathetic.

But it is worse than that.

What is the point of the death penalty? Study after study shows that it does not deter. What does it gain us in this case in terms of public safety over LWOP? Or even an indeterminate life sentence?

This case marks the intersection of two national problems. First, gun violence and mass shootings. And second the rise of anti-AAPI hate.

Just last week a report found that there was more than a 164% increase in anti-Asian hate crime reports to police in the first quarter of 2021 in 16 major cities compared to last year, according to a report from the Center for the Study of Hate and Extremism at California State University, San Bernardino.

More than 6,600 hate incidents have been reported in the year after the pandemic began in the United States, Stop AAPI Hate announced last week.

None of this will be addressed by the death penalty.

In a different press conference, California Attorney General Rob Bonta pointed out, “The hate violence that we’re seeing now is a symptom, it’s not the root cause.”

He said, “I believe that one major reason why we are where we are in this moment, is because the former occupant of the White House used the biggest megaphone on the planet to repeatedly push out messages of hate and xenophobia of cruelty and racism.”

He said, “(He) gave people permission and license to act on perhaps some of their worst instincts instead of their best. At a time when folks are hurting perhaps because of an international pandemic or an economic recession, there is in a human condition, an inclination to blame others.”

He said, “We need leaders who will do the opposite... instead of driving wedges between each other.” That seems to be the direction to go.

Thanks for reading.

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Sacramento Court Watch: <https://www.facebook.com/Sacramento-Court-Watch-1432660796849531/>
San Francisco Court Watch: <https://www.facebook.com/SF-Court-Watch-577413429452441/>
Twitter: <https://twitter.com/DavisVanguard>
YouTube: <http://www.youtube.com/davisvanguard>

Criminal Justice News/ Commentary

New AG Launches Racial Justice Bureau As He Brings Together Elected Leaders Against Hate Crimes

Taking on hate crimes is one of the top priorities of the newly appointed Attorney General, especially now with increasing numbers of attacks against the AAPI community.

[Read More](#)

Supporters at News Conference Slam Biden's ICE for Trying to Deport Iraq Refugee After Trump's Jailing – Immigration Hearing Thursday

Omar Ameen finally gets his day in court this Thursday in his fight to avoid being deported to Iraq, where he'll face, according to his supporters, sure torture and death.

[Read More](#)

Atlanta DA Seeks Death Penalty and Hate Crimes Enhancements Against Suspect in Spa Shooting Spree

Fani Willis, the Fulton County District Attorney, announced that her office will seek the death penalty against Robert Long, who is accused of killing eight people during a shooting spree at three spas in the Atlanta area in March.

[Read More](#)

Guest Commentary: International Accountability is Critical to Dismantling Systemic Racism and Police Brutality Domestically

This month marks a year since George Floyd's murder at the hands of police, which outraged the world and sparked unprecedented domestic and global protests calling for racial justice and transformative change. Minneapolis police

[Read More](#)

Santa Rita Jail Staff Compliance with Mandatory Testing Order Worsens; Independent Consultant Urges Immediate Action on Rising Population

During the months of April and May, Santa Rita Jail reported a handful of new COVID-19 cases among the incarcerated population and staff. Barring a few surges in cases, there have been no major outbreaks

[Read More](#)

George Gascón and Brendon Woods Discuss the Importance of the Vanguard

At the Vanguard's Big Day of Giving Event, LA District Attorney George Gascón and Alameda Public Defender Brendon Woods discuss the importance of the work of the Vanguard.

[Read More](#)

COVID CDCR and Jail Dashboards

CDCR's Fully Vaccinated Incarcerated Population Increased by 2% in 7-Days, Compared to 0.2% for Staff

Our daily run down on the COVID cases in the California Prison System (CDCR)

[Read More](#)

Roughly 16 Percent of Santa Rita Jail Population is Now Fully Vaccinated; New Cases Continue to Emerge in Custody

Our daily run down on the COVID cases in selective County Jails

[Read More](#)

San Francisco Court Watch

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Man Arrested in Knife Attack of 2 AAPI Elderly Women; DA Boudin to Personally Handle Prosecution

San Francisco District Attorney Chesa Boudin announced Thursday that he will personally prosecute Patrick Thompson, who has been charged in the stabbing of two elderly, AAPI women on Market Street

[Read More](#)

Yolo County Court Watch

[Like our Facebook Page](#)

Alleged Yolo Robbers Steal AutoZone Car Stereos, Blame Each Other – Judge Sets Trial for Both

Two men were in a Yolo County Superior Court preliminary hearing at the end of last week for a robbery that they are alleged to have committed on March 23 – in court their lawyers blamed “the other guy.”

[Read More](#)

Sacramento Court Watch

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Hearing Gets Complicated in Case of Pro Per Defendant Who Knows, Demand His Rights

Deputy District Attorney Jeff Harry had planned on a preliminary hearing Monday here in Sacramento County Superior Court. But defendant Robert Rojas had something else in mind.

[Read More](#)

Defendant's Charges for Threats of Violence and Rape Result in 8-Year Prison Sentence

A defendant's plea to rape charges with threats of violence led a judge to impose an eight-year prison sentence and a mandatory restitution of up to \$10,000 in a preliminary hearing here in Sacramento County Superior Court Monday.

[Read More](#)

Motion to Suppress Granted, Felony Tossed for Defendant Not Read Miranda Rights

A Sacramento Police Officer violated the constitutional rights of a defendant, failing to advise him of his rights until after he had a confession, a Sacramento County Superior Court judge ruled here at a preliminary hearing Monday.

[Read More](#)

Alameda Court Watch

A Judge Failed To Recuse the Alameda DA's Office, the DA Failed to Make A Reasonable Offer, So the Jury Acquitted a Man of Murder

In March, an Alameda County Judge refused to grant a defense motion to recuse the DA's office from prosecuting Shawn Martin, whose conviction had been overturned when an appellate court found that prosecutor had

[Read More](#)

Los Angeles Court Watch

Orange County Trial Relating to Residential Burglary and Sexual Assault of Minor to Wrap Up Jury Selection

Attorneys involved in defendant Oscar Sosa Tapia's minor sexual assault case began with their jury selection this week at Orange County Superior Court.

[Read More](#)

Contra Costa Court Watch

Defendant Fearing Deportation Allegedly Caused Accident, Lied that He Was Carjacked

Trial counsel and the judge here last week may have been sympathetic to a defendant seeking asylum in the U.S., but the defendant allegedly caused a vehicle collision and then told police he was carjacked – the

[Read More](#)

Fresno Court Watch

Judge Shocked Defendant Charles Brown Missing; Jail Sent Him to State Prison by Mistake

Both Fresno County Superior Court Judge Francine Zepeda and Fresno Deputy District Attorney Nicole Idiart last week were shocked to hear that a defendant was unable to appear in court.

[Read More](#)

Riverside Court Watch

Jury Decides Murder Suspect Competent – Trial in Chief Now Scheduled

Felix Arriaga Soto gets two trials. The first one ended at the end of April when a jury here in Riverside County Superior Court decided he was competent to stand trial.

[Read More](#)

Merced Court Watch

Family Survives in the Face of Father's Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

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Everyday Injustice - Podcast

see our podcasts

Big Day of Giving Event – Feat. George Gascón and Brendon Woods on Policing (Video + Audio)

On May 6, the Vanguard held a special live webinar featuring LA District Attorney George Gascón and Alameda Public Defender Brendon Woods on Policing and Race in America.

[Read More](#)

Everyday Injustice Podcast Episode 104 – Appeal Analysts Discuss Policing Polling

Recent polling by Data for Progress for the Appeal taken between March 5 and March 7 found public opinion since the murder of George Floyd, has shifted to support for alternatives to policing and the ways in which communities

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Yolo County Court Watch: <https://avanan.url-protection.com/v1/url?o=https%3A//www.facebook.com/groups/yolojudicialwatch/%26nbsp&g=NzFjY2M3ZTA2NTIjNGVhMA==&h=NDdiYzgyY2QyOWM5MmMzZDEyNzZIMWY3ODRiMzBhYjFjNTY0MzZmM2I4YWNiNmEwOWNIMmQwYmNjNmMyYWNmNg==&p=YXAzOnNmZHQyOmF2YW5hbGpvOjMyZDVhNDIzMzc1MDAwYzlwOTlkNmE3YzVmMjAyZmM1OnYx;>

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mMjAyZmM1OnYx](https://avanan.url-protection.com/v1/url?o=http%3A//www.youtube.com/davisvanguard&g=MGY3OTIINjU1ZDdjNTNmMA==&h=MWM2NmJmMzc4NjFmYTgyZGVmOWI3MWFiZGM5ZGNkNGUxNWNiM2NiNGMxOWU4ZjRhM2JlOWNkYTlZOWNIYjZiZQ==&p=YXAzOnNmZHqYomF2YW5hbJpvOjMyZDVhNDIzMzc1MDAwYzlwOTlkNmE3YzVmMjAyZmM1OnYx)

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Subject: Zoom SF Courts --

Date: Tuesday, May 11, 2021 at 8:41:34 PM British Summer Time

From: Ibarra, Valerie (PDR)

To: David M. Greenwald

D9: Zoom Info: <https://us02web.zoom.us/j/6779390323?pwd=ZkttajJVeVB2aGgwchJCZzNIWXRrQT09>

D9: number 1-669-900-6833, code 677 939 0323, password 532019

D10: <https://us02web.zoom.us/j/7687959340?pwd=REINbWR6M0EyRTBjRUtNYIRGQ0xUdz09>

D10: number 1-699-900-6833, code 768 795 9340, password 889597

D11: Meets in D10

D12 Zoom Info: <https://sfsuperiorcourt-org.zoom.us/j/81259229865?pwd=cDNwb1RNUUVxRFpZWXE2c>

phone number: 1-669-900-6833, code 812 5922 9865#, password 034654

Valerie Ibarra
Public Information Officer
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SFPublicDefender.org/Media

Subject: Everyday Injustice - Hate Crime Charges Filed in SF; Family Angry No Charges in Contra Costa Police Killing

Date: Tuesday, May 11, 2021 at 7:00:36 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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Boudin, "we received new evidence that Sidney Hammond's attacks on Asian victims—including an Asian father pushing a stroller—were racially motivated. We will be charging Mr. Hammond with hate crimes. We are fighting for the victims in these attacks and for all victims of hate crimes."

Everyday Injustice Newsletter - May 10, 2021

76k CDCR Residents Maybe Eligible for Early-Release via Prop. 57, Conservatives Raise Concerns

By Julietta Bisharyan, Nick Gardner and Alexis Hogan

In 2016, California voters approved the justice reform legislation— Prop. 57. However, changes were made to the proposition because of an Office of Administrative Law regulatory process that is permitted under Prop. 57.

The changes to Prop. 57 gave 76,000 incarcerated individuals a mechanism to be released early from state prison. Those individuals include over 63,000 people incarcerated for violent crimes who will be eligible for Good Conduct Credits that shorten their sentences by one-third, instead of the previous one-fifth.

More than 10,000 incarcerated people convicted of a second serious, but nonviolent, offense under California's 'three strikes' law will be eligible for early release after serving half their sentences.

Victim advocacy organization members argue that incarcerated individuals can easily accumulate Good Conduct Credits, even while exhibiting bad behavior at the same time. For example, Kent Scheidegger, the legal director of the Criminal Justice Legal Foundation said, "You don't have to be good to get good-time credits. People who lose good-time credits for misconduct get them back, they don't stay gone."

Additionally, the top Republican candidate in the recall race for California governor, Kevin Faulconer,

criticized the changes to Prop. 57. "The decision to release tens of thousands of violent criminals onto our streets is a blatant assault on public safety in California. This will put countless families at risk across our state."

Fresno County Sheriff's Office spokesman, Tony Botti, released a statement to address the concerns and misunderstandings about Prop. 57. Botti explained that CDCR's explanation indicates that once this change is in effect, the potential release of 76,000 people will not happen all at once, but rather over a long period, and decisions about early release will be specific to the incarcerated individual's circumstances.

Gov. Newsom's administration explains the goals of the new policy, "The goal is to increase incentives for the incarcerated population to practice good behavior and follow the rules while serving their time, and participate in rehabilitative and educational programs, which will lead to safer prisons... Additionally, these changes would help to reduce the prison population by allowing incarcerated persons to earn their way home sooner."

Sacramento's current District Attorney and candidate for Attorney General, Anne Marie Schubert, called on the current Attorney General, Rob Bonta, to oppose the new changes to Prop. 57 that could result in the early release of 76,000 incarcerated people in California.

"This is wrong and dangerous for California. The Appointed Attorney General should oppose these rules that will result in thousands of dangerous inmates being released. The job of the Attorney General is to enforce the law to keep the public safe. To sit back and do nothing speaks volumes about his values towards public safety, crime victims and his ability to lead the office of the state's top law enforcement officer," Shubert said in a news release.

[Full article here](#)

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Criminal Justice News/ Commentary

DA Boudin Charges Hammond with Racially Motivated Attack on Asian Community Members

District Attorney Chesa Boudin's office charged Sidney Hammond with the attacks on members of the Asian American community and concludes that his actions were racially motivated.

[Read More](#)

Family of Another Police Killing of Young Black Man Condemns District Attorney Decision Not to Charge Officers

The District Attorney here in Contra Costa County announced Friday it will not be charging any of the officers involved in the police killing of Walnut Creek resident Miles Hall.

[Read More](#)

21 Newly-Filed Grievances Shed Light on Prosecutorial Misconduct in Queens, NY

The Queens District Attorney's Office is under fire after Accountability NY launched its website AccoutnabiltyNY.org Monday, publicizing 21 newly-filed grievances that demand Queens prosecutors be held responsible for

[Read More](#)

Student Opinion: Supreme Court Upholds Life Without Parole For Juveniles

In a 6-3 decision last month, the United States Supreme Court ruled in **Jones v. Mississippi** that judges need not establish the incorrigibility of a minor before sentencing the defendant to juvenile life without parole (J. L.W.O.P.).

[Read More](#)

76k CDCR Residents Maybe Eligible for Early-Release via Prop. 57, Conservatives Raise Concerns

At many facilities, COVID-19 restrictions called for the suspension of academic, religious, physical therapy and peer support programs. The absence of these programs, which garner significant participation amongst elderly

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George Gascón and Brendon Woods Discuss the Importance of the Vanguard

At the Vanguard's Big Day of Giving Event, LA District Attorney George Gascón and Alameda Public Defender Brendon Woods discuss the importance of the work of the Vanguard.

[Read More](#)

George Gascon and Brendan Woods on Policing and Race for the Vanguard's Big Day of Giving

On Thursday, May 6, 2021, the Davis Vanguard held their Big Day of Giving Fundraiser featuring a discussion about "Policing & Race in America" with Los Angeles DA George Gascón and Alameda Public Defender Brendon

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COVID CDCR and Jail Dashboards

CDCR's Fully Vaccinated Incarcerated Population Increased by 2% in 7-Days, Compared to 0.2% for Staff

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Roughly 16 Percent of Santa Rita Jail Population is Now Fully Vaccinated; New Cases Continue to Emerge in Custody

Our daily run down on the COVID cases in selective County Jails

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San Francisco Court Watch

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Man Arrested in Knife Attack of 2 AAPI Elderly Women; DA Boudin to Personally Handle Prosecution

San Francisco District Attorney Chesa Boudin announced Thursday that he will personally prosecute Patrick Thompson, who has been charged in the stabbing of two elderly, AAPI women on Market Street

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Yolo County Court Watch

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Alleged Yolo Robbers Steal AutoZone Car Stereos, Blame Each Other – Judge Sets Trial for Both

Two men were in a Yolo County Superior Court preliminary hearing at the end of last week for a robbery that they are alleged to have committed on March 23 – in court their lawyers blamed “the other guy.”

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Sacramento Court Watch

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ID Question for Case Involving Man's Alleged Lewd Request, Assault of a Stranger

Defendant Marlon Thomas faces an assault with intent to commit a felony after allegedly approaching a homeless victim on the sidewalk and repeatedly punching her after she refused his lewd request.

[Read More](#)

Alameda Court Watch

A Judge Failed To Recuse the Alameda DA's Office, the DA Failed to Make A Reasonable Offer, So the Jury Acquitted a Man of Murder

In March, an Alameda County Judge refused to grant a defense motion to recuse the DA's office from prosecuting Shawn Martin, whose conviction had been overturned when an appellate court found that prosecutor had

[Read More](#)

Los Angeles Court Watch

Orange County Trial Relating to Residential Burglary and Sexual Assault of Minor to Wrap Up Jury Selection

Attorneys involved in defendant Oscar Sosa Tapia's minor sexual assault case began with their jury selection this week at Orange County Superior Court.

[Read More](#)

Contra Costa Court Watch

Defendant Fearing Deportation Allegedly Caused Accident, Lied that He Was Carjacked

Trial counsel and the judge here last week may have been sympathetic to a defendant seeking asylum in the U.S., but the defendant allegedly caused a vehicle collision and then told police he was carjacked – the

[Read More](#)

Fresno Court Watch

Judge Shocked Defendant Charles Brown Missing; Jail Sent Him to State Prison by Mistake

Both Fresno County Superior Court Judge Francine Zepeda and Fresno Deputy District Attorney Nicole Idiart last week were shocked to hear that a defendant was unable to appear in court.

[Read More](#)

Riverside Court Watch

Jury Decides Murder Suspect Competent – Trial in Chief Now Scheduled

Felix Arriaga Soto gets two trials. The first one ended at the end of April when a jury here in Riverside County Superior Court decided he was competent to stand trial.

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Merced Court Watch

Family Survives in the Face of Father's Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

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Everyday Injustice - Podcast

[see our podcasts](#)

Big Day of Giving Event – Feat. George Gascón and Brendon Woods on Policing (Video + Audio)

On May 6, the Vanguard held a special live webinar featuring LA District Attorney George Gascón and Alameda Public Defender Brendon Woods on Policing and Race in America.

[Read More](#)

Everyday Injustice Podcast Episode 104 – Appeal Analysts Discuss Policing Polling

Recent polling by Data for Progress for the Appeal taken between March 5 and March 7 found public opinion since the murder of George Floyd, has shifted to support for alternatives to policing and the ways in which communities

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Subject: MEDIA ADVISORY - San Quentin COVID-19 Outbreak on Trial: Hearing to Start May 17
Date: Tuesday, May 11, 2021 at 12:57:23 AM British Summer Time
From: Ibarra, Valerie (PDR)
To: PUBDEF-Media Relations, Ibarra, Valerie (PDR)
Attachments: Media Advisory - 5.10.21 - San Quentin COVID-19 Outbreak on Trial - Hearing to Start May 17.pdf

DATE: May 10, 2021

MEDIA CONTACT: SF Public Defender's Office – Valerie.Ibarra@sfgov.org – (628)249-7946

****MEDIA ADVISORY****

San Quentin COVID-19 Outbreak on Trial: Hearing to Start May 17

Weeks of Evidence and Testimony Expected

WHAT:

An evidentiary hearing in the case against San Quentin State Prison and the California Department of Corrections and Rehabilitation (CDCR) for their mishandling of a transfer of COVID-19-infected people into San Quentin, which resulted in a massive outbreak of COVID-19 and 29 deaths.

WHEN:

Monday, May 17, 2021 - 9am. The hearing is expected to last several weeks, with no court on Thursdays.

WHERE:

Marin County Superior Court; Department TBA

HOW:

The public may not attend in person. A livestream link will be available later this week and we will update this [media advisory online](#). To file a media [request to record or broadcast](#), please contact the Marin County Superior Court.

WHO:

Attorneys for petitioners include the San Francisco Public Defender's Office, Keeker, Van Nest & Peters LLP, Law Offices of Charles Carbone, the Marin County Public Defender, Law Office of Matthew A. Siroka, Sanger Swysen & Dunkle, Foley & Lardner LLP, and the First District Appellate Project.

BACKGROUND

Nearly a year since the disastrous transfer of COVID-19-infected persons from California Institution for Men - then the state prison with the highest COVID-19 rate in California - to San Quentin, the case against San Quentin State Prison and the California Department of Corrections and Rehabilitation (CDCR) for the their mishandling of the transfer, which resulted in a massive COVID-19 outbreak, will be put on trial through an evidentiary hearing in Marin County Superior Court, beginning Monday, May 17th, before Judge Geoffrey Howard.

The case has been unfolding since last summer after individuals filed “habeas corpus” petitions - an emergency filing alleging unlawful incarceration under the Eighth Amendment to the United States Constitution’s prohibition on cruel and unusual punishment. Over 300 petitions were joined together and will be heard collectively for the evidentiary stage of the proceeding.

##

To view this Media Advisory online, please visit [SFPublicDefender.org/media](https://sfpublicdefender.org/media). We will update it as more information becomes available.

Valerie Ibarra
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Subject: Everyday Injustice - The Passing of Civil Rights Icon Cruz Reynoso; Video from Gascon and Woods on Thursday
Date: Monday, May 10, 2021 at 7:01:17 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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David Greenwald: "When people tell me about a few bad apples [in policing] I say go sit in courtroom for a few weeks and then tell me that."

Everyday Injustice Newsletter - May 10, 2021

An Icon, a Friend, a Warrior For Civil Rights and a Very Decent Man Passes

by David Greenwald

Anyone who met Cruz Reynoso was surprised how soft-spoken and seemingly mild-mannered he was. This is the man who was removed by the voters from the California Supreme Court because he was a dangerous radical, I thought when I first met him in the early part of the 21st century before I embarked on my Vanguard career path.

But as I would come to know, this was not a man who would ever sit on the back of the bus. Under that soft veneer was the heart of a warrior - even into his mid-80s before time caught up to him and the tragic loss of his second wife began to lead to a deterioration of his great mind.

One of the last times I spoke to him, he was still at UC Davis and I asked him to write a letter to then Governor Brown to ask him to commute the wrongful conviction life sentence of Ajay Dev. Cruz Reynoso did.

But my enduring memory was a bit more comic. In October 2016, the Vanguard brought in a film crew to do a five minute promo video. We went to the law school to interview both Madhavi Sunder, the Associate Dean and President of the School Board and Cruz Reynoso, a professor emeritus.

We were posing for a photo and Cruz, at 85 years old began climbing up the statue of MLK. Madhavi and

I were horrified at the prospect of the venerable justice getting injured on our watch. But the man was fearless.

Cruz Reynoso in 2010 following the killing of farmworker Luis Gutierrez in Woodland, headed up an independent body to examine the shooting after the DA and other investigators whitewashed the findings. He would blast the DA Jeff Reising as one of the worst he had come across in his 50 years as an attorney.

In 2012, following the Pepper Spray Incident, the University commissioned Kroll led by former LA and NY Police Chief William Bratton to head the investigation. But the the university knew that they could not simply rely on Kroll and have the public trust the findings. So they asked Cruz Reynoso to head up.

Cruz pulled no punches. His report concluded the pepper spray event “should and could have been prevented.”

Nor would he play nice. Reynoso blamed state legislation — the police officers’ “bill of rights” — that resulted in litigation regarding the report’s release. He described that particular law as a “great disservice” to communities needing to learn the truth about police actions.

And my favorite part - he would wave a heavily redacted earlier version of the report to demonstrate how much information the police union had sought to keep out of the public spotlight.

We also on Sunday republished his 2015 column in the Vanguard on Ferguson coming to Yolo County. Cruz Reynoso was a civil rights icon and a great and decent man which a tremendous heart. He will be sorely missed.

Thanks for reading.

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Criminal Justice News/ Commentary

Monday Morning Thoughts: Orange County DA Continues To Veer Hard Right

In a tweet on last week, Todd Spitzer, who ironically was elected in 2018 as a reformer tasked with cleaning up the DA’s office racked by scandal under Tony Rackaukas, continued his move to the hard right by posting a clip from an

[Read More](#)

Big Day of Giving Event – Feat. George Gascón and Brendon Woods on Policing (Video + Audio)

On May 6, the Vanguard held a special live webinar featuring LA District Attorney George Gascón and Alameda Public Defender Brendon Woods on Policing and Race in America.

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Human Rights Defense Center Sues LA County for Wrongful Withholding of Misconduct Claims

The Human Rights Defense Center is seeking a court order alleging that the Sheriff's Department and DAs office has been refusing to disclose about 1,000 misconduct claims and lawsuits against them,

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The Vanguard Week in Review: Court Watch (May 3 to May 7, 2021)

The Davis Vanguard is an online news forum that provides coverage of criminal justice reform and courts throughout California and the nation. In 2006, the Davis Vanguard began to cover Davis and Yolo County groundbreaking, local

[Read More](#)

Sunday Commentary: Reisig's Office Displays Thin Blue Line Flag Despite the Controversy That Swirls Around It

The Yolo County DA's Office on Friday afternoon tweeted out what was supposed to be an ode to officers killed in the line of duty who will be honored this week. But the photo shows the Thin Blue Line or Blue Lives

[Read More](#)

Former Supreme Court Justice and Civil Rights Leader Cruz Reynoso Passes Away at Age 90

At 4:30 pm on Friday former California Supreme Court Justice Cruz Reynoso, appointed in 1982 by Governor Jerry Brown as the first Latino to serve on the State Supreme Court passed away after several years of declining health. He was 90.

[Read More](#)

Guest Commentary: Ferguson Comes to Yolo County

Cruz Reynoso's January 2015 column... As we saw in Ferguson, Mo., and we have seen in Yolo County, procedures used by district attorneys raise more questions than answers in incidents of police shooting. Any killing of a fellow human

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COVID CDCR and Jail Dashboards

Although CDCR COVID-19 Cases Remain Low, New Cases Continue to Emerge Daily

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Roughly 16 Percent of Santa Rita Jail Population is Now Fully Vaccinated; New Cases Continue to Emerge in Custody

Our daily run down on the COVID cases in selective County Jails

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San Francisco Court Watch

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Man Arrested in Knife Attack of 2 AAPI Elderly Women; DA Boudin to Personally Handle Prosecution

San Francisco District Attorney Chesa Boudin announced Thursday that he will personally prosecute Patrick Thompson, who has been charged in the stabbing of two elderly, AAPI women on Market Street

[Read More](#)

Yolo County Court Watch

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Judge Orders Defendant Into Custody, Charges GPS Not Enough to Keep Public Safe

Yolo County Superior Court Judge Tom M. Dyer was pretty adamant here last week that public safety was the reason he won't release a defendant awaiting trial.

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Sacramento Court Watch

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Defense Objections Fall Short, 'Imperfect' Self Defense Claim Also Fails in Murder Prelim

Judge Tami Bogert found sufficient cause to arraign defendant Joseph Yi on his felony murder charge despite several objections made by the defense.

[Read More](#)

Judge Maintains Alleged Child Molestation Defendant Can't be Released at Any Bail

In a Humphrey detention motion to mandate her client's release with no or lower bail, private defense attorney Melissa McElheney argued last Friday that since bail was set at one point in the past that's proof that

[Read More](#)

Alameda Court Watch

A Judge Failed To Recuse the Alameda DA's Office, the DA Failed to Make A Reasonable Offer, So the Jury Acquitted a Man of Murder

In March, an Alameda County Judge refused to grant a defense motion to recuse the DA's office from prosecuting Shawn Martin, whose conviction had been overturned when an appellate court found that prosecutor had

[Read More](#)

Los Angeles Court Watch

Orange County Trial Relating to Residential Burglary and Sexual Assault of Minor to Wrap Up Jury Selection

Attorneys involved in defendant Oscar Sosa Tapia's minor sexual assault case began with their jury selection this week at Orange County Superior Court.

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Contra Costa Court Watch

Defendant Fearing Deportation Allegedly Caused Accident, Lied that He Was Carjacked

Trial counsel and the judge here last week may have been sympathetic to a defendant seeking asylum in the U.S., but the defendant allegedly caused a vehicle collision and then told police he was carjacked – the

[Read More](#)

Fresno Court Watch

Judge Shocked Defendant Charles Brown Missing; Jail Sent Him to State Prison by Mistake

Both Fresno County Superior Court Judge Francine Zepeda and Fresno Deputy District Attorney Nicole Idiart last week were shocked to hear that a defendant was unable to appear in court.

[Read More](#)

Riverside Court Watch

Defense Called Out for Using “Red Herring”: Jury Trial Contemplates Whether Shooter Acted in Malice or Self-Defense

On Friday morning, Everardo Guerrero Saucedo faced five charges of sexual assault that he had allegedly inflicted on to a fourteen year old victim. Through the compilation of evidence and attempts to recount

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Merced Court Watch

Family Survives in the Face of Father’s Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

[Read More](#)

Everyday Injustice - Podcast

[see our podcasts](#)

Big Day of Giving Event – Feat. George Gascón and Brendon Woods on Policing (Video + Audio)

On May 6, the Vanguard held a special live webinar featuring LA District Attorney George Gascón and Alameda Public Defender Brendon Woods on Policing and Race in America.

[Read More](#)

Everyday Injustice Podcast Episode 104 –

Appeal Analysts Discuss Policing Polling

Recent polling by Data for Progress for the Appeal taken between March 5 and March 7 found public opinion since the murder of George Floyd, has shifted to support for alternatives to policing and the ways in which communities

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[o=https%3A/www.facebook.com/Sacramento-Court-Watch-1432660796849531/%26nbsp&g=NDMzOWQ3NDhjMGQ0MTIkMA==&h=Njl5OWRjODBiMzExNDA5YjJINjBIYTBiYTcxOTk5NmU3MmRhOWI0NzdINDViZDNjNzkzYzQ4Zjg3NmFhY2I0OQ==&p=YXAzOnNmZHQyOmF2YW5hbGpvcjQ5NDdmZWU1NzUwYzAyZDA1NDFiMDIIMTAxMzkzYzdjOnYx;](https://avanan.url-protection.com/v1/url?o=https%3A/www.facebook.com/Sacramento-Court-Watch-1432660796849531/%26nbsp&g=NDMzOWQ3NDhjMGQ0MTIkMA==&h=Njl5OWRjODBiMzExNDA5YjJINjBIYTBiYTcxOTk5NmU3MmRhOWI0NzdINDViZDNjNzkzYzQ4Zjg3NmFhY2I0OQ==&p=YXAzOnNmZHQyOmF2YW5hbGpvcjQ5NDdmZWU1NzUwYzAyZDA1NDFiMDIIMTAxMzkzYzdjOnYx;)

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Subject: Everyday Injustice - Sac PD Officer Arrested For Felony Perjury; Man Charged in SF Hate Incident

Date: Friday, May 7, 2021 at 7:00:29 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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David Greenwald: "When people tell me about a few bad apples [in policing] I say go sit in courtroom for a few weeks and then tell me that."

Everyday Injustice Newsletter - May 7, 2021

Success! We Are About \$300 Short of DOUBLING Our Goal From Yesterday

By David M. Greenwald

Big Day of Giving was a great success for the Vanguard on Thursday. We are hoping to raise another \$300 so that we can double our goal from yesterday. To donate please go to:
<http://davisvanguard.networkforgood.com>

We had a great discussion on policing first with Los Angeles District Attorney George Gascon and then with Alameda Public Defender Brendon Woods. Both were passionate in the need to continue the reform and neither believes much has changed since the 1991 Rodney King beating.

As I pointed out in a pointed comment: "When people tell me about a few bad apples [in policing] I say go sit in courtroom for a few weeks and then tell me that."

For those who missed the discussion, we will have video and audio released on Monday as our next Everyday Injustice podcast.

In addition, we recorded four video during the day with some of our board members and various interns. Five interns also spoke during the event last night and many people told me that was the most moving part of the evening where the interns talked about their opportunities provided through the Vanguard's internship and mentorship program as well their passion for their work with the Vanguard.

We have some amazing young people in our program and in ten years we are going to look back and some of them with pride that they got their start in our program.

Here are the four videos - worth watching.

[Discussion with the Vanguard Board](#)

[Discussion about the COVID Behind Bars Project](#)

[Discussion with leaders from Campus Publications](#)

[Discussion with Vanguard Court Watch Interns](#)

However - none of this can happen without the support of our readers and supporters. The fact that we are close to doubling our goal speaks volumes about the commitment of so many. Please help us get to that goal by donating today.

<http://davisvanguard.networkforgood.com>

Thanks for reading and thanks for your support.

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Yolo County Court Watch: <https://www.facebook.com/groups/yolojudicialwatch/>

Sacramento Court Watch: <https://www.facebook.com/Sacramento-Court-Watch-1432660796849531/>

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Criminal Justice News/ Commentary

Sacramento Police Officer Arrested for Felony Perjury, Dragnet Could Net More Arrests; DA Scrambling to Limit Damage to Cases

Sacramento Police Officer Arrested for Felony Perjury, Dragnet Could Net More Arrests; DA Scrambling to Limit Damage to Cases

Iraq Refugee Still Not Free – Bounced by Federal Judge on Trump Charge, Biden’s ICE Snatches Him for Deportation and Death

In the case of Sacramento refugee Omar Ameen –wronged by the Trump Administration for years, according to a federal judge – it may be the same old story again, but this time under the Biden Administration’s

[Read More](#)

Man Arrested in Knife Attack of 2 AAPI Elderly Women; DA Boudin to Personally Handle Prosecution

San Francisco District Attorney Chesa Boudin announced Thursday that he will personally prosecute Patrick Thompson, who has been charged in the stabbing of two elderly, AAPI women on Market Street

[Read More](#)

Public Defender Mano Raju Condemns Court Backlog; 85 % of Jailed Not Convicted, Just Waiting Day in Court

Public Defender Mano Raju revealed San Francisco county jails are illegally keeping individuals in jail past any acceptable date, causing a discussion of the longstanding problem in the San Francisco

[Read More](#)

(Video) Big Day of Giving: Discussion with Court Watch Interns

On the Big Day of Giving, the Vanguard held a series of four live videos discussing its programs. In the final installment, we spoke with three interns – Koda Slingsluff an intern who is also co-editor of the Vanguard at UC

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COVID CDCR and Jail Dashboards

Although CDCR COVID-19 Cases Remain Low, New Cases Continue to Emerge Daily

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Yolo County Court Watch

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Pretty Normal Arraignment Until In-Custody Man Muted, and Calls Judge 'Dude'

It was a pretty routine livestream arraignment here in Yolo County Superior Court this week, with Erick Dwayne Denny on Zoom from county jail. But that was before Denny called the judge a "dude."

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Sacramento Court Watch

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Despite Health Concerns, Judge Denies Bail to Alleged Serial Robbery Defendant

Defendant Anita Drew – accused of a string of robberies – has special medical needs, but despite a passionate appeal from her representative, Sacramento County Superior Court Dept. 63 Judge Patrick

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Alameda Court Watch

A Judge Failed To Recuse the Alameda DA's Office, the DA Failed to Make A Reasonable Offer, So the Jury Acquitted a Man of Murder

In March, an Alameda County Judge refused to grant a defense motion to recuse the DA's office from prosecuting Shawn Martin, whose conviction had been overturned when an appellate court found that prosecutor had

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Defendant Fearing Deportation Allegedly Caused Accident, Lied that He Was Carjacked

Trial counsel and the judge here last week may have been sympathetic to a defendant seeking asylum in the U.S., but the defendant allegedly caused a vehicle collision and then told police he was carjacked – the

[Read More](#)

Fresno Court Watch

Judge Disagrees with Plea Deal, but Accepts Recommendation after Victim's Statement

Judge Francine Zepeda ruled to accept the plea deal offered to Defendant Rudy Perez in court today, despite voicing her concerns about the leniency of the deal. Defendant Rudy Perez was present in court this week on charges

[Read More](#)

Riverside Court Watch

Defense Called Out for Using "Red Herring": Jury Trial Contemplates Whether Shooter Acted in Malice or Self-Defense

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Everyday Injustice - Podcast

see our podcasts

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Recent polling by Data for Progress for the Appeal taken between March 5 and March 7 found public opinion since the murder of George Floyd, has shifted to support for alternatives to policing and the ways in which communities

[Read More](#)

Everyday Injustice Podcast Episode 103 – Manhattan DA Candidate Dan Quart

In less than 100 DAs, Manhattan will elect a new DA which would only be the fifth in the last 80 years, replacing four term incumbent Cy Vance. There are a host of progressive candidates vying for the Democratic nomination including

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YouTube: <https://avanan.url-protection.com/v1/url?o=http%3A//www.youtube.com/davisvanguard&g=MGU1MWQ1YjFkY2JiMmM5ZQ==&h=NjMxNDQ3ZTczZTU1ZGM5MWI4ODI0Y2U4MzFkM2E1MTc2N2E3NzA5ZDJIbTEyOnYxNDRIYTM0ZjYwNzk2ODVmMg==&p=YXAzOnNmZHQyOmF2YW5hbJpvOjZjMmRIMDI3OWQ3MGVjY2I1NjUyOTdkNzAwZDNIbTEyOnYx;>

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Subject: Re: Quick fix: Public Defender Mano Raju Condemns Court Backlog; 85 % of Jailed Not Convicted, Just Waiting Day in Court | Davis Vanguard

Date: Friday, May 7, 2021 at 5:21:26 PM British Summer Time

From: David M. Greenwald

To: Ibarra, Valerie (PDR)

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Brain is a bit foggy from lack of sleep, but I added a bit to explain the "satellite" courts as I understand them from our discussions with Jacque.

On Fri, May 7, 2021 at 9:06 AM Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org> wrote:

Hi David,

I hope you are well. I know you are busy with the Vanguard fundraising events, but wanted to clarify something that came up in this article:

<https://www.davisvanguard.org/2021/05/public-defender-mano-raju-condemns-court-backlog-85-of-jailed-not-convicted-just-waiting-day-in-court/>

"Much of this backlog is due to COVID-related court closure, leading to a courtroom shortage. According to Raju, while 12 courts have capacity for socially distanced trials, only four are in use.

The county does have four "satellite" courtrooms designed for trials conducted remotely.

When Gov. Gavin Newsom declared a state of emergency, the courts adopted [a set of emergency rules](#) for the pandemic. Emergency Rules 3 and 5 allows for remote appearances to court, including in criminal cases, as long as the defendant gives their permission.

However, according to Raju, all four of these courts are almost always empty."

*Technically, the satellite courtrooms are not being used for separate trials. Rather, if there's a trial going on in D28, the satellite for that trial is in D29 for people to watch what's happening in D28. Essentially two courtrooms being occupied for a single trial. Indeed, the satellites are almost always empty.

*Yes, some folks are still showing up for court remotely, as they are allowed on the zoom link during court proceedings if they are involved in the case. But, as you know, the public or other observers are sent to the satellite room as there is rarely any remote access for the public.

I'm sure it was something of the wording on our end that may not have made that totally clear, but hoping your reporter can make this fix. Otherwise, it's a great report and I'd like to share it.

Please give me a call if there are questions.

All the best,
Valerie
(628)249-7946

Sent from my iPhone

--

David M. Greenwald
Executive Director
[The People's Vanguard of Davis](#)

530.400.2512

"The Investigative Eye"

Log on daily to get the latest news, commentary, and information about the city of Davis, Yolo County, and the Sacramento Region.

"Journalism is printing what someone else does not want printed: everything else is public relations." — George Orwell

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Subject: Quick fix: Public Defender Mano Raju Condemns Court Backlog; 85 % of Jailed Not Convicted, Just Waiting Day in Court | Davis Vanguard

Date: Friday, May 7, 2021 at 5:04:09 PM British Summer Time

From: valerie.ibarra@sfgov.org

To: David M. Greenwald

Hi David,

I hope you are well. I know you are busy with the Vanguard fundraising events, but wanted to clarify something that came up in this article:

<https://www.davisvanguard.org/2021/05/public-defender-mano-raju-condemns-court-backlog-85-of-jailed-not-convicted-just-waiting-day-in-court/>

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Valerie
(628)249-7946

Sent from my iPhone

Subject: JOIN TODAY! George Gascón and Brendon Woods On Policing and Race

Date: Thursday, May 6, 2021 at 8:52:05 PM British Summer Time

From: David Greenwald

To: valerie.ibarra@sfgov.org

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Image

JOIN TODAY!
George Gascón and Brendon Woods
On Policing and Race

Image

Join the Vanguard **TODAY at 7 pm** over Zoom for

our **BIGGEST** event of the year featuring **LA District Attorney George Gascón** and **Alameda County Public Defender Brendon Woods** in conversation on hot button topics important to Californians.

The minimum suggested donation for admission is \$25, with an option for a sliding scale. All donors will receive a Zoom link to attend the fundraiser.

The first \$4000 raised will be matched by a sponsor.

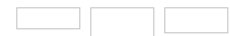
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MAY 6, 2021

7:00 pm - 8:00 pm

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Subject: Everyday Injustice - Tonight George Gascon and Brendon Woods Speak; Support Our Work by Purchasing a Ticket!

Date: Thursday, May 6, 2021 at 7:00:22 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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"The Vanguard has emerged as an important source of information about the injustices happening daily in our courts. Information is the first step toward meaningful reform," said Alameda County Chief Public Defender Brendon Woods.

Everyday Injustice Newsletter - May 5, 2021

TONIGHT: George Gascón and Brendon Woods On Policing and Race

Join the Vanguard at 7 pm on Thursday, May 6 over Zoom for our BIGGEST event of the year featuring LA District Attorney George Gascón and Alameda County Public Defender Brendon Woods in conversation on hot button topics important to Californians.

Buy your tickets here: <https://bit.ly/vanguardbdog>

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For more information: <https://bit.ly/vanguardbdog>

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San Francisco Court Watch: <https://www.facebook.com/SF-Court-Watch-577413429452441/>
Twitter: <https://twitter.com/DavisVanguard>
YouTube: <http://www.youtube.com/davisvanguard>

Criminal Justice News/ Commentary

Derek Chauvin's Attorney Files Expected Motion for New Trial, Claiming Multiple Court Errors

Defense Attorney Eric Nelson, who defended Derek Chauvin for the murder of George Floyd, filed a motion for a new trial Tuesday, based on interests of justice, abuse of discretion that deprived the defendant of

[Read More](#)

Commentary: Yolo Deputy DA Couzens Opposes Proposed Changes To Robbery Law Even As Boss Attempts To Paint Himself As Reformer

As we swing toward campaign season, Yolo County DA has been attempting to position himself as a sort of moderate reformer – triangulating between DA's like Sacramento DA Ann-Marie Schubert on the hardcore law and order side and

[Read More](#)

Guest Commentary: To Address Systemic Racism, We Must Dismantle Housing Discrimination and Segregation

Equal access to housing is a civil right, but systemic racism within our housing institutions has long kept communities of color from accessing fair housing opportunities. The Fair Housing Act with its Affirmatively Furthering Fair Housing

[Read More](#)

Double Your Contribution and Reserve Your Spot Now: #BDOG2021 Featuring George Gascón and Brendon Woods

Normally the Big Day of Giving is a time when people across the Sacramento region come together to support their local non-profits. The Vanguard as a non-Profit has participated each year.

[Read More](#)

Krasner's Conviction Integrity Unit

Secures 20th Exoneration Since 2018

The Philadelphia Court of Common Pleas vacated the 2010 murder conviction and sentence of Obina Onyiah after the District Attorney's Office Conviction Integrity Unit (CIU) agreed that he was entitled to relief on Actual

[Read More](#)

2 More Hate Crimes in SF; District Attorney Says He's 'Outraged,' Pledges More Resources

After more AAPI hate crimes were reported Tuesday night against two older women victims on Market Street, San Francisco District Attorney Chesa Boudin weighed in, calling the attacks "brutal" and promising swift justice

[Read More](#)

COVID CDCR and Jail Dashboards

CDCR's Fully Vaccinated Incarcerated Population Increased by 3k in 7-Days, Compared to 100 for Staff

Our daily run down on the COVID cases in the California Prison System (CDCR)

[Read More](#)

Vaccine Uptake for Santa Clara Jail Staff Stands at 55 Percent; Jail Population Continues to Surge

Our daily run down on the COVID cases in selective County Jails

[Read More](#)

San Francisco Court Watch

[Like our Facebook page](#)

SF Jury Finds Fresno Man Not Guilty of Murder, Believed Public Defender Argument He Acted Out of Self Defense

A Fresno man accused over murder – and, because of Covid-19 caused backlog, waited in jail for nearly five months after he should had his day in court – was found not guilty by a jury in San Francisco County Superior Court

[Read More](#)

Yolo County Court Watch

[Like our Facebook Page](#)

Misleading No Contest Plea to Manslaughter from Defendant Creates Confusion

A discrepancy between a defendant's no contest plea and her belief that she was not guilty created confusion in Yolo County Superior Court Monday, but it was eventually cleared up by the judge explaining the

[Read More](#)

Sacramento Court Watch

[Like our Facebook Page](#)

Buddy Won't Press Charges in Car Crash – Judge Still Refuses Bail for Man When Learning Details of Threat and DUI Cases

A judge here in Sacramento County Superior Court Tuesday refused to grant bail in any amount for a man whose car crash seriously injured the victim, who doesn't even want to press charges.

[Read More](#)

Alameda Court Watch

A Judge Failed To Recuse the Alameda DA's Office, the DA Failed to Make A Reasonable Offer, So the Jury Acquitted a Man of Murder

In March, an Alameda County Judge refused to grant a defense motion to recuse the DA's office from prosecuting Shawn Martin, whose conviction had been overturned when an appellate court found that prosecutor had

[Read More](#)

Los Angeles Court Watch

Orange County Trial Relating to Residential Burglary and Sexual Assault of Minor to Wrap Up Jury Selection

Attorneys involved in defendant Oscar Sosa Tapia's minor sexual assault case began with their jury selection this week at Orange County Superior Court.

[Read More](#)

Contra Costa Court Watch

Defendant Fearing Deportation Allegedly Caused Accident, Lied that He Was Carjacked

Trial counsel and the judge here last week may have been sympathetic to a defendant seeking asylum in the U.S., but the defendant allegedly caused a vehicle collision and then told police he was carjacked – the

[Read More](#)

Fresno Court Watch

Defendant Reluctantly Pleads to 6-Year Sentence, Telling Judge ‘I Feel I Have to Do It’

Defendant Eric Carillo had his plea rejected by Fresno County Superior Court Judge Brian Alvarez here Monday because, according to the judge, “I don’t want to be accused of forcing anyone to enter into a plea.”

[Read More](#)

Riverside Court Watch

Defense Called Out for Using “Red Herring”: Jury Trial Contemplates Whether Shooter Acted in Malice or Self-Defense

On Friday morning, Everardo Guerrero Saucedo faced five charges of sexual assault that he had allegedly inflicted on to a fourteen year old victim. Through the compilation of evidence and attempts to recount

[Read More](#)

Merced Court Watch

Family Survives in the Face of Father’s Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

[Read More](#)

Everyday Injustice - Podcast

see our podcasts

Everyday Injustice Podcast Episode 104 – Appeal Analysts Discuss Policing Polling

Recent polling by Data for Progress for the Appeal taken between March 5 and March 7 found public opinion since the murder of George Floyd, has shifted to support for alternatives to policing and the ways in which communities

[Read More](#)

Everyday Injustice Podcast Episode 103 – Manhattan DA Candidate Dan Quart

In less than 100 DAs, Manhattan will elect a new DA which would only be the fifth in the last 80 years, replacing four term incumbent Cy Vance. There are a host of progressive candidates vying for the Democratic nomination including

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Subject: TOMORROW: George Gascón and Brendon Woods On Policing and Race

Date: Wednesday, May 5, 2021 at 8:21:15 PM British Summer Time

From: David Greenwald

To: valerie.ibarra@sfgov.org

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Image



TOMORROW
George Gascón and Brendon Woods
On Policing and Race

Image



Valerie Ibarra,

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[CLICK HERE TO BUY YOUR TICKET](#)

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**Alameda County Chief Public Defender
Brendon Woods.**

Vanguard Week In Review

NorCal Civil Rights Lawyers on State and National Police Violence

On Tuesday May 4, NorCal Civil Rights Lawyers held an online press conference to discuss local, state and national Police violence.

Lawyers on the press conference included:

Keith Staten *Sacramento Attorney*
Pamela Price *Civil Rights Attorney and Candidate for Alameda DA*
Mark Merin *Civil Rights Attorney*

To watch the video: https://youtu.be/a5E_BTROI3k

Watch the Vanguard's Discussion on AB 1542 - Alternative to Prison or Prison by Another Name Webinar

Image

Valerie, did you miss this month's webinar?

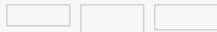
WATCH NOW ON YOUTUBE, as bill author Assemblymember Kevin McCarty and our panel of experts discuss the pro and cons of this legislation.

To watch the video: <http://bit.ly/AB1542webinar>

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Subject: Everyday Injustice - NorCal Civil Rights Attorney Talk Policing; Webinar on Mandatory Drug Treatment

Date: Wednesday, May 5, 2021 at 7:01:17 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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Everyday Injustice Newsletter - May 5, 2021

NorCal Civil Rights Lawyers Discuss Use of Force and Police Killings

By David Greenwald

It was originally a press conference to gain media attention for our Big Day of Giving Event - tomorrow - with George Gascon and Brendon Woods (get your tickets here - <http://bit.ly/vanguardbdog>) - but the discussion was so good and informative it is worth watching in its own right.

The discussion featured Keith Staten, who heads the Sacramento Conflict Panel, Pamela Price a civil rights attorney who will be running again for DA in Alameda and Mark Merin, a longtime Sacramento Civil Rights Attorney.

This is a preview to Thursday's big event featuring LA District Attorney George Gascon and Alameda County Public Defender Brendon Woods who will discuss Policing and Race in America. The civil rights lawyers today will also comment on local and regional impact police killings be had.

The press conference today is sponsored by The Vanguard, the only daily online courthouse and criminal justice news source of its kind in California.

The Vanguard, a non-profit based in Yolo County where it began in 2006, has an intern-based staff covering criminal justice matters and daily court news throughout much of California, including Sacramento, and the Greater San Francisco Bay Area, the Central Valley and Southern California.

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For more information: <http://bit.ly/vanguardbdog>

And watch the video below - it is well worth the watch for the great discussion on policing. Please purchase tickets for our event - your donation will help us continue to bring you the news from courts and elsewhere in the criminal legal system.

[Press Conference - NorCal Civil Rights Lawyers, Police Killings](#)

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Criminal Justice News/ Commentary

Vanguard Webinar: AB 1542 – Alternative to Prison or Prison by Another Name? (Video)

AB 1542 authorizes judges to sentence people to confinement in a locked treatment facility instead of prison or jail if the judge determines that their crime was motivated in part by substance abuse.

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Press Conference – NorCal Civil Rights Lawyers, Police Killings

Civil Rights Lawyers held an online press conference to discuss local, state and National Police violence. Lawyers on the press conference include: Keith Staten, Sacramento Attorney - Pamela Price, Civil Rights Attorney and Candidate for Alameda DA - Mark Merin, Civil Rights

[Read More](#)

'Rape is Rape' Declares Large Coalition, Demands Hearing at Capitol for Spousal Rape Law Measure

Assemblymembers Christina Garcia and Evan Low, a coalition of reform-minded California prosecutors and California National Organization for Women (NOW) Kolieka Seigle are calling for an immediate

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ACLU Asks SF Court to Toss Tenderloin Injunctions Against Small Group of People

Proposed civil injunctions by the city of San Francisco could result in a small group of people being arrested for just walking down the street, visiting family members or riding a city bus, according to the ACLU

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SF Jury Finds Fresno Man Not Guilty of Murder, Believed Public Defender Argument He Acted Out of Self Defense

A Fresno man accused over murder – and, because of Covid-19 caused backlog, waited in jail for nearly five months after he should had his day in court – was found not guilty by a jury in San Francisco County Superior Court

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Prison Reform Targets Decades-long Oppression; 'Tough On Crime' Rhetoric Targets Newsom, Charge Reformers

The recent increase to the credit earning structure for incarcerated individuals has sparked the opposition to take another stab at undermining Gov. Gavin Newsom's commitment to reducing incarceration in

[Read More](#)

SF District Attorney Chesa Boudin Applauds CA Assembly OK of Police Accountability Bill Monday

San Francisco District Attorney Chesa Boudin, a chief endorser of the police accountability measure AB 127 in the California State Assembly, Monday praised the bill's passage out of the full Assembly and its move to the Senate

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A Comprehensive Review of CDCR Staff Behavior Regarding Vaccinations, Testing,

Masking & Social Distancing

Following several outbreaks at the onset of the pandemic and recent vaccine rollouts for both staff and incarcerated persons, California Department of Corrections and Rehabilitation (CDCR) facilities are experiencing record low

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Double Your Contribution and Reserve Your Spot Now: #BDOG2021 Featuring George Gascón and Brendon Woods

Normally the Big Day of Giving is a time when people across the Sacramento region come together to support their local non-profits. The Vanguard as a non-Profit has participated each year.

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COVID CDCR and Jail Dashboards

Vaccine Uptake for CDCR Staff Increased by 2% in April, Compared to 20% for Incarcerated Population

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Santa Clara County Jail Population Reaches Record High; Vaccine Uptake Remains Low

Our daily run down on the COVID cases in selective County Jails

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SF Jury Finds Fresno Man Not Guilty of Murder, Believed Public Defender Argument He Acted Out of Self Defense

A Fresno man accused over murder – and, because of Covid-19 caused backlog, waited in jail for nearly five months after he should had his day in court – was found not guilty by a jury in San Francisco County Superior Court

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Yolo County Court Watch

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Misleading No Contest Plea to Manslaughter from Defendant Creates Confusion

A discrepancy between a defendant's no contest plea and her belief that she was not guilty created confusion in Yolo County Superior Court Monday, but it was eventually cleared up by the judge explaining the

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Sacramento Court Watch

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Routine Traffic Stop Suspicious to Defense, But Judges Rules Case will Proceed to Trial

In all other respects it seemed like a routine traffic stop, but defense attorney Phillip Cozens wanted to know if the arresting officer had any adverse motivations for arresting his client?

[Read More](#)

Defense Blames Defendant's Crimes on His Neighborhood – Judge Doesn't Buy It, Revokes Bail

Public Defender Joshua Kurtz's argument that his client amassed three felonies because of his neighborhood apparently fell on deaf ears when Judge Geoffrey Goodman decided to hold the defendant in custody

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Alameda Court Watch

A Judge Failed To Recuse the Alameda DA's Office, the DA Failed to Make A Reasonable Offer, So the Jury Acquitted a Man of Murder

In March, an Alameda County Judge refused to grant a defense motion to recuse the DA's office from prosecuting Shawn Martin, whose conviction had been overturned when an appellate court found that prosecutor had

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Los Angeles Court Watch

Orange County Trial Relating to Residential Burglary and Sexual Assault of Minor to Wrap Up Jury Selection

Attorneys involved in defendant Oscar Sosa Tapia's minor sexual assault case began with their jury selection this week at Orange County Superior Court.

[Read More](#)

Contra Costa Court Watch

Defendant Fearing Deportation Allegedly Caused Accident, Lied that He Was Carjacked

Trial counsel and the judge here last week may have been sympathetic to a defendant seeking asylum in the U.S., but the defendant allegedly caused a vehicle collision and then told police he was carjacked – the

[Read More](#)

Fresno Court Watch

Banned for Life from Possessing Guns or Ammo, Teen Slips Again When Caught with Firearm

Kalvin McCoy was arraigned on gun charges here Monday in Fresno County Superior Court – and for him, it is even more serious because he is currently on probation for an offense he incurred as minor, which includes a lifetime

[Read More](#)

Riverside Court Watch

Defense Called Out for Using “Red Herring”: Jury Trial Contemplates Whether Shooter Acted in Malice or Self-Defense

On Friday morning, Everardo Guerrero Saucedo faced five charges of sexual assault that he had allegedly inflicted on to a fourteen year old victim. Through the compilation of evidence and attempts to recount

[Read More](#)

Merced Court Watch

Family Survives in the Face of Father's Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

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Everyday Injustice - Podcast

see our podcasts

Everyday Injustice Podcast Episode 104 – Appeal Analysts Discuss Policing Polling

Recent polling by Data for Progress for the Appeal taken between March 5 and March 7 found public opinion since the murder of George Floyd, has shifted to support for alternatives to policing and the ways in which communities

[Read More](#)

Everyday Injustice Podcast Episode 103 – Manhattan DA Candidate Dan Quart

In less than 100 DAs, Manhattan will elect a new DA which would only be the fifth in the last 80 years, replacing four term incumbent Cy Vance. There are a host of progressive candidates vying for the Democratic nomination including

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Subject: Re: Today Webinar Recording?

Date: Wednesday, May 5, 2021 at 4:18:25 PM British Summer Time

From: Rodarmel, Danica (PDR)

To: David M. Greenwald

CC: Ibarra, Valerie (PDR)

Thank you!!

From: David M. Greenwald <info@davisvanguard.org>

Date: Wednesday, May 5, 2021 at 8:01 AM

To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>

Cc: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: Re: Today Webinar Recording?

Finally got the video uploaded - <https://www.youtube.com/watch?v=oqAk1y1O9Jc>

On Mon, May 3, 2021 at 5:06 PM Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org> wrote:

Awesome – thanks, David!

From: David M. Greenwald <info@davisvanguard.org>

Date: Monday, May 3, 2021 at 11:01 AM
To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Cc: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
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Would love to chat about what upcoming webinars you're doing in this area and maybe some possibilities to collaborate?

CCing Valerie here since I know the two of you keep in touch!

From: David M. Greenwald <info@davisvanguard.org>
Date: Friday, April 30, 2021 at 1:22 PM
To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Subject: Re: Today Webinar Recording?

And thanks for coming today!

On Fri, Apr 30, 2021 at 12:52 PM Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org> wrote:

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Subject: Re: Today Webinar Recording?

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Danica Rodarmel (She/Her)
State Policy Director
San Francisco Public Defender
Danica.rodarmel@sfgov.org

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David M. Greenwald
Executive Director
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Date: Wednesday, May 5, 2021 at 4:00:00 PM British Summer Time

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Subject: FOR IMMEDIATE RELEASE: SF Jury Acquits on Murder Charge, Agrees that Public Defender Client Acted in Self-Defense

Date: Wednesday, May 5, 2021 at 12:40:11 AM British Summer Time

From: Ibarra, Valerie (PDR)

To: PUBDEF-Media Relations, Ibarra, Valerie (PDR)

Attachments: PRESS RELEASE - 5.4.2021 - SF Jury Acquits on Murder Charge, Agrees that Public Defender Client Acted in Self-Defense.pdf

FOR IMMEDIATE RELEASE: May 4, 2021

MEDIA CONTACT: SF Public Defender's Office - (628)249-7946 - Valerie.Ibarra@sfgov.org

****PRESS RELEASE****

SF Jury Acquits on Murder Charge, Agrees that Public Defender Client Acted in Self-Defense

SAN FRANCISCO – Today, a San Francisco jury found a Fresno man not guilty of murder by virtue of self-defense. Although the man conceded to a single felony count of possession of a firearm, Deputy Public Defender Kathleen Natividad and her team presented physical evidence and character witnesses to show that her client had acted in self-defense.

In August 2020, Robert Brewer was visiting San Francisco in a rental car, getting his mother a birthday gift. Mr. Brewer had parked, but later found himself lost on foot in the city. Mr. Brewer approached a vehicle he believed to be his rental car, but soon realized he was mistaken when he encountered Darrelle Scales, the owner of the car. Mr. Scales began threatening Mr. Brewer, who walked away. Mr. Scales then followed Mr. Brewer for over two blocks. When Mr. Brewer saw Mr. Scales reach for a shiny object in his waistband, which he believed to be a gun, he shot at Mr. Scales one time out of fear. Mr. Scales, who died later, was found with an 18" long silver metal pipe.

"The jury understood that Mr. Brewer was in fear for his life and was acting in self-defense," said Natividad. "Situations like this are so complex because you have someone like Mr. Brewer who grew up in an area where he was exposed to so much violence and was only carrying a gun for protection."

The defense team included Deputy Public Defender Kathleen Natividad, second chair Nikita Saini, Investigators Nigel Phillips and Carolyn Phillips, Paralegal Sercan Ersoy, and Law Clerks Elly Leggatt and Matt Bertini.

"I am proud of our defense team who worked hard to demonstrate that this was an act of self-defense. Mr. Brewer would have never fired if he was not in fear for his own life. We are pleased that the jury understood the reality of the altercation and made the right decision," said Public Defender Mano Raju.

Mr. Brewer has been in San Francisco County jail since August 2020 despite the fact that he asserted his right to a speedy trial in October. Due to a large backlog and the San Francisco Superior Court only conducting criminal jury trials in four courtrooms, Mr. Brewer waited nearly five months beyond the last day that his trial should have been heard.

###

To view this press release online, please visit SFPublicDefender.org/media.

Valerie Ibarra
Public Information Officer
San Francisco Public Defender's Office
Valerie.Ibarra@sfgov.org
(628)249-7946
SFPublicDefender.org/Media

Subject: Everyday Injustice - A Judge Failed To Recuse the Alameda DA's Office, the DA Failed to Make A Reasonable Offer, So the Jury Acquitted a Man of Murder
Date: Tuesday, May 4, 2021 at 7:01:17 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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Alameda Public Defender Richard Foxall said, "I think that's a reflection of the degree to which the trial courts and the district attorneys have just treaded far too close to the line and not been careful enough."

Everyday Injustice Newsletter - May 4, 2021

Orange County DA Continues To Veer Hard Right

by David Greenwald

In a tweet on Monday, Todd Spitzer, who ironically was elected in 2018 as a reformer tasked with cleaning up the DA's office racked by scandal under Tony Rackaukas, continued his move to the hard right by posting a clip from an interview this time on Fox News.

"Orange County, Calif. District Attorney Todd Spitzer slammed California Gov. Gavin Newsom and 'woke' Los Angeles County District Attorney George Gascón for their 'anti-victim' agenda," he said in a tweet.

He said that "Newsom is very proud that he's going to close two prisons in California," and called California "one of the most dangerous states in the nation and the agenda is to end mass incarceration."

Spitzer was responding to news that California is giving around 76,000 incarcerated people including those convicted of violent and repeat offenses an opportunity to leave prison early.

Basically, those people will become "eligible for good behavior credits that shorten their sentences by one-third instead of the one-fifth that had been in place since 2017. That includes nearly 20,000 inmates who are serving life sentences with the possibility of parole."

However, the new rules will take "months" or even "years" before anyone is allowed to go free earlier with officials stating "the goal is to reward inmates who better themselves while critics said the move will endanger the public."

Spitzer pushed back on this modest move.

"We're talking about the most violent of the violent - second strikers, those who have committed two or more serious violent felonies and three strikers," he said. "Let me be clear this is not about good credit this is about not being bad. You get these credits just if you breathe air."

He said, "Obviously there is an agenda in California that is anti-victim." He said, "They want to release everyone out of jail, they could care less about public safety, homicides are out of control."

He singled out Larry Krasner, Chesa Boudin and George Gascon stating, "homicides are out of control."

This is the second time in the last month Spitzer went on right-wing media to make his case.

Pete Hardin who is challenging Spitzer last month tweeted, "Rather than focus on the pressing issues confronting Orange County, DA Todd Spitzer spends his days fear-mongering on Newsmax. "

Hardin in a statement to the Vanguard added, "Appearances on a network renowned for being truth-adverse is disqualifying, as the District Attorney must seek the truth at all costs. There's no justice in the absence of truth, and this DA's desire to be in the spotlight is an impediment to the fair administration of justice in Orange County."

Meanwhile clearly Spitzer clearly sees the move hard right as his path to reelection despite winning the first time with the help of progressives.

Thanks for reading.

Join us on Thursday at 7 pm for George Gascón and Brendon Woods - for details click here: <http://bit.ly/vanguardbdog>

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Twitter: <https://twitter.com/DavisVanguard>

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Criminal Justice News/ Commentary

A Judge Failed To Recuse the Alameda DA's Office, the DA Failed to Make A Reasonable Offer, So the Jury Acquitted a Man of Murder

In March, an Alameda County Judge refused to grant a defense motion to recuse the DA's office from prosecuting Shawn Martin, whose conviction had been overturned when an appellate court found that prosecutor had

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Guest Commentary: California's New Attorney General Has a Reputation As a Criminal Justice Reformer, but His Biggest Test Is Yet to Come

In late March, when California Governor Gavin Newsom announced that he had selected Rob Bonta as state attorney general, he did so at San Francisco's International Hotel.

[Read More](#)

Guest Commentary: Biden Must Be Bolder on Immigration – the Lives of Millions Depend on It.

One hundred days ago, President Joe Biden took the helm of a decimated immigration system, which candidate Biden had promised to restore. The lives and safety of millions of people, and the lawfulness and moral standing of our

[Read More](#)

Senator Cortese and Chesa Boudin 'Common Sense' Basic Income Measure for Foster Youth Moves in CA Senate

A state senate bill authored by Senator Dave Cortese (D-15) and backed by San Francisco District Attorney Chesa Boudin that would provide "Universal Basic Income for Transitional Age Foster Youth Act" is

[Read More](#)

10 Weekly Highlights from CDCR's COVID Crisis: Good Conduct Credit Rate Expanded; Staff Vaccine Acceptance Raises Concerns

Juan Haines is a senior editor at San Quentin News, one of the few newspapers run by incarcerated people. Haines, along with other reporters, became members of the Society of Professional Journalists (SPJ) in 2015, which

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A discrepancy between a defendant's no contest plea and her belief that she was not guilty created confusion in Yolo County Superior Court Monday, but it was eventually cleared up by the judge explaining the

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Sacramento Court Watch

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Robbery Suspect Described as 'GEICO Commercial Caveman' – Police Witness Memory Otherwise Fails

The description of a robbery suspect here last Friday in Sacramento County Superior Court by the victim may not have been very complimentary—then again, it was descriptive.

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Embezzlement Felon Gets Year – Now Owes Nearly \$73K in Restitution as Victim Recoups Losses

The victim arrived in Sacramento County Superior Court Monday with a folder containing, by his estimate, about 500 pieces of paper—a former employee had embezzled money from his company and he was well-prepared to get

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Alameda Court Watch

A Judge Failed To Recuse the Alameda DA's Office, the DA Failed to Make A Reasonable Offer, So the Jury Acquitted a Man of Murder

In March, an Alameda County Judge refused to grant a defense motion to recuse the DA's office from prosecuting Shawn Martin, whose conviction had been overturned when an appellate court found that prosecutor had

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Subject: Re: Today Webinar Recording?

Date: Tuesday, May 4, 2021 at 1:06:11 AM British Summer Time

From: Rodarmel, Danica (PDR)

To: David M. Greenwald

CC: Ibarra, Valerie (PDR)

Awesome – thanks, David!

From: David M. Greenwald <info@davisvanguard.org>

Date: Monday, May 3, 2021 at 11:01 AM

To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>

Cc: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: Re: Today Webinar Recording?

Thanks! Any ideas you have I'm open to.

As it turns out the video will be posted tomorrow rather than today.

On Mon, May 3, 2021 at 10:38 AM Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org> wrote:

Yes – verrrrrry interesting... to say the least.

Would love to chat about what upcoming webinars you're doing in this area and maybe some possibilities to collaborate?

CCing Valerie here since I know the two of you keep in touch!

From: David M. Greenwald <info@davisvanguard.org>

Date: Friday, April 30, 2021 at 1:22 PM

To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>

Subject: Re: Today Webinar Recording?

And thanks for coming today!

On Fri, Apr 30, 2021 at 12:52 PM Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org> wrote:

Thanks!

From: David M. Greenwald <info@davisvanguard.org>

Date: Friday, April 30, 2021 at 12:49 PM

To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>

Subject: Re: Today Webinar Recording?

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On Fri, Apr 30, 2021 at 12:44 PM Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org> wrote:

Hi David –

Thanks so much for all of your work!

Can you tell me where the recording of today's webinar on 1542 will be available?

Danica Rodarmel (She/Her)
State Policy Director
San Francisco Public Defender
Danica.rodarmel@sfgov.org

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Date: Monday, May 3, 2021 at 7:00:24 PM British Summer Time

From: David M. Greenwald

To: Rodarmel, Danica (PDR)

CC: Ibarra, Valerie (PDR)

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Subject: Everyday Injustice - Judges Are Not Adhering To Humphrey Court Ruling in Setting Bail
Date: Monday, May 3, 2021 at 7:00:12 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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Attorney Jennifer Mouzis: "it is my experience that when requesting bail on behalf of my clients under re: Humphrey as well as my observation of others requesting bail review pursuant to re: Humphrey that courts are more often than not holding individuals in custody without bail"

Everyday Injustice Newsletter - May 3, 2021

Reisig Positioning Himself Between Schubert and Boudin

There was an interesting moment yesterday at the Vanguard Webinar with Assemblymember Kevin McCarty taking a lot of heat from the reformer community, Kellen Russoniello basically acknowledged how I felt – it was a shame to be on the other side of this issue from McCarty – he has a really strong record on reform, but at the same time, the belief by many is that this amounts to mandatory treatment and that is prison by a different name.

Russoniello noted it was particularly interesting because he acknowledged he supported legalizing all drugs at the same time.

McCarty also made another interesting comment, this time, lambasting Sacramento DA Ann Marie-Schubert, who is going to be running against McCarty's former colleague Rob Bonta for AG. He called her "horrible" but then said that Jeff Reisig is not Chesa Boudin (the SF DA) but he's not Schubert either.

This could have been a line out of the DA's reelection campaign.

In a campaign communication from Reisig following Cynthia Rodriguez's announcement of her candidacy, he wrote urging people to look at the full record and said, "My balance approach as the District Attorney is focused on the fair enforcement of the laws, combined with the thoughtful development and implementation of new programs and reforms designed to improve the local justice system, reduce mass-incarceration, engage our diverse citizenry and strengthen the quality of life in all of our communities."

It is good rhetoric and if the media – even people with pretty strong reform records like McCarty buy-in – it could be successful. The Bee certainly bought in two weeks ago following his transparency announcement and exhorted Schubert to be more like him.

No one seems to recognize however, that rhetoric aside, there is no difference between Reisig and Schubert. In fact, both DA's opposed things like the death penalty elimination, Prop 47, Prop 57, and they were each one of just four DA's to oppose Prop 64.

Reisig would probably note that he took no position on Prop 20 while Schubert supported it.

But then again, he has each month put out an attack on zero bail. His office actively opposed and even filed a writ against SB 1437 (felony murder reform) and of course he brutally attacked public defender Tracie Olson last year when she dared to cite jail statistics showing a huge disparity between the Black jail population and overall Black population in Yolo County believe she was suggesting that his office may be responsible for this disparity.

When you scratch off the rhetoric of moderation, you don't see a lot of opposition to change and a drastic misalignment with Yolo County voters.

"I feel like the current DA has been there quite awhile and had lots of opportunities to show us how he's going to handle all of the issues that are present," Cynthia Rodriguez said. "I don't feel like he's in any way clearly addressed them."

"He has gone against what people have said when they have voted for propositions, he has continued even after their passage to fight against them and scold us for voting as we have voted in Yolo County," she said. "I think it's time that Yolo County is heard."

"I think to me that's the major issue with this particular district attorney," she said. "He continues to approach the DA's work from an old school, 50-year-old DA process, that has never been successful before in making communities successful and more secure."

The biggest issue no one seems to acknowledge is that Jeff Reisig is in line to become president of the CDAA which is the regressive DA's association under fire for misuse of money. No one locally has called him to task for this or asked him his role.

Reisig clearly wants to separate himself from people like Chesa Boudin, but what about Tori Verber Salazar, the Republican DA from San Joaquin County who last year left the CDAA because of their anti-reform posture? Is she also too radical for him?

Thanks for reading.

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Criminal Justice News/ Commentary

Judges Uncertain How To Handle New Humphrey Decision, Many Are Simply Treating Cases As No-Bail Cases in Contrast To Explicit Court Ruling

In March, the California Supreme Court came down with a landmark decision that will change the way trial courts handle bail. "The common practice of conditioning freedom solely on whether an arrestee can afford bail is

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Everyday Injustice Podcast Episode 105 – Judicial Candidate La Tasha Williams

La Tasha Williams is running for judge in Dauphin County, Pennsylvania. She interned in a public defender's office and has worked as a prosecutor most recently.

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Guest Commentary: Biden Must Be Bolder on Immigration – the Lives of Millions Depend on It.

One hundred days ago, President Joe Biden took the helm of a decimated immigration system, which candidate Biden had promised to restore. The lives and safety of millions of people, and the lawfulness and moral standing of our

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Ice Cream and Insistence: A Case of Overcriminalization for Black Women in Oakland

Yvette Phillips-Aldama spent decades as a dedicated member of the Oakland community– serving as a spiritual leader in her Afro-Cuban religious community, sitting on local boards, working with cultural arts groups, and

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Director of Tennessee Top Law Enforcement Agency, County DA and Officers Sued for Falsely Arresting Man Who Photoshopped Image Demeaning Dead Deputy

The District Attorney General here and Director of the Tennessee Bureau of Investigation are among eight law enforcement officials, and the city of Dickson, sued by lawyers last week for a now homeless man who was

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Sunday Commentary: Officer-Involved Killings Are Bad, But They Actually Undercount the Problem

Earlier this week we covered the story of a 73 year old woman with dementia who was taken to the ground violently by an officer in Colorado, mistreated, and the officers got caught on video cracking jokes about it afterward.

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Sunday Commentary: Reisig Positioning Himself Between Schubert and Boudin

For the second time in a row, Jeff Reisig, first elected in 2006 will face a challenger. In 2018, he faced Dean Johansson and won by just over 2000 votes in a surprisingly close race.

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Community and Survivor of Placer County Police Shooting after Traffic Stop Shares His Story, Family Angst

Jamilia Land, founder of Anti-Violence Safety and Accountability Project, held a press conference Wednesday along with other activists to bring attention to a deputy-involved shooting in Placer County, just across the county

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Double Your Contribution and Reserve Your Spot Now: #BDOG2021 Featuring George Gascón and Brendon Woods

Normally the Big Day of Giving is a time when people across the Sacramento region come together to support their local non-profits. The Vanguard as a non-Profit has participated each year.

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COVID CDCR and Jail Dashboards

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Sacramento Court Watch

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Defendant's Wandering Eyes Used to Try to Get Out of Jam, Prosecution Claims

Vehicle theft defendant Brandon Mackenzie may have wandering eyes, if you believe prosecutors. Judge Kevin McCormick Wednesday here in Sacramento County Superior Court heard a preliminary hearing regarding

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Judge Denies Defendant Release and Reduced Bail in Concern for Domestic Violence Victim's Safety

After a lengthy preliminary hearing of contradicting narratives regarding a domestic violence incident, Judge Trena H. Burger-Plavan denied the defense request for a release from custody and reduced bail, in

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Alameda Court Watch

Retrial Resumes Tuesday for 2014 Oakland Neighbor Murder Case

Shawn Martin is facing trial here in Alameda County Superior Court for murder—it's his second trial for the alleged fatal shooting of his neighbor, after his 2017 murder conviction was overturned by an appeals court because of a

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Subject: Re: Today Webinar Recording?

Date: Monday, May 3, 2021 at 6:29:44 PM British Summer Time

From: Rodarmel, Danica (PDR)

To: David M. Greenwald, Ibarra, Valerie (PDR)

Yes – verrrrrry interesting... to say the least.

Would love to chat about what upcoming webinars you're doing in this area and maybe some possibilities to collaborate?

CCing Valerie here since I know the two of you keep in touch!

From: David M. Greenwald <info@davisvanguard.org>

Date: Friday, April 30, 2021 at 1:22 PM

To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>

Subject: Re: Today Webinar Recording?

And thanks for coming today!

On Fri, Apr 30, 2021 at 12:52 PM Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org> wrote:

Thanks!

From: David M. Greenwald <info@davisvanguard.org>

Date: Friday, April 30, 2021 at 12:49 PM

To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>

Subject: Re: Today Webinar Recording?

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We will have it posted on YouTube and on the Vanguard itself.

On Fri, Apr 30, 2021 at 12:44 PM Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org> wrote:

Hi David –

Thanks so much for all of your work!

Can you tell me where the recording of today's webinar on 1542 will be available?

Danica Rodarmel (She/Her)
State Policy Director
San Francisco Public Defender
Danica.rodarmel@sfgov.org

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David M. Greenwald
Executive Director
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Sent from Gmail Mobile

Subject: FW: Vanguard Webinar: AB 1542 - Alternative to Prison or Prison by Another Name?

Date: Friday, April 30, 2021 at 8:08:46 PM British Summer Time

From: Rodarmel, Danica (PDR)

To:

Happening now...

<https://www.davisvanguard.org/2021/04/vanguard-webinar-ab-1542-alternative-to-prison-or-prison-by-another-name/>

From: David Greenwald <no-reply@zoom.us>

Date: Friday, April 30, 2021 at 12:07 PM

To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>

Subject: Vanguard Webinar: AB 1542 - Alternative to Prison or Prison by Another Name?

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Webinar banner

Hi Danica Rodarmel,

Webinar logo

Thank you for registering for "Vanguard Webinar: AB 1542 - Alternative to Prison or Prison by Another Name?".

Please submit any questions to: info@davisvanguard.org

Date Time: Apr 30, 2021 12:00 PM Pacific Time (US and Canada)

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Passcode: 055655

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Description: AB 1542 was approved April 13 by the Assmebly Committee on Public Safety. The bill would establish a pilot program in Yolo County, that proponents say would “provide a second chance opportunity for individuals struggling with substance use disorder and attempt to curb the substance use issues.”

The bill would establish a pilot program that would provide a secured drug treatment facility where “felony offenders could be sentenced and treated for substance use disorders rather than serving a jail or prison sentence.”

The bill has received significant opposition from a variety of interests: including human rights, criminal justice reform, public health, and substance use treatment who believe that the bill is in fact involuntary treatment and goes against evidence-based approaches.

On April 30, at noon, the Vanguard Webinar will present both sides of this issue

Guests feature: Assemblymember Kevin McCarty, the Bill Sponsor

Kate Chatfield, Attorney and Criminal Justice Advocate

Kellen Russoniello, Drug Policy Alliance

Robert Canning, retired CDCR psychologist and Vanguard Board Member

* a member of the board of supervisors has been invited

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Passcode: 055655

International numbers available: <https://us02web.zoom.us/j/81918799718>

Webinar Speakers

Assemblymember Kevin McCarty

the Bill Sponsor

Kate Chatfield

Attorney and Criminal Justice Advocate

Kellen Russoniello

Drug Policy Alliance

You can [cancel](#) your registration at any time.

Subject: Everyday Injustice - Join Us For Our Webinar at Noon; Police Cases in Colorado and Vacaville
Date: Friday, April 30, 2021 at 7:02:27 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"I don't think you want to play it this way," Officer Hopp said as she continued to walk, "do you need to be arrested right now?"

Everyday Injustice Newsletter - April 30, 2021

Renowned Professor Beletsky To Join Webinar on AB 1542

Webinar set for noon (PDT) on the issue of the pilot program that would initially only apply to Yolo County (near Sacramento) but could become more widely applicable in the future.

The bill authorizes judges to sentence people to confinement in a locked treatment facility instead of

prison or jail if the judge determines that their crime was motivated in part by substance abuse.

While proponents argue that such substance abusers have a medical condition that is best addressed through treatment as opposed to punishment and many reform groups support increasing the availability of evidence-based voluntary treatment for people who struggle with problematic use of psychoactive substances, opponents argue that “this bill proposes forcing people involuntarily into “secured” or locked treatment, regulated by the courts, thus blurring the lines between medical care and punishment, and undermining the goal of helping those in need.”

Human Rights Watch put it this way: “It runs directly counter to the principle of free and informed consent to mental health treatment, which is a cornerstone of the right to health. Conflating health treatment and jailing, as envisioned by AB 1542, risks substantial human rights abuse, is ineffective as a treatment, and takes resources and policy focus away from initiatives that are much more likely to help people.”

Joining the Panel will be bill author Assemblymember Kevin McCarty (D-Sacramento) as well as renowned Professor Leo Beletsky, Professor of Law and Health Sciences and Faculty Director, Health in Justice at Northeastern University in Boston.

Leo Beletsky’s expertise is in the public health impact of laws and their enforcement, with a special focus on drug overdose, infectious disease transmission, and criminal justice reform through a public health lens.

Professor Beletsky is a frequent media commentator on public health law and policy, health equity and policing.

In a recent article in Commonwealth, Beletsky and John Messinger called on states to move to “end involuntary civil commitment” – “one of the biggest tragedies of COVID-19 behind bars has been in correctional institutions housing people who have not been convicted of a crime. This includes thousands of residents in Massachusetts — and other states – who are being involuntarily held because of their addiction.”

Full panel:

Kevin McCarty, Assemblymember
Leo Beletsky, Professor of Law and Health Sciences and Faculty Director, Health in Justice
Kate Chatfield, Attorney and Criminal Justice Advocate
Kellen Russoniello, Drug Policy Alliance
Robert Canning, Clinical Psychologist, Retired, CDCR, Vanguard Board Member
Rodney Beede, Attorney, Yolo County Conflict Counsel

To register:

https://us02web.zoom.us/webinar/register/WN_yRo3556UQ4ip5XQt7nA8mw

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YouTube: <http://www.youtube.com/davisvanguard>

Criminal Justice News/ Commentary

**Yolo County DA Has a Challenger for 2022
in Retired Public Defender Cynthia
Rodriguez**

In 2018, District Attorney Jeff Reisig held off a tough challenge from Deputy Public Defender Dean Johansson to win a fourth term as the chief prosecutor in Yolo County. Now it appears he will have another challenge from a public

[Read More](#)

Colorado Police Officers Violently Arrest, Hogtie, Injure 73-year-old Woman with Dementia and Later Laugh about Footage

Police officers here violently arrested and allegedly dislocated the shoulder of a 73-year-old woman with dementia after she was suspected to have exited a Walmart without paying for \$13.88 of items.

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Conflicting Reports in Case of Vacaville Police Dog Punched by Officer

An independent investigator who was hired to conduct a thorough review of the Vacaville Police Department's working canine program said he did not agree with the findings of an animal behavioral therapist who examined a

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Self-Representing Defendant Argues Wrongful Conviction in Case of Alleged Anti-Semitic Hate Crime

Defendant and former mayoral candidate Zachary RunningWolf Brown argued in Davidson Courthouse last Friday at his sentencing that though he was wrongfully convicted for hate crime and vandalism

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CA Senate Passes Bill Legalizing Safe, Supervised Injection Sites and Overdose Prevention; Gov. Newsom Urged to Sign Bill into Law

A leading grassroots organization, Dignity and Power NOW (DPN), is urging Gov. Gavin Newsom to sign the recently passed Senate Bill that establishes a pilot program for monitored injections and provides mental

[Read More](#)

Proposed Coronavirus Relief Bill To Include Incarcerated Individuals

On March 11, President Biden signed the \$1.9 trillion coronavirus relief package into law, which provided \$1,400 stimulus payments to individuals making less than \$75,000 annually, including the incarcerated.

[Read More](#)

Special Event April 30th – Justice for Chief: Wrongful Convictions Webinar

On Friday, April 30th, Cal Habitat for Humanity will be hosting a webinar event dedicated to discussing the issue of wrongful convictions, and raising awareness and funds to support Chief Stankewitz, a wrongfully convicted Native

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Renowned Professor Beletsky To Join Friday's Webinar on AB 1542

The Vanguard webinar on AB 1534 will be joined by renowned Professor Leo Beletsky, Professor of Law and Health Sciences and Faculty Director, Health in Justice at Northeastern University in Boston.

[Read More](#)

Special Vanguard Event on May 6 – Big Day of Giving – Feat. Gascón and Brendon Woods

Normally the Big Day of Giving is a time when people across the Sacramento region come together to support their local non-profits. The Vanguard as a non-Profit has participated each year.

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COVID CDCR and Jail Dashboards

New COVID-19 Cases Reported at CA Central Women's Facility & Wasco State Prison

Our daily run down on the COVID cases in the California Prison System (CDCR)

[Read More](#)

127 Santa Rita Jail Staff Failed to Comply with Public Health Dept.'s Mandatory Testing Order

Our daily run down on the COVID cases in selective County Jails

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San Francisco Court Watch

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Police Brutality Demonstrator Claims SF Police Attacked Him, But He's on Trial for Allegedly Assaulting Officer with Laser Pointer

In March, Yusuf Labib attended a Black Lives Matter protest in San Francisco, and questioned a San Francisco Police Officer about his Blue Lives Matter attire. According to the S.F.P.D., the situation between Labib and the officer

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Yolo County Court Watch

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Misleading No Contest Plea to Manslaughter from Defendant Creates Confusion

A discrepancy between a defendant's no contest plea and her belief that she was not guilty created confusion in Yolo County Superior Court Monday, but it was eventually cleared up by the judge explaining the

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Sacramento Court Watch

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Defendant's Wandering Eyes Used to Try to Get Out of Jam, Prosecution Claims

Vehicle theft defendant Brandon Mackenzie may have wandering eyes, if you believe prosecutors. Judge Kevin McCormick Wednesday here in Sacramento County Superior Court heard a preliminary hearing regarding

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Judge Denies Defendant Release and Reduced Bail in Concern for Domestic Violence Victim's Safety

After a lengthy preliminary hearing of contradicting narratives regarding a domestic violence incident, Judge Trena H. Burger-Plavan denied the defense request for a release from custody and reduced bail, in

[Read More](#)

Alameda Court Watch

Retrial Resumes Tuesday for 2014 Oakland Neighbor Murder Case

Shawn Martin is facing trial here in Alameda County Superior Court for murder—it's his second trial for the alleged fatal shooting of his neighbor, after his 2017 murder conviction was overturned by an appeals court because of a

[Read More](#)

Los Angeles Court Watch

Orange County Trial Relating to Residential Burglary and Sexual Assault of Minor to Wrap Up Jury Selection

Attorneys involved in defendant Oscar Sosa Tapia's minor sexual assault case began with their jury selection this week at Orange County Superior Court.

[Read More](#)

Contra Costa Court Watch

Defendant Fearing Deportation Allegedly Caused Accident, Lied that He Was Carjacked

Trial counsel and the judge here last week may have been sympathetic to a defendant seeking asylum in the U.S., but the defendant allegedly caused a vehicle collision and then told police he was carjacked – the

[Read More](#)

Fresno Court Watch

Banned for Life from Possessing Guns or Ammo, Teen Slips Again When Caught with Firearm

Kalvin McCoy was arraigned on gun charges here Monday in Fresno County Superior Court – and for him, it is even more serious because he is currently on probation for an offense he incurred as minor, which includes a lifetime

[Read More](#)

Riverside Court Watch

Defense Called Out for Using “Red Herring”: Jury Trial Contemplates Whether Shooter Acted in Malice or Self-Defense

On Friday morning, Everardo Guerrero Saucedo faced five charges of sexual assault that he had allegedly inflicted on to a fourteen year old victim. Through the compilation of evidence and attempts to recount

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Merced Court Watch

Family Survives in the Face of Father’s Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

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Everyday Injustice - Podcast

[see our podcasts](#)

Everyday Injustice Podcast Episode 104 – Appeal Analysts Discuss Policing Polling

Recent polling by Data for Progress for the Appeal taken between March 5 and March 7 found public opinion since the murder of George Floyd, has shifted to support for alternatives to policing and the ways in which communities

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Everyday Injustice Podcast Episode 103 – Manhattan DA Candidate Dan Quart

In less than 100 DAs, Manhattan will elect a new DA which would only be the fifth in the last 80 years, replacing four term incumbent Cy Vance. There are a host of progressive candidates vying for the Democratic nomination including

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Subject: Everyday Injustice - Federal Hate Crimes Filed in Arbery Case; Alameda Video Released Reminiscent of Floyd
Date: Thursday, April 29, 2021 at 7:01:22 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"In 2020, the litigation brought by the three California ACLU affiliates—Northern California, Southern California, and San Diego—resulted in the release of over 500 people from immigration detention across the state," the ACLU said.

Everyday Injustice Newsletter - April 29, 2021

Juror Speaks Out on Conviction of Chauvin

By David Greenwald

This week I was talking with our interns about the conviction of Derek Chauvin. One of the points I made to them was that it never appeared that Chauvin had any sort of remorse and that I felt the defense had made a mistake not at least attempting to humanize Chauvin by putting him on the stand.

This is not a typical murder case in two senses. First, while Chauvin's defense was clearly a reasonable doubt defense - attempting to shift the blame from Chauvin to underlying medical condition. Second, no one is alleging that he did this on purpose and to that extend, it would make the defense somewhat more believable if he got up there and said that this was a horrible thing that happened, that he felt terrible, but that his actions didn't cause George Floyd's death.

But he never did.

We finally got to hear from one of the jurors in this case and that kind of bore it out and it probably will start putting to bed the idea that jurors felt intimidated.

One thing the juror notices - "a sharp change in Chauvin's demeanor over the course of the trial."

"To me, (Chauvin) started out really confident," he said. "The first week, for sure -- I felt like he was confident, his lawyers were confident. I could feel the confidence for sure."

But "as the case went on, his demeanor kind of changed to more of a confused look -- (like) this isn't how it's supposed to go," the juror said.

"I didn't see any remorse."

That was really a key I think - the lack of remorse. The juror didn't bring it up, but I have pointed out that there were two points that really stood out for me - the failure of Chauvin to register concern when Floyd complained about being unable to breathe and the lack of attention he received when his pulse stopped.

The jury deliberated for about 10 hours, which we believe was relatively quick for a case of this length and complexity. But the juror noted that it was only one juror who needed additional detail and explanation.

"I feel like the evidence was overwhelming," he said. "But ... decisions like that, when you're deciding somebody else's life, will never be that easy."

To my other point, the juror said, "some jurors wanted to hear from Chauvin, who did not testify on his own behalf."

But he didn't think it would have changed the verdict if he did testify.

One thing that the juror did not mention - any notion that they felt intimidated. For him the evidence was overwhelming, Chauvin had no remorse and that's how I felt.

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Criminal Justice News/ Commentary

Police Body Cam Footage Released of In-Custody Death of Mario Gonzalez in Alameda

Police body-camera footage was released by the city of Alameda Wednesday of the encounter between Mario Gonzalez and the Alameda police on April 19 – the recording shows the arrest and subduing of

[Read More](#)

Federal Charges Filed in the Death of Ahmaud Arbery

On Wednesday, the US Department of Justice announced that three Georgia men were indicted and charged with hate crimes and the attempted kidnapping of Ahmaud Arbery. The indictment also charges two of the

[Read More](#)

ACLU Appealed to Biden Admin to Close ICE Detention Facilities – 2 in California

The American Civil Liberties Union appealed to the Department of Homeland Security Wednesday to close 39 Immigration and Customs Enforcement (ICE) detention facilities nationwide, including six in California.

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Letter: Police Oppose Federal Menthol Ban Proposal

On Wednesday, the Law Enforcement Action Partnership released a letter sent to the FDA this week urging federal regulators to reject a citizen proposal to ban menthol tobacco products. Banning drugs is an escalation of the

[Read More](#)

One Year into Pandemic, Several Prisons Resume In-Person Visits

Approximately one year into the deadly coronavirus pandemic, several states and prison systems have begun resuming in-person visits. The ability to resume in-person visitation comes in the wake

[Read More](#)

Report By Independent Counsel, Gerald Chaleff, of LAPD Response to Protests in May/June 2020

Mr. Gerald Chaleff authored a report on the LAPD's response to racial protests in May and June of 2020. His prior report was LAPD's response to the 2007 "May Day Incident" that left 246 protesters/ journalists and 18 officers

[Read More](#)

Prison Staff Across the Nation Refuse COVID-19 Vaccine Despite Widespread Outbreaks

Prison guards and other staff members in incarceration facilities across the country are refusing to be vaccinated against COVID-19 at rates that are alarming legislators and public health officials alike.

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Special Event April 30th – Justice for Chief: Wrongful Convictions Webinar

On Friday, April 30th, Cal Habitat for Humanity will be hosting a webinar event dedicated to discussing the issue of wrongful convictions, and raising awareness and funds to support Chief Stankewitz, a wrongfully convicted Native

[Read More](#)

Renowned Professor Beletsky To Join Friday's Webinar on AB 1542

The Vanguard webinar on AB 1534 will be joined by renowned Professor Leo Beletsky, Professor of Law and Health Sciences and Faculty Director, Health in Justice at Northeastern University in Boston.

[Read More](#)

“Have a seizure then we’ll talk” – Santa Rita Jail’s Deputies, Medical Staff Neglect Patients’ Needs Argue Attorneys

In 2018, attorneys from Rosen, Bien, Galvan & Grunfeld LLP filed a class-action lawsuit, Babu v. Ahern, on behalf of incarcerated people with serious mental illnesses in Santa Rita Jail (SRJ). The plaintiffs allege that,

[Read More](#)

Special Vanguard Event on May 6 – Big Day of Giving – Feat. Gascón and Brendon Woods

Normally the Big Day of Giving is a time when people across the Sacramento region come together to support their local non-profits. The Vanguard as a non-Profit has participated each year.

[Read More](#)

COVID CDCR and Jail Dashboards

95% of CA Institution for Women's Population Tested in 14-Days– Highest Rate Across CDCR

Our daily run down on the COVID cases in the California Prison System (CDCR)

[Read More](#)

127 Santa Rita Jail Staff Failed to Comply with Public Health Dept.'s Mandatory Testing Order

Our daily run down on the COVID cases in selective County Jails

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San Francisco Court Watch

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Police Brutality Demonstrator Claims SF Police Attacked Him, But He's on Trial for Allegedly Assaulting Officer with Laser Pointer

In March, Yusuf Labib attended a Black Lives Matter protest in San Francisco, and questioned a San Francisco Police Officer about his Blue Lives Matter attire. According to the S.F.P.D., the situation between Labib and the officer

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Yolo County Court Watch

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Misleading No Contest Plea to Manslaughter from Defendant Creates Confusion

A discrepancy between a defendant's no contest plea and her belief that she was not guilty created confusion in Yolo County Superior Court Monday, but it was eventually cleared up by the judge explaining the

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Sacramento Court Watch

[Like our Facebook Page](#)

Defense Attorney Delves into Legislative

Intent of New Law for DUI Clients

Judge Kara Ueda heard a seemingly technical matter with real life consequences in Sacramento Superior Court's Dept. 45 Tuesday: did California AB 3234 allow defendants accused of misdemeanor DUI to be

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Judge Orders Prelim Hearing, Despite Police Witnesses' Vague Memories of Investigation

Despite some vague and incomplete testimony from investigating officers, a judge here in Sacramento County Superior Court Tuesday set a trial for two defendants for first degree burglary that allegedly

[Read More](#)

Defendant Claims Reporting Alleged Attack by Deputy Led to Arrest; Complains No Attorney Appointed

Tensions rose here in Sacramento County Superior Court Tuesday when a defendant argued she has not been appointed an attorney, hasn't had access to calls while in custody, and alleged her case is

[Read More](#)

Alameda Court Watch

Retrial Resumes Tuesday for 2014 Oakland Neighbor Murder Case

Shawn Martin is facing trial here in Alameda County Superior Court for murder—it's his second trial for the alleged fatal shooting of his neighbor, after his 2017 murder conviction was overturned by an appeals court because of a

[Read More](#)

Los Angeles Court Watch

Orange County Trial Relating to Residential Burglary and Sexual Assault of Minor to Wrap Up Jury Selection

Attorneys involved in defendant Oscar Sosa Tapia's minor sexual assault case began with their jury selection this week at Orange County Superior Court.

[Read More](#)

Contra Costa Court Watch

Defendant Fearing Deportation Allegedly Caused Accident, Lied that He Was Carjacked

Trial counsel and the judge here last week may have been sympathetic to a defendant seeking asylum in the U.S., but the defendant allegedly caused a vehicle collision and then told police he was carjacked – the

[Read More](#)

Fresno Court Watch

Banned for Life from Possessing Guns or Ammo, Teen Slips Again When Caught with Firearm

Kalvin McCoy was arraigned on gun charges here Monday in Fresno County Superior Court – and for him, it is even more serious because he is currently on probation for an offense he incurred as minor, which includes a lifetime

[Read More](#)

Riverside Court Watch

Defense Called Out for Using “Red Herring”: Jury Trial Contemplates Whether Shooter Acted in Malice or Self-Defense

On Friday morning, Everardo Guerrero Saucedo faced five charges of sexual assault that he had allegedly inflicted on to a fourteen year old victim. Through the compilation of evidence and attempts to recount

[Read More](#)

Merced Court Watch

Family Survives in the Face of Father’s Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

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Everyday Injustice - Podcast
see our podcasts

Everyday Injustice Podcast Episode 104 – Appeal Analysts Discuss Policing Polling

Recent polling by Data for Progress for the Appeal taken between March 5 and March 7 found public opinion since the murder of George Floyd, has shifted to support for alternatives to policing and the ways in which communities

[Read More](#)

Everyday Injustice Podcast Episode 103 – Manhattan DA Candidate Dan Quart

In less than 100 DAs, Manhattan will elect a new DA which would only be the fifth in the last 80 years, replacing four term incumbent Cy Vance. There are a host of progressive candidates vying for the Democratic nomination including

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Subject: Valerie, Check out the Vanguard's Up Coming Events!

Date: Wednesday, April 28, 2021 at 9:00:12 PM British Summer Time

From: David Greenwald

To: valerie.ibarra@sfgov.org

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Image

Image

Hey Valerie!

Join us on **Friday, April 30 at noon** as bill author Assemblymember Kevin McCarty joins a panel of experts to discuss the pros and cons of this legislation.

AB 1542 is a bill authored by Sacramento Area Assemblymember Kevin McCarty.

While it starts out as a pilot program for Yolo County (next to Sacramento County) it has statewide implications.

It authorizes judges to sentence people to confinement in a locked treatment facility instead of prison or jail if the judge determines that their crime was motivated in part by substance abuse.

Panel:

Kevin McCarty, Assemblymember

Kate Chatfield, Attorney and Criminal Justice Advocate

Kellen Russoniello, Drug Policy Alliance

Robert Canning, Retired CDCR Psychologist and Vanguard Board Member

[Click here to register!](#)

The Vanguard's Big Day of Giving Fundraiser: *Police & Race in America May 6, 7 pm PDT*

Image



Join the Big Day of Giving Fundraiser, a time when caring people across the Sacramento region come

Featuring:

George Gascón
*was elected DA in
Los Angeles in
November 2020
after serving as DA
in San Francisco
for eight years.*

Brendon Woods

together to give to support local nonprofits.

Minimum donation is \$25 (with lower rates for students and low-income people).

Anyone donating for Big Day of Giving will receive a Zoom link to attend the fundraiser.

**The first \$4000 raised will be matched by matching donors!*

has been Chief Public Defender since 2012 and is the only Black Chief Public Defender in the state of California.

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Date: Wednesday, April 28, 2021 at 7:51:50 PM British Summer Time
From: Rodarmel, Danica (PDR)
To: PUBDEF-Policy

FYI

From: Tim Choi via ppi list <ppi@lists.curbprisonspending.org>
Date: Wednesday, April 28, 2021 at 11:50 AM
To: ppi@lists.curbprisonspending.org <ppi@lists.curbprisonspending.org>
Subject: [ppi] More Post-Humphrey CourtWatch from the Davis Vanguard (Sac Superior Court)

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More Post-Humphrey CourtWatch from the Davis Vanguard

Watching How Bail is Handled Post-Humphrey

By David Greenwald

We are closely watching how bail will be handled in our post-Humphrey world. Last month, the California Supreme Court handed down the landmark decision that judges had to take into account ability to pay when setting bail.

The question now - how are judges handling such matters.

Here are a few recent cases we have covered.

Last week, [Ned Meiners reported on a case out of Sacramento](#):

"When Cassandra Pajibo arrived at her bail hearing in Sacramento County Superior Court on Monday morning her bail was set at \$50,000—when the hearing was over, she was held without bail and no chance of being released to await trial out of custody.

"The judge, Michael Bowman, spoke at length on *In re Humphrey*, a recent California Supreme Court decision which ruled that courts must take into account a defendant's ability to pay when setting bail. While the decision means fewer defendants will be held in jail due to exorbitant bail amounts, it could lead to more individuals who are deemed a threat to public safety being held without bail."

The judge in this case, revoked bail.

"Ultimately, it was up to the prosecution to present clear and convincing evidence that the defendant was a threat to the public or the victim's safety. Judge Bowman found the evidence compelling and Pajibo's bail, which had been \$50,000, was revoked."

of the victim's safety. Judge Bowman found the evidence compelling and Pajaro's bail, which had been \$50,000, was revoked entirely."

This week, [Sophia Barberini reports](#), "Sacramento County Superior Court Judge Timothy Frawley last Friday attempted to revoke the bail of defendant David Jackson, citing convictions from 25 years ago and asserting, "I can set a bail that he probably won't be able to make.'"

"The offense occurred while the defendant was on post-release community supervision (PRCS) and bail was initially set at \$1 million.

"Assistant Public Defender Timothy Douglass filed a Humphrey motion in an attempt to have the defendant released on his own recognizance (OR), so that he may enter a drug treatment program, noting that repeated prison sentences are not working for Jackson, so maybe a drug program will work."

Finally yesterday [Dorrin Akbari reported](#) that the judge in the case she covered when pushed on Humphrey simply denied bail altogether.

"An attempt by co-counsel Jennifer Mouzis and Tatiana Cottman to have their client released on his own recognizance via a Humphrey motion (requiring reasonable bail) backfired Monday, as Judge Geoffrey Goodman found cause to deny bail altogether."

"Leading the arguments for the defense, Mouzis noted that she had made a motion the prior week to have her client released on his own recognizance "subject to other conditions not including money bail" because Chipman had no assets.

Deputy District Attorney Lauren Weiss expressed skepticism regarding the claim that the defendant had no assets, given that Mouzis was being paid to represent him.

She then emphasized the violent nature of the defendant's criminal history, which included a prior strike in 2014, and cited that as grounds for keeping Chipman in custody in the "interest of public safety."

While that sounds like a backfire, keep in mind, that the original bail was not one that the defendant could make anyway - so removing bail effectively has little effect on the individual's custody status. That said, watching how these cases are handled is certainly a matter of some concern for reformers.

Thanks for reading.

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Subject: Everyday Injustice - Sac DA Decides To Run For AG; Potential Battle Between Reformer and Law and Order Could Ensure
Date: Wednesday, April 28, 2021 at 7:02:52 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"I think those would be appropriate conditions, but I'm not satisfied that your conditions sufficiently safeguard the public," replied Judge Goodman. "I'm going to deny bail on each case."

Everyday Injustice Newsletter - April 28, 2021

Watching How Bail is Handled Post-Humphrey

By David Greenwald

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"Assistant Public Defender Timothy Douglass filed a Humphrey motion in an attempt to have the defendant released on his own recognizance (OR), so that he may enter a drug treatment program, noting that repeated prison sentences are not working for Jackson, so maybe a drug program will work."

Finally yesterday **Dorrin Akbari reported** that the judge in the case she covered when pushed on Humphrey simply denied bail altogether.

"An attempt by co-counsel Jennifer Mouzis and Tatiana Cottman to have their client released on his own recognizance via a Humphrey motion (requiring reasonable bail) backfired Monday, as Judge Geoffrey Goodman found cause to deny bail altogether."

"Leading the arguments for the defense, Mouzis noted that she had made a motion the prior week to have her client released on his own recognizance "subject to other conditions not including money bail" because Chipman had no assets.

Deputy District Attorney Lauren Weiss expressed skepticism regarding the claim that the defendant had no assets, given that Mouzis was being paid to represent him. She then emphasized the violent nature of the defendant's criminal history, which included a prior strike in 2014, and cited that as grounds for keeping Chipman in custody in the "interest of public safety."

While that sounds like a backfire, keep in mind, that the original bail was not one that the defendant could make anyway - so removing bail effectively has little effect on the individual's custody status. That said, watching how these cases are handled is certainly a matter of some concern for reformers.

Thanks for reading.

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Commentary: Sac DA Decides To Run For AG; Potential Battle Between Reformer and Law and Order Could Ensure

No sooner had Rob Bonta been sworn in as AG than he has been challenged for his first election in 2022. Sacramento DA Ann Marie-Schubert has served two terms, has switched her registration from Republican to

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Shaun King Compares Peanut Butter to Call for Police Accountability, Chides Biden for Created Unjust Laws

Comparing police accountability to peanut butter, social-justice activist and author Shaun King calls on President Biden to amplify the momentum around criminal justice reform, to end the unjust systems that Biden imagined and

[Read More](#)

Guest Commentary: The Unhappy 25th Birthday of Two Tough-on-Crime Era Laws That Have Deadly Consequences for Incarcerated People

This week, 25 years ago, Congress enacted a pair of laws that severely restricted the ability of incarcerated people to raise constitutional challenges against egregious conditions of their confinement, as well as unjust and

[Read More](#)

Philadelphia DA Throws Weight Behind Police Reform

The police reform movement, back in the spotlight after Derek Chauvin was found guilty of murdering George Floyd earlier this month, has picked up steam in Philadelphia after District Attorney Larry Krasner

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Prison Staff Across the Nation Refuse COVID-19 Vaccine Despite Widespread Outbreaks

Prison guards and other staff members in incarceration facilities across the country are refusing to be vaccinated against COVID-19 at rates that are alarming legislators and public health officials alike.

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CDCR's CA Correctional Center's Closure Could Reshape Lassen County's Labor Force

As of Apr. 24, there have been a total of 49,217 confirmed COVID-19 cases in the CDCR system – 11 of them emerged in the last two weeks. 11 cases are active in custody while 613 have been released while active. A total of

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Special Vanguard Event on May 6 – Big Day of Giving – Feat. Gascón and Brendon Woods

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COVID CDCR and Jail Dashboards

Only 20% of High Desert State Prison's Staff Consented to Vaccines– Lowest Rate Across CDCR

Our daily run down on the COVID cases in the California Prison System (CDCR)

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10% of Santa Rita Jail Staff Failed to Comply with Public Health Dept.'s Mandatory Testing Order

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Police Brutality Demonstrator Claims SF Police Attacked Him, But He's on Trial for Allegedly Assaulting Officer with Laser Pointer

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Yolo County Court Watch

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Misleading No Contest Plea to Manslaughter from Defendant Creates Confusion

A discrepancy between a defendant's no contest plea and her belief that she was not guilty created confusion in Yolo County Superior Court Monday, but it was eventually cleared up by the judge explaining the

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Sacramento Court Watch

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Trial Continues to Determine if Defendant is Sexually Violent Predator

Defendant Antonio Youmans was back in the Sacramento County Superior Court Monday morning for a continuation of a bench trial to determine whether he is to be committed as a sexually violent predator.

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Man Faces Trial for Shooting Up Car, But Judge Said Prosecution Stretching Charges, People Not at Risk

Deputy District Attorney Saron Tesfai tried her best Tuesday here in Sacramento County Superior Court to establish probable cause for the negligent discharge of a firearm based on the presence of people near the

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Alameda Court Watch

Retrial Resumes Tuesday for 2014 Oakland Neighbor Murder Case

Shawn Martin is facing trial here in Alameda County Superior Court for murder—it's his second trial for the alleged fatal shooting of his neighbor, after his 2017 murder conviction was overturned by an appeals court because of a

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"This April 2 death would not have been known if not for a filing in a federal civil rights lawsuit, Babu v Ahern," said Bob Britton

Everyday Injustice Newsletter - April 27, 2021

We Have a Rotten System - Not a Few Bad Apples

By David M. Greenwald

Trying to unwatch this [horrible video](#) of a police officer in Colorado who completely misread the situation involving a 73 year woman who stood at 5 feet, 80 pounds, eventually throwing her to the ground and arrested her - breaking bones and failing to give her medical treatment.

It turned out the woman, 73, suffers from dementia and sensory aphasia, which impairs her ability to

verbally communicate and understand others' communications.

Not only that but he makes inappropriate jokes throughout the incident. It's frankly disgusting. None of the cops ever think to ask whether the woman is suffering dementia? This is just a perfect example of what is wrong with the current way we go about policing.

Our own coverage yesterday unfortunately was simply an example of bad policing - lying cops and lying prosecutors.

In Santa Rita - a DOJ investigation found violations of ADA, Eighth and 14th Amendments...

On April 2, a woman in SRJ took her own life— the second suicide-related in-custody death in 2021.

"This April 2 death would not have been known if not for a filing in a federal civil rights lawsuit, *Babu v Ahern*," Britton writes, regarding the lack of public knowledge and transparency about these deaths. Indeed, both of these in-custody suicides during 2021 would not have been publicly known if not for court filings.

As reporter Tiffany Devlin notes: Alameda County's Santa Rita Jail (SRJ) is infamous for having the highest **in-custody death rate** across all county jails in Northern California. Since 2014, **50 individuals have died** while in SRJ's custody.

Article: <https://www.davisvanguard.org/2021/04/doj-investigation-shows-alameda-county-santa-rita-jail-violate-ada-eighth-fourteenth-amendment-rights/>

In SLO both the CHP and Prosecutors lied. The CHP lied about what happened that precipitated the charging of protestors from last summer's BLM protests. And then the DA lied about what the DA's office did in terms of making out of court statements about the case trying to gag the defense.

Unlike the Santa Rita case, the AG's office is defending the DA and fighting for the DA to be able to remain on the case - despite the volumes of documents showing DA Dan Dow biased and prejudiced against Black Lives Matter and defendant Tianna Arata.

Article: <https://www.davisvanguard.org/2021/04/judge-in-slo-case-takes-motion-for-gag-order-under-advisement/>

Finally in Orange County, the Sheriffs lied, beat a drunk man up, and the DA attempted to prevent disclosure of police records.

In a hearing last month, Assistant Public Defender Scott Sanders alleged that the Orange County Sheriff's Department only did a superficial investigation before finding complaints that several deputies roughed up his client were not sustained, and complained that the judge's ruling could allow the agency to hide behind poor investigative work.

No matter, the judge denied the motion.

Video of beating: <https://www.nbcnews.com/video/dashcam-video-shows-orange-county-deputy-repeatedly-punching-intoxicated-man-1348214851611>

Our article on the hearing: <https://www.davisvanguard.org/2021/04/motion-denied-by-orange-county-judge-to-disclose-additional-police-records/>

Anyone who wants to argue this is just a few bad apples isn't paying attention.

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Criminal Justice News/ Commentary

DoJ Opens Investigation of Louisville/Jefferson County Metro Government and Louisville Metro Police Department

Attorney General Merrick B. Garland announced Monday that the Department of Justice has opened a pattern or practice investigation into the Louisville/Jefferson County Metro Government and Louisville Metro Police Department.

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District Attorney Chesa Boudin Files Murder Charges Against Accused Infant Murderer

District Attorney Chesa Boudin continues to emphasize domestic violence survivor rights, announcing Monday his office has filed murder and assault charges against defendant Joseph Williams for the death of a seven-month-

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U.S. Court of Appeals for Fifth Circuit Rules Against Murder Defendant Because of Late Filing

The U.S. Court of Appeals for the Fifth Circuit ruled against defendant Rodney Reed for a crime he claims he did commit – the court is fully aware of evidence being withheld from the defendant by the State of Texas, but ruled Reed

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Berkeley Limits Low-Level Traffic Stops in an Effort To Reduce Policing Disparities

In February the city of Berkeley made legislative history when its officials unanimously voted to deprioritize traffic stops for “low-level” offenses, and instead encouraged officers to focus their efforts on dangerous drivin

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DOJ Investigation Shows Alameda County & Santa Rita Jail Violate ADA, Eighth &

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Yolo County Court Watch

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Dirty Politics: Trump Supporter Accused of Pepper Spraying Neighbors Over Political Views

The dirty side of personal politics—mirroring the divisions in the U.S. today—reared its ugly head here in Yolo County Superior Court Wednesday when one pro-Trump supporter allegedly pepper sprayed her neighbor

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Sacramento Court Watch

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Judge Denies Bail Altogether Following Request to Have It Set to Zero Dollars

An attempt by co-counsel Jennifer Mouzis and Tatiana Cottman to have their client released on his own recognizance via a Humphrey motion (requiring reasonable bail) backfired Monday, as Judge Geoffrey Goodman f

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Defendant Lectured by Judge, Faces Possible Sentence to State Prison After Violating Multiple Probation Terms Over 5 Years

After dodging accumulated probation jail terms for the past five years and disappearing on his probation officer, defendant Patrick Batad was seriously lectured in court on Monday by Judge Kevin McCormick.

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Subject: Everyday Injustice - DA Lies in SLO BLM Case; Interview with Appeal About Policing and Public Opinion

Date: Monday, April 26, 2021 at 7:01:46 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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Senator Steven Bradford: "The reoccurring tragedies that are occurring not only in this state but in this country clearly demonstrates that existing laws are not enough to insure the protection of all citizens from rogue cops especially in the black and brown community."

Everyday Injustice Newsletter - April 26, 2021

Special Vanguard Event on May 6 – Big Day of Giving

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POLICING AND RACE IN AMERICA

We feature two amazing speakers.

Los Angeles DA George Gascon

Alameda Public Defender Brendon Woods

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The best part – the first \$4000 will be matched! That means donations up to \$4000 will be doubled! So please sign up today by donating to the Big Day of Giving

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Panel:

Kevin McCarty, Assemblymember
Kate Chatfield, Attorney and Criminal Justice Advocate
Kellen Russoniello, Drug Policy Alliance
Robert Canning, Retired CDCR Psychologist and Vanguard Board Member

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Criminal Justice News/ Commentary

Judge in SLO Case Takes Motion For Gag Order Under Advisement

Retired Judge Roger Picquet heard arguments on motions all day in San Luis Obispo Superior Court in the case against Tianna Arata and a number of other protesters on Friday accused of blocking a highway

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Motion Denied By Orange County Judge To Disclose Additional Police Records

An Orange County Judge denied a motion by defense to order the Sheriff's Department to turn over additional deputy personnel records in a case against Mohammed Sayem.

[Read More](#)

Everyday Injustice Podcast Episode 104 – Appeal Analysts Discuss Policing Polling

Recent polling by Data for Progress for the Appeal taken between March 5 and March 7 found public opinion since the murder of George Floyd, has shifted to support for alternatives to policing and the ways in which communities

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Chauvin Guilty Verdicts Should Not be Considered Victories Just Yet, Warns Massachusetts Representative

In the wake of Derek Chauvin's guilty verdict for the murder of George Floyd, much of the country has been celebrating a victory for racial justice.

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Manhattan District Attorney Candidate Dan Quart Urges Police Reform After Unarmed Adam Toledo Shooting by Cops

Dan Quart, running for Manhattan District Attorney on a platform that encourages prosecutors to speak out against police misconduct and change the culture of the prosecutor's office, publicly commented on the recent

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San Francisco DA Chesa Boudin Supports New Victims' Rights Legislation

SF District Attorney Chesa Boudin joined Californians for Safety and Justice (CSSJ) at a virtual town hall this week that was designed to highlight two California legislative measures to uplift the voices of victims of police violence.

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Sacramento Court Watch

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Despite Legislative Changes, Court Rules Against Striking Enhancements

In the end, Friday in Dept. 61 of Sacramento County Superior Court, Judge Geoffrey Goodman declared that “I don’t think it would be in the interest of justice to dismiss either of the firearm enhancements,” refusing

[Read More](#)

Judge Attempts to Revoke Bail, Concedes He’s ‘Not Sure What We are Doing in These Post-Humphrey Times’ (Requiring Reasonable Bail)

Sacramento County Superior Court Judge Timothy Frawley last Friday attempted to revoke the bail of defendant David Jackson, citing convictions from 25 years ago and asserting, “I can set a bail that he probably won’t be able

[Read More](#)

Judge Reduces Woman’s Bail to \$1,000 After Allegations of Rape in Shotgun Shooting Case

A prosecutor and defense attorney offered two different theories of events before a defendant allegedly shot a man in the stomach with a shotgun here in Sacramento County Superior Court Friday.

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Girlfriend of Suspect Shares Boyfriend's Residence, Mentions He's 'Holding' Gun for 'Someone Else' – Trial for Boyfriend Set

The simple comment of "He is just holding the gun for someone else" by a girlfriend was enough to hold and charge defendant Marcus Diaz on a felony possession charge, according to a judge's ruling Friday in Sacramento

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Merced Court Watch

Family Survives in the Face of Father’s Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

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Everyday Injustice - Podcast

[see our podcasts](#)

Everyday Injustice Podcast Episode 104 – Appeal Analysts Discuss Policing Polling

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Everyday Injustice Podcast Episode 103 – Manhattan DA Candidate Dan Quart

In less than 100 DAs, Manhattan will elect a new DA which would only be the fifth in the last 80 years, replacing four term incumbent Cy Vance. There are a host of progressive candidates vying for the Democratic nomination including

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Date: Friday, April 23, 2021 at 7:00:54 PM British Summer Time
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To: valerie.ibarra@sfgov.org

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Everyday Injustice Newsletter - April 22, 2021

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Criminal Justice News/ Commentary

Commentary: Chauvin Unlikely to Win on Appeal

The evidence was overwhelmingly against Derek Chauvin in the murder trial where he was convicted of second degree murder and two other charges. The jury came to a quick decision to reach that verdict on Tuesday.

[Read More](#)

California Legislative Black Caucus Reactions To Chauvin Verdict Calling For Comprehensive Police Reform

On Tuesday morning prior to the verdict in the Derek Chauvin trial, the California Legislative Black Caucus members held a press conference calling for action on a comprehensive police reform agenda. Following the

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Bill Passes to Address Asian-American Hate Crimes– is it Enough?

On March 16th, 2021, in Atlanta, Georgia, a 21 year old white man committed a mass shooting, killing 8 people, 6 of whom were women of Asian-American descent. Because of the location and the targeted nature of the

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Innocence Project Details Connections Between Wrongful Convictions and Police Accountability

Since the Ferguson shooting in 2014, activists have made the point again and again: the American criminal justice system is broken. How to fix it, however, remains a topic for huge debate.

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San Francisco Receives \$6 Million to Promote Victim Healing and Restorative Justice Practices

District Attorney Chesa Boudin announced this week the city of San Francisco was awarded with \$6 million to promote accountability, victim healing, and participate in more restorative justice practices.

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Re-Imagine LA Coalition Rejects CEO's 2021-2022 Fiscal Budget, Urges Full Funding of Measure J

The Re-imagine LA Coalition denounced the LA County CEO's plan allocating \$100 million funds to Measure J for the 2021-2022 fiscal year on Monday.

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Sacramento Court Watch

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Neighbor Alerts Victim His House had Possible Unwanted Visitor, Stops Alleged Burglary

Testimony here in a preliminary trial in Sacramento County Superior Court this week suggested a good neighbor may have stopped a burglary in progress in September 2020.

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Dramatic Testimony Sparked by 'If You Leave Me, I will Kill You' statement by Defendant

The testimony presented in Judge Donald Currier's Dept. in Sacramento County Superior Court this week at the preliminary hearing for Michael Maldonado – accused of multiple felony and misdemeanor charges

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Dramatic Testimony Sparked by 'If You Leave Me, I will Kill You' statement by Defendant

The most popular retort heard in one hearing this week in Sacramento County Superior Court was “would you allow me to refresh my recollection?” Detective Justin Chaussee and police officer Eric Steindorf

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George Ryan was a Republican Governor of Illinois. He started his career as an advocate for the death penalty. But during his time as Governor, between cases of wrongful convictions and a torture scandal in Chicago, he came to the

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Subject: Your invited to the Vanguard's Big Day of Giving Event

Date: Thursday, April 22, 2021 at 9:00:21 PM British Summer Time

From: David Greenwald

To: valerie.ibarra@sfgov.org

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Image

**YOUR INVITED TO OUR
BIG DAY OF GIVING EVENT!**

Image

Join the Vanguard's Big Day of Giving Fundraiser!

The Big Day of Giving is a time when caring people across the Sacramento region come together to give to support local nonprofits.

Police & Race in America May 6, 7 pm PDT

Featuring Los Angeles DA George Gascón and Alameda Public Defender Brendon Woods.

George Gascón was elected DA in Los Angeles in November 2020 after serving as DA in San Francisco for eight years.

Brendon Woods has been Chief Public Defender since 2012 and is the only Black Chief Public Defender in the state of California.

The first \$4000 raised will be matched by matching donors.

**MAY
6, 2021**

7:00 pm - 9:00 pm

Click below to BUY YOUR
TICKET TODAY!

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**Minimum donation is \$25
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Subject: Everyday Injustice - Special Report: COVID in Prison: A Perfect Storm of Cynicism, Distrust, and Neglect
Date: Thursday, April 22, 2021 at 7:01:37 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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San Francisco DA Chesa Boudin noted, "The verdict against Derek Chauvin does not remedy the long history of impunity for police who commit crimes in the United States.

Everyday Injustice Newsletter - April 22, 2021

Another Suicide at Santa Rita Jail Sparks Cry for Sheriff Oversight in Alameda County

By Bob Britton

Bob Britton, an activist with the Interfaith Coalition for Justice in Our Jails part of Faith in Action East Bay and a member of the County Justice Involved Mental Health Task Force. He is a retired union executive who previously represented the Alameda County Deputy Sheriff's Association and Public Defender Attorneys.

Add another in-custody death to the staggering toll at the Alameda County Jail. Since 2014, 50 people have died at Santa Rita Jail in Dublin, the highest death toll of any jail in the Bay Area. On April 2 an incarcerated female took her own life, the second suicide in less than two months. The Alameda County Sheriff's Office (ACSO) refuses to release the name of the deceased woman, why she was in custody or the means she used to take her own life. In Alameda County the Sheriff is also the Coroner.

This April 2 death would not have been known if not for a filing in a federal civil rights lawsuit, Babu v Ahern. This and other recent deaths have gone unannounced, a cause for concern in the litigation. In an April 9 court hearing plaintiff's counsel, Kara Janssen, implored the judge to have the Sheriff make more information public and not have the community learn only through court filings.

ACSO policies require notification to the President of the Board of Supervisors and the Attorney General. Government Code Section 12525 requires the agency to report to the Attorney General all known facts concerning the death. The law declares all such reports public records under the California Public Records Act, excluding confidential medical information. Yet the Sheriff no longer announces such deaths.

Only seven weeks prior on February 9, Jonas Park, died by suicide. This too was not announced by ACSO. It was discovered a week later by an alert reporter reading of it in a criminal court filing. Park died just six days after his arrest. The court record also revealed in Babu v Ahern that those like Park are allowed only one hour per week out of their cell into the adjacent day room or to shower.

Last June, Donald Nelson died of injuries received from an alleged beating by his temporary cellmate while awaiting booking. ACSO **never reported the beating or resultant death**. The murder was also only discovered in court filings when the assailant was charged. Nelson was found unconscious in a holding cell in the busy booking area of the jail with his cellmate "repeatedly stomping" his head. He suffered a brain bleed, a broken spine and other serious injuries which led to his death. Nelson was an elderly African American man, his alleged murderer is white.

Full article here: <https://www.davisvanguard.org/2021/04/another-suicide-at-santa-rita-jail-sparks-cry-for-sheriff-oversight-in-alameda-county/>

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Criminal Justice News/ Commentary

COVID in Prison: A Perfect Storm of Cynicism, Distrust, and Neglect

As COVID-19 ripped through California's San Quentin State Prison, the words "Man down! Man down!" echoed through the halls. Chanthon Bun knew something was wrong, but could not trust the

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Commentary: Reisig Misses Opportunity to Call For Reform in Wake of Chauvin

Conviction; Believes That the System Works

The Woodland Daily Democrat captured some local reaction to the Chauvin trial and decision, including that of Yolo County DA Jeff Reisig. Like most in his statement to the paper, Jeff Reisig thought it was the

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San Francisco Crime Rates – Pandemic Crime Not Fault of Politicians?

The COVID pandemic has changed and altered so many people's lives, and its apparently influenced crime rates to reflect differences – some crimes rates are way down, some increased.

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Philly DA Krasner Blasts Police Union Leader as 'The Old, Racist, Brutal Guard'

When CNN and PBS host Christiane Amanpour played a clip of Philadelphia Fraternal Order of Police leader John McNesby on her Tuesday show, Philly District Attorney Larry Krasner did not hesitate to cut into the union leader.

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'Depressed, Frustrated, Paranoid' – One Woman's Yearlong Battle with COVID at Central CA Women's Facility

Casey* has been incarcerated at CDCR for nearly four years, and was recently transferred to the Central California Women's Facility (CCWF) in February 2020. Her transfer occurred just weeks before COVID-19 began to spread like

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Guest Commentary: Another Suicide at Santa Rita Jail Sparks Cry for Sheriff Oversight in Alameda County

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Vanguard Webinar: AB 1542 – Alternative to Prison or Prison by Another Name?

AB 1542 is a bill authored by Sacramento Area Assemblymember Kevin McCarty. While it starts out as a pilot program for Yolo County (next to Sacramento County) it has statewide implications.

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COVID CDCR and Jail Dashboards

Cases Across CDCR Reach Single Digits for First Time Since May 2020

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Roughly 16 Percent of Santa Rita Jail's Population is Fully Vaccinated

Our daily run down on the COVID cases in selective County Jails

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San Francisco Court Watch

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Police Brutality Demonstrator Claims SF Police Attacked Him, But He's on Trial for Allegedly Assaulting Officer with Laser Pointer

In March, Yusuf Labib attended a Black Lives Matter protest in San Francisco, and questioned a San Francisco Police Officer about his Blue Lives Matter attire. According to the S.F.P.D., the situation between Labib and the officer

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Yolo County Court Watch

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Dirty Politics: Trump Supporter Accused of Pepper Spraying Neighbors Over Political Views

The dirty side of personal politics—mirroring the divisions in the U.S. today—reared its ugly head here in Yolo County Superior Court Wednesday when one pro-Trump supporter allegedly pepper sprayed her neighbor

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Sacramento Court Watch

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Public Defender Presents Spirited Defense in Contentious Preliminary Hearing; Close Call, but Judge Rules against Defendant

A typical preliminary hearing quickly turned contentious this week in Sacramento County Superior Court Department 32, with both the prosecution and defense making frequent objections and the defense

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DUI Manslaughter Defendant Holds Back Tears as Prosecutor Reads Heartfelt Letter from Victim's Family

"Unfortunately, forgiveness does not equal immediate pain relief, especially when dealing with such a deep wound like losing your child," wrote the victim's parents in a letter to defendant Jesus Sandoval, who

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Alameda Court Watch

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Defendant Fearing Deportation Allegedly

Caused Accident, Lied that He Was Carjacked

Trial counsel and the judge here last week may have been sympathetic to a defendant seeking asylum in the U.S., but the defendant allegedly caused a vehicle collision and then told police he was carjacked – the

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CA Schools Urged to Take Action to Stop AAPI Hate as Students Head Back to Class

As pandemic regulations continue to loosen and schools begin reopening, schools must ensure the well-being and safety of their Asian American and Pacific Islander-identified students.

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Defense Called Out for Using “Red Herring”: Jury Trial Contemplates Whether Shooter Acted in Malice or Self-Defense

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From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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Miriam Krinsky pointed out: "Police kill around 1,000 people every year, but only seven officers have been convicted of murder in police shootings since 2005. At least 64 people, half of them people of color, have been killed by the police since the start of this trial. "

Everyday Injustice Newsletter - April 21, 2021

**Tuesday Was a Strange
Day - See What Happened to Our Reporter in LA When She Tried
to Cover a Talk by Sheriff Villanueva**

By David Greenwald

Even before the historical conviction of Officer Derek Chauvin occurred at 1:30 PDT on Tuesday, yesterday was a strange day. Last week sent a note to Cailin Garcia, a editor in chief of our People's Vanguard of Los Angeles Publication. It was an Los Angeles County National Crime Victims rally set for 10 am.

It seemed interesting with scheduled speakers - Sheriff Alex Villanueva and former DA Steve Cooley.

About 10:17 I got a note from Cailin: "I'm at the event in the tweet above right now and the police here won't let me through. I've showed them my press pass multiple times and this is supposedly a "public event." One of the police told me "if you're here to protest you need to leave." He just assumed I'm here to protest."

I told her to put her recorder on and document everything.

She would tweet: "LAPD refusing to let in members of the public to the National Crime Victims' Rally. Dozens of cops in full riot gear for maybe 20 protestors."

She tweeted, "A sheriff walked up to me and said "if you're here to protest, you need to leave right now" and tried to block me out of the event. He would not let me in after showing my press pass multiple times."

She added, "These protestors were here before the "public" event began and were not able to get in. The police were blocking people from coming in unless they had someone come get them from behind the fences."

In her article she writes:

Organizers with BLM Los Angeles were barred from entering a public event outside of the Hall of Justice in downtown Los Angeles yesterday morning. Protestors chanted "We don't see a riot here, why are you in riot gear?" as they were surrounded by LAPD officers in full riot gear.

The rally and news conference on Tuesday morning was organized for National Victims' Rights Week and featured several prominent Los Angeles officials as guest speakers, including LA County Sheriff Alex Villanueva.

Protestors initially gathered on the right side of the Hall of Justice building, where they were stopped by the LAPD from entering the event. "We have a right to be here! We have a right to be here! This is a violation!" said one of the organizers.

Protestors were surrounded and pushed out of the area by the LAPD's plexiglass crowd control shields. LAPD officers then set up metal barricades around the building to keep out the protestors.

To catch the full article with video - click the link: <https://www.davisvanguard.org/2021/04/blm-la-calls-out-lapd-for-exploiting-crime-victims-interrupt-sheriff-alex-villanueva-during-news-conference/>

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Criminal Justice News/ Commentary

Commentary: No Justice, No Peace

Rodney King was beaten March 3, 1991 when an amateur who had just received a camcorder started filming the beating and then sent it to an LA news station. We all know what happened – tried in front of a white Simi Valley jury,

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BREAKING NEWS: CHAUVIN GUILTY ON ALL THREE CHARGES

It was a quick verdict for the jury – taking less than ten hours. The judge read the verdict – guilty on all three counts. Derek Chauvin was quickly remanded into custody. Attorney Ben Crump tweeted, “GUILTY!! Painfully earned

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BLM LA Calls out LAPD for “Exploiting Crime Victims,” Interrupt Sheriff Alex Villanueva During News Conference

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Outrage and Contradiction from the Far-Right – ‘Chauvin was burned at the stake’

Crowds outside of a Minneapolis courtroom huddled over their phones and listened Tuesday. It had been three weeks of trial for Derick Chauvin, the former police officer who pressed unarmed civilian George Floyd’s body against

[Read More](#)

San Francisco District Attorney Chesa Boudin Responds to Guilty Verdicts Against Derek Chauvin for Killing George Floyd

After the jury in Minneapolis convicted former cop Derek Chauvin of three counts, including second and third degree murder, in the killing of George Floyd May 25, 2020, San Francisco District Attorney Chesa

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ACLU Files Petition Urging Supreme Court to Review FISC Rulings on First Amendment Grounds

The Foreign Intelligence Surveillance Court (FISC) established by Congress in 1978 for authorizing the rules on the legality of government surveillance has come under criticism by the ACLU and other civil

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COVID CDCR and Jail Dashboards

82 Percent of Incarcerated People at CA Healthcare Facility Are Fully Vaccinated

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Cases Decline Across Santa Clara, Sacramento and Alameda County Jails

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Yolo County Court Watch

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Judge Releases Mentally-Ill Defendant After Jail Refuses to Allow His Medication for Two Weeks

Yolo County Jail's decision not to allow required medication for a defendant—who his doctors said may not be competent to stand trial without it—led Yolo County Superior Court Judge Peter M. Williams to release the mentally-ill

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Sacramento Court Watch

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Trial Date Set for Man Accused of Assaulting Four Victims, 3 from Children's Shelter

A trial date has been set here in Sacramento County Superior Court for a defendant accused of raping four victims ranging in age from 14 to 25 – three of them from the Children's Receiving Home of Sacramento, a shelter.

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Judge Admits He's Not 'Up to Speed' on New Bail Case Law, Delays Bail Decision

The recent California Supreme Court ruling, "In re Humphrey," has made it mandatory a judge must consider a defendant's ability to pay when setting bail amounts, with certain exceptions, like public safety.

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Alameda Court Watch

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1432660796849531/%26nbsp&g=OTYzMzc5MTUzZTI4NDZkZA==&h=ZWYzMtk4MDI5NjA2ZGI0ZjE4YjFkNmU1Y2EwNDYzNTZkNDdLOWYxODUyOGE2NmQ2ZGNjMjg2NjY5ZTY2ZjUzYg==&p=YXAzOnNmZHQyOmF2YW5hbJpvOjYzNGEyNzRIZjc4ZTc5MGY0N2VjYjI3MzAzYzgyNGMxOnYx;
Twitter: <https://avanan.url-protection.com/v1/url?o=https%3A//twitter.com/DavisVanguard%26nbsp&g=ZjQ4Y2NIYjcyY2I3YjVINQ==&h=MDg5YmU0MWRjMTIzN2MyNTYzN2ZiZDY5MzRIOGY1NjcwZmM5MjhjOWRjZTM5NDgxZjNjMDU2YmMxY2YzMWVjNQ==&p=YXAzOnNmZHQyOmF2YW5hbJpvOjYzNGEyNzRIZjc4ZTc5MGY0N2VjYjI3MzAzYzgyNGMxOnYx;>
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Subject: Police Brutality Demonstrator Claims SF Police Attacked Him, But He's on Trial for Allegedly Assaulting Officer with Laser Pointer | Davis Vanguard

Date: Wednesday, April 21, 2021 at 1:11:05 AM British Summer Time

From: Ibarra, Valerie (PDR)

To: Ibarra, Valerie (PDR)

<https://www.davisvanguard.org/2021/04/police-brutality-demonstrator-claims-sf-police-attacked-him-but-hes-on-trial-for-allegedly-assaulting-officer-with-laser-pointer/>

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Subject: Police Brutality Demonstrator Claims SF Police Attacked Him, But He's on Trial for Allegedly Assaulting Officer with Laser Pointer | Davis Vanguard

Date: Wednesday, April 21, 2021 at 1:11:04 AM British Summer Time

From: valerie.ibarra@sfgov.org

To: Valerie Ibarra

<https://www.davisvanguard.org/2021/04/police-brutality-demonstrator-claims-sf-police-attacked-him-but-hes-on-trial-for-allegedly-assaulting-officer-with-laser-pointer/>

Sent from my iPhone

Subject: Everyday Injustice - Chauvin Closes; Our First Take; Webinar on AB 1542 - Mandatory Treatment
Date: Tuesday, April 20, 2021 at 7:02:40 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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Schleicher: "Somebody's telling you they can't breathe and you keep doing it, you're doing it on purpose. What else is going to happen when you push somebody down on the pavement? Everybody knows this. Everybody knows what happens when you push somebody against the pavement."

Everyday Injustice Newsletter - April 20, 2021

Vanguard Webinar: AB 1542 - Alternative to Prison or Prison by Another Name?

In February, the group Human Right Watch wrote a letter opposing AB 1542 which is a bill authored by Sacramento Area Assemblymember Kevin McCarty. While it starts out as a pilot program for Yolo County

(next to Sacramento County) it has statewide implications that has led groups like Human Rights Watch, Drug Policy Alliance and many others to oppose it.

It authorizes judges to sentence people to confinement in a locked treatment facility instead of prison or jail if the judge determines that their crime was motivated in part by substance abuse.

Wrote Human Rights Watch: "The apparent premise of AB 1542 is that people with "Substance Use Disorders" (SUDs) have a medical condition that is best addressed through treatment as opposed to punishment."

They argue it "conflates treatment with punishment."

"AB 1542 would give judges power to sentence people convicted of crimes to "secured residential treatment" facilities if the judges determine that those people have SUDs that in any way contributed to the crime for which they were convicted," they write.

"However, judges lack the medical training or knowledge required to decide if a person has a medical condition or if substance use motivated their crime or to make decisions on the course of a person's treatment. The bill does not require an evidentiary hearing to assess these underlying conditions; the health and human services agency conducts an assessment, but only after a person has been ordered into the locked treatment. Further, judges' decisions, particularly in overseeing progress in the program, may be influenced by factors related to punishment rather than prioritizing therapeutic benefit."

The Webinar

On April 30 at noon, we are hosting a webinar.

Panel:

Kevin McCarty, Assemblymember
Kate CHatfield, Attorney and Criminal Justice Advocate
Kellen Russoniello, Drug Policy Alliance
Robert Canning, Retired CDCR Psychologist and Vanguard Board Member

We have also invited a member of the Yolo County Board of Supervisors

To register:

https://us02web.zoom.us/webinar/register/WN_yRo3556UQ4ip5XQt7nA8mw

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YouTube: <http://www.youtube.com/davisvanguard>

Criminal Justice News/ Commentary

**Commentary: Two Key Moments in the
Prosecution's Case Show the Inhumanity
of Chauvin's Actions**

This isn't your TV courtroom drama where you see a coherent narrative put on by the prosecution and defense throughout the proceedings. When I train the interns to watch trials, a key thing I remind them—keep an open mind,

[Read More](#)

Chauvin: George Floyd Murder Trial Coming to a Close – Schleicher and Nelson Make Closing Arguments

After nearly three weeks of testimony, and nearly as long for jury selection, the trial of ex-cop Derek Chauvin for the murder of George Floyd went to the jury Monday here.

[Read More](#)

Retired San Francisco Superior Court Judge Backs Boudin, Speaks Out Against DA Recall

Retired Judge Tomar Mason wrote an opinion article in the San Francisco Examiner last Friday, urging San Franciscans to think critically about the current recall campaign against District Attorney Chesa

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U.S. AG Merrick Garland Files Memorandum Regarding Civil Settlement Agreement and Consent Decrees

U.S. Attorney General Merrick Garland late last week filed a memorandum for the heads of civil litigation components and U.S. Attorneys regarding the civil settlement agreement and consent decrees with state and local governmental

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UCD Law Grad, Faculty Lee Seale Named Sacramento Superior Court Executive Officer

Lee Seale, a 2001 University of California, Davis School of Law graduate and UCD law school visiting faculty, was named as the Sacramento County Superior Court Executive Officer Monday by Presiding Judge Russell Hom.

[Read More](#)

8 Weekly Highlights from CDCR's COVID Crisis: CA Correctional Center to Fully Close By 2022

The Hennepin County Medical Examiner has now determined Daunte Wright – shot and killed at a traffic stop here Sunday by a police officer who has since resigned and is facing second degree

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Police Brutality Demonstrator Claims SF Police Attacked Him, But He's on Trial for Allegedly Assaulting Officer with Laser Pointer

In March, Yusuf Labib attended a Black Lives Matter protest in San Francisco, and questioned a San Francisco Police Officer about his Blue Lives Matter attire. According to the S.F.P.D., the situation between Labib and the officer

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COVID CDCR and Jail Dashboards

Only 11 Cases Reported Across CDCR

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Cases Decline Across Santa Clara, Sacramento and Alameda County Jails

Our daily run down on the COVID cases in selective County Jails

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Sacramento Court Watch

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Defendant Half Asleep During Interrogation, Defense Motions to Suppress Evidence

How awake is awake? That was the big question here in Sacramento County Superior Court Monday in a motion to suppress hearing for defendant Dominic Coates—facing 15 felonies and misdemeanors,

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After Nearly 20 Years, In and Out of Prison on Case, Defendant Weeps at Prospect of Another Trial

Monday, in Sacramento County Superior Court, in Judge Allen Sumner's court, emotions ran so high that a defendant began to cry so hysterically that he had to be muted .However, that isn't the only odd thing about the case.

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Alameda Court Watch

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o=<https%3A//twitter.com/DavisVanguard%26nbsp&g=ZjcwYWMyYzk4MjZiMGQxZQ==&h=NTgwMzVIMTBjZGU5M2RIZDE2YzdiMTk0YWlyYjlkMGY3NWU2MjBmYTQ1MTI5ZDNjYmY4YjFhYTMyYmU4NmQ3Mg==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmRhZDczYTJmYzZzOGM4YjJjYjM0ZjRhOTA2MWZmNDViOnYx;>
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Subject: Everyday Injustice - Podcast Features Former Gov George Ryan on the DP; VANGUARD INVESTIGATION: More than 20 Years after Conviction, Man's Legal Nightmare about to End
Date: Monday, April 19, 2021 at 7:01:15 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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George Ryan: "I realized that capital punishment was a bad idea, not because there weren't cases where death was arguably a fit punishment, but because we would never design a legal system able to identify only the right cases for execution."

Everyday Injustice Newsletter - April 19, 2021

VANGUARD

INVESTIGATION: More than 20 Years after Conviction, Man's Legal Nightmare about to End

Yesterday's great article from Jose Medina and Samara Yarnes about Andre Brown and his amazing saga attempting to get a hearing and be freed from a crime he did not commit.

By Jose Medina and Samara Yarnes

NEW YORK, NY – After years of waiting for someone to pick up his case to prove his innocence and exonerate him, Andre Brown's prayers have finally been answered by the dynamic legal team of Oscar Michelen and Jeffrey Deskovic. Both attorneys have worked extensively to gather evidence for Andre's innocence, successfully achieving a motion for an evidentiary hearing, and advocating to have the hearing immediately as the pandemic continues to put incarcerated people at risk.

Just last year, Bronx Supreme Court Judge David Lewis granted a motion to have an evidentiary hearing. However, it came at that time COVID became a nationwide threat and effectively shut down the courts, forcing Andre Brown to wait for his anticipated hearing.

Despite all recent efforts to apply public pressure to the DA's office to move forward with a virtual hearing, the DA did not budge and has left Brown to patiently wait.

GROWING UP IN THE BRONX

Born in the Bronx, Brown grew up with four biological siblings and his two cousins. This hectic house was mirrored in the surrounding streets of his neighborhood. Gun battles and drugs were common in the Bronx, leading to a dangerous childhood.

Andre witnessed the tough on crime mentality of the 90s firsthand. From intimidation by police officers to false accusations of trespassing on his property, Andre grew up apprehensive about the law and the environment he lived in.

A FRESH START

Eventually, the dangers of the outside world were brought into Andre's personal life. He began selling crack cocaine as a way to help provide for himself and his family.

This risky lifestyle caught up with him in 1998. While coming home from White Castle, Andre passed through one of the many drug locations in the Bronx. He was shot in the leg, despite having no substances on him.

This event signified a turning point in Andre's life, pushing him out of the drug business and toward college. Andre began taking classes at the Borough of Manhattan Community College, with hopes of someday working in business.

However, these dreams were dashed with the beginning of 1999, when Andre was devastatingly implicated in a shooting of two teenage boys.

[Full article here....](#)

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YouTube: <http://www.youtube.com/davisvanguard>

Criminal Justice News/ Commentary

Board of Supervisors To Hear Presentation on Controversial AB 1542

Last week AB 1542 was approved by Assembly Committee on Public Safety, the bill would establish a pilot program in Yolo County, that proponents say would “provide a second chance opportunity for individuals

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Monday Morning Thoughts: Orange DA Pushes Hard Right, Takes His Show to Newsmax

As LA Times reporter James Queally put it in a tweet, “The D.A. of increasingly purple Orange County, who is facing a progressive challenger in 2022, appearing on hard-right/fact-allergic Newsmax is certainly ... a choice?”

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Everyday Injustice Podcast Episode 102 – George Ryan and Ending the Illinois Death Penalty

George Ryan was a Republican Governor of Illinois. He started his career as an advocate for the death penalty. But during his time as Governor, between cases of wrongful convictions and a torture scandal in Chicago, he came to the

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CA Deactivates Prison, But Critics Claim It's Not a Much Needed Closure

The California Department of Corrections and Rehabilitation (CDCR) announced last week the deactivation of the California Correctional Center (CCC), a prison currently housing more than 2,000 people in

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LCCR REPORT: Non-Traffic Violations Disproportionately Harm Black, Latinx, Unhoused in California

A Sept. 2020 report published by the Lawyers' Committee of Civil Rights (LCCR) reveals that Black, Latinx, and people experiencing homelessness are disproportionately charged for non-traffic violations in California,

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COVID CDCR and Jail Dashboards

Only Fourteen Cases in Custody Across CDCR's 35 Institutions

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Weekly Testing Rate Drops By Twenty Percent at Sacramento County Jails

Our daily run down on the COVID cases in selective County Jails

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San Francisco Court Watch

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SF Jury Finds Military Vet ‘Not Guilty’ of Embarcadero Attacks; Public Defender Showed Vet was ‘Unconscious,’ had ‘Mental Health Crisis’

U.S. military veteran George Kennedy was found not guilty of two felony assault charges – alleged attacks on a tourist and a jogger – Monday in San Francisco County Superior Court after a jury “understood

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Yolo County Court Watch

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Judge Releases Mentally-Ill Defendant After Jail Refuses to Allow His Medication for Two Weeks

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Sacramento Court Watch

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Shooter Gets 51 Years to Life for Murder; Victim’s Family Member Tells Defendant ‘You Will Always Have Blood on Your Hands’

After a family member of the victim told defendant Nicolaus Garcia “you will always have blood on your hands,” Sacramento County Superior Court Judge Trena H. Burger-Plavan Friday denied four motions filed by

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Alameda Court Watch

Judge Balances Veteran’s Mental Health and Public Safety

After lengthy argument here in Alameda County Superior Court this last week, veteran Jay Robert Soliven won consideration of his vet status and was released without bail to prepare for a treatment program with the

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Retrial Resumes Tuesday for 2014 Oakland

Neighbor Murder Case

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Fresno Court Watch

Judge Doesn't Get 'Off the Record' Wish, and His Feared 'Chaos' Ensued

A couple of things happened here in Dep. 20 last week – a judge said he wanted to go "off the record" and that he didn't like "chaos." The livestream kept running, and there was indeed chaos.

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Riverside Court Watch

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Subject: Court Room Access
Date: Friday, April 16, 2021 at 8:34:06 PM British Summer Time
From: Jacque wilson
To: Raju, Manohar (PDR), matt.gonzalez@sfgov.org, pubdef-policy@sfgov.org, kathleen.guneratne@sfgov.org, Davis Vanguard, Irmustafa@ucdavis.edu
Attachments: Letter to San Francisco Superior Court 4-7-21.docx, SF Court Access Addendum for other Agencies.docx, CourtWatch Public Access 2020.06.15 Judicial Council Letter on Public Access Crisis in CA courts.pdf

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Hi Everyone,

As you know CourtWatch covers a lot of our SF cases when allowed into the court room. Our CourtWatchers have been zoom locked out of the court rooms. Our SF Court Watchers have spent the last year covering Sacramento, Alameda, CoCo County, Fresno, etc. Those counties are in the modern ages and have been youtube streaming everything from arraignments to trials to the general public throughout the pandemic. That way if an elderly person, family member, Covid vulnerable person, community member, PRU contacts does not want to jeopardize themselves or others they can watch via video stream courtroom proceedings. Not so in SF. It is a joke. We are next to Silicon Valley and our family members, courtwatchers and members of the public must physically come to the courtroom. To that end we have consulted with K.G. She suggested we write a letter to the court our second (we wrote one earlier last year). Attached please find the 2nd letter. Also, attached please find a letter K.G. wrote on behalf of A.C.L.U. and others to the Chief Justice. The Chief Justice ultimately said the courts should do better.

We have attached an addendum here. We are respectfully requesting that Mano or Matt and Public Policy write a letter to the court. You could use the addendum attached. We will then ask Silicon Valley Debug and the FAC to do the same. Chesa had already agreed to write a letter as well. We think a letter from the Public Defender's Office, DA Office and Community Organizations will get some type of response.

Layla, David and or me can attend the next policy meeting and explain if needed. We would love some type of response from the Pub Def Office by 4/26/21 if possible. David and Layla are included on this email if there are additional questions.

Thank you. Jacques

Subject: Everyday Injustice - Defense Case Concludes in Chauvin; More Police Incidents Emerge

Date: Friday, April 16, 2021 at 7:03:12 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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"Transparency always matters, particularly in something as significant as a police-involved shooting," Mayor Lori Lightfoot said at an unrelated Saturday morning news conference. "I think it will only help disabuse a lot of urban myths that have sprung up in the void, but I want to be clear: from what's been described to me, it is going to be a very tough video for people to watch."

Everyday Injustice Newsletter - April 16, 2021

DA's Claim That Zero Bail is Causing More Crime – the Data Says Otherwise

By David Greenwald

For months like many DAs, the Yolo County DA, Jeff Reisig, Vice President of CDAA has been subtly but

consistently attacking Zero Bail. The monthly press releases are misleading – they suggest that zero bail releases are creating more crime.

In February we filed a records request to attempt to figure out what was going on. From this deep dive and our long efforts to reconcile the data, one thing I know is that like the city of Davis and the Davis Police Department, the DA's office would benefit from a real data analyst.

One of my key findings is that the Yolo DA needs to hire a data analyst. It is interesting that our report comes out at the same time they are bragging about partnering with Measures for Justice on a new data portal. The reality is that portal is the least of their problems and they would be wise to do what Krasner did in Philadelphia, get funding for robust data analysis.

Here's the full analysis: <https://www.davisvanguard.org/2021/04/analysis-da-reisig-and-office-overplay-their-zero-bail-claims/>

Leaving aside the failure of the misleading analysis such as calling charges “crimes” and failing to note that a huge percentage of the new “crimes” are in fact either for drug possession or probation violations, there are just huge problems that anyone with any sort of training would know.

First problem: they report on a 40.5 percent recidivism rate without providing the context for that number – what is the normal rate of recidivism.

Second problem: they act as though all of the people in custody would have stayed in custody under normal conditions.

First, they never attempt to assess what percentage of these people would be released anyway. That means anyone with a misdemeanor charge is automatically released and anyone with a non-serious felony is probably getting released.

Guess what—many of those people are not going to be held in custody even during non-COVID times. I have no idea what percentage, but the fact that the DA doesn't baseline that in his analysis is another serious flaw.

Third problem: they fail to factor in the time between the release and reoffense. Again this plays into the notion that a percentage of these people would have been out under any circumstance given the nature of their crime.

There are also two kind of big picture issues.

They've never acknowledged that the Zero bail program has worked by keeping the number of COVID cases in the Yolo jail to a minimum nor have they acknowledged that we are not seeing any kind of spike in crime as the result of this.

Bottom line then - if you release people from custody under any circumstance, some will commit new crimes. The people released for the most part would have been released at some point anyway and without us investing in things like mental health treatment, substance abuse treatment and job training and education, many are going to commit a new crime.

There is no evidence at all that anything unusual happened here or that this policy has led to an increase in crime.

Thanks for reading.

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Criminal Justice News/ Commentary

Commentary: One Pound of Flesh Is Not the Answer To Cure Policing

As the defense wraps on in the Derek Chauvin trial and the news emerges first about Daunte Wright and now about young Adam Toledo, we return to the vexing problem of how do we police the police.

[Read More](#)

Guest Commentary: Philadelphia Police Aren't Solving Crimes. It's Time to Divert Their Funding

Philadelphia has a gun violence crisis that is rightfully generating a lot of concern. But some of the responses we traditionally resort to—increasing police budgets, calling for crackdowns in the neighborhoods that are most affected,

[Read More](#)

Video of Police Shooting Death of 13-Year-Old Shocks After Chauvin Trial for Killing Floyd, and Wright Traffic Stop Death

Office body camera footage was released Thursday of the horrific police shooting of 13-year-old Adam Toledo – it came on top of the murder trial of Derek Chauvin for killing George Floyd, and the recent traffic stop

[Read More](#)

DAY 14: Chauvin Balks at Testifying, Prosecution Recalls Pulmonary Expert Before Defense Can Rest its Case

On Thursday, Day 14, former police officer Derek Chauvin announced he would not testify – he took the 5th – and the Prosecution sought to rebut the defense's witness testimony from Wednesday moments before

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New California Bill to Decriminalize Jaywalking, Stop Disproportionately Racial Profiling

Charging that “jaywalking” is increasingly targeting people of color in disadvantaged neighborhoods, San Francisco Assemblymember Phil Ting has introduced Assembly Bill 1238, “The Freedom to Walk

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County Medical Examiner Rules Daunte Wright Death Homicide; Officer Who Shot Him Arrested

The Hennepin County Medical Examiner has now determined Daunte Wright – shot and killed at a traffic stop here Sunday by a police officer who has since resigned and is facing second degree

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Community Groups Criticize Access to Sacramento County Superior Court in Letter to Judges, Officials

Charging nearly 40 percent of “caged persons” in Sacramento County are Black and suggesting “criminal legal outcomes (are) discriminatory and racist,” community health, religious and criminal justice reform

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COVID CDCR and Jail Dashboards

Only Fourteen Cases in Custody Across CDCR's 35 Institutions

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Weekly Testing Rate Drops By Twenty Percent at Sacramento County Jails

Our daily run down on the COVID cases in selective County Jails

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San Francisco Court Watch

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SF Jury Finds Military Vet ‘Not Guilty’ of Embarcadero Attacks; Public Defender Showed Vet was ‘Unconscious,’ had

'Mental Health Crisis'

U.S. military veteran George Kennedy was found not guilty of two felony assault charges – alleged attacks on a tourist and a jogger – Monday in San Francisco County Superior Court after a jury “understood

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Yolo County Court Watch

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Judge Releases Mentally-Ill Defendant After Jail Refuses to Allow His Medication for Two Weeks

Yolo County Jail's decision not to allow required medication for a defendant—who his doctors said may not be competent to stand trial without it—led Yolo County Superior Court Judge Peter M. Williams to release the mentally-ill

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Sacramento Court Watch

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'Bongs,' Bag of Pot, Firearm Add to Troubles of Defendant Already Facing Catalytic Converter Theft Charges

Byron Jones was already in deep trouble this week when his case came up in Sacramento County Superior Court—he was facing felony theft of catalytic converters.

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Alameda Court Watch

Court Doesn't Require Bail, But Really Doesn't Want Defendant Driving Before Trial After 'Wrong Way' Driving Causes Accident

The judge here in Dept 702 of Alameda County Superior Court really didn't want defendant Tammy Hodges, who was charged with causing a serious collision on the wrong side of the freeway, to drive before her upcoming trial.

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Los Angeles Court Watch

Orange County Trial Relating to Residential

Burglary and Sexual Assault of Minor to Wrap Up Jury Selection

Attorneys involved in defendant Oscar Sosa Tapia's minor sexual assault case began with their jury selection this week at Orange County Superior Court.

[Read More](#)

Contra Costa Court Watch

Defendant Fearing Deportation Allegedly Caused Accident, Lied that He Was Carjacked

Trial counsel and the judge here last week may have been sympathetic to a defendant seeking asylum in the U.S., but the defendant allegedly caused a vehicle collision and then told police he was carjacked – the

[Read More](#)

Fresno Court Watch

Judge Doesn't Get 'Off the Record' Wish, and His Feared 'Chaos' Ensued

A couple of things happened here in Dep. 20 last week – a judge said he wanted to go “off the record” and that he didn't like “chaos.” The livestream kept running, and there was indeed chaos.

[Read More](#)

Riverside Court Watch

Philly District Attorney Supports Biden Admin New Action Plan to Reduce Gun Violence

Philadelphia District Attorney Larry Krasner released a statement last Thursday, announcing his support of the Biden-Harris administration's new plan to prevent and reduce gun violence.

[Read More](#)

Merced Court Watch

Family Survives in the Face of Father's Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

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Everyday Injustice - Podcast

see our podcasts

Everyday Injustice Podcast Episode 101: Duke Wrongful Convictions Clinic – Case of Junior Chandler

It was the 80s, and child sex cases and ritual cult cases were the paranoia. As the petitioners put it, at “the time in which the allegations arose – what has been deemed a period of ‘near hysteria’ about child sexual abuse in the

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Everyday Injustice Podcast Episode 100: Manhattan DA Candidate Tahanie Aboushi Talks Reform

Cy Vance announced he would not seek reelection after four terms as DA of NY. Whoever succeeds him will be just the fourth DA in the last 80 years.

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By David Greenwald

Washington Post Columnist Radley Balko with a good piece yesterday on “excited delirium” which is apparently how the defense intends to attempt to frame what happened to George Floyd.

Balko responds that this “defense” is “in fact a damning indictment.”

“Excited delirium is typically invoked when a suspect is agitated, confused, scared or angry, and is drunk, high or having a mental health crisis. Some definitions claim those experiencing it can have unusually high tolerance for pain, or can exhibit unexpected strength,” he writes noting that some believe that 10 percent of those suffering from this “simply drop dead, usually of heart failure, often while heavily restrained or after being shot with pepper spray or a stun gun.”

As he points out, this is “a convenient diagnosis for law enforcement. It provides both a justification for what otherwise might look like excessive force, and impunity when that force coincides with a suspect’s death.”

But there are problems here. For one thing medical professionals do not recognize this term and studies have found, probably not surprisingly, that it is disproportionately diagnosed among Black victims.

Balko writes: “In fact, one of its biggest proponents isn’t a medical organization, but Axon Enterprise, the company formerly known as Taser International, which for years has hosted conferences and published literature to sell the idea to medical examiners. The reason ought to be self-evident — it’s a liability-ducking explanation for why hundreds of people in the United States have died after getting shot with a weapon that isn’t supposed to be lethal.”

Balko however sidesteps that massive problem and focusing on another.

First, Floyd was not displaying the symptoms that day and he writes, “More importantly, Floyd was never a threat. At worst, he may have engaged in a minor struggle with police for about a minute when they tried to put him in a car, after he told them he was claustrophobic. But he was handcuffed, there were three officers nearby, and at no point did he appear to be a risk to the officers, much less exhibit superhuman strength.”

The bigger problem is the next point Balko makes.

“If the officers at the scene did *not* think Floyd was suffering from excited delirium, there was no reason for the added restraint. If they *did* think he was suffering from the condition, Chauvin’s subsequent actions look even worse. It means Chauvin applied additional restraint to a suspect already subdued, including restricting his airway, all while knowing the suspect was suffering from a supposed condition that has been said to kill 1 in 10. If Chauvin suspected Floyd was in a state of excited delirium, once Floyd was nonresponsive Chauvin was *more* obligated to remove his knee and administer CPR, because he would have been trained to know Floyd had an elevated risk of death.”

That’s kind of a problem. But all of this is throwing stuff against a wall and hoping it will add up to reasonable doubt in the minds of the jury.

The real issue here is twofold. First, would Floyd be alive were it not for a the 8:46 with a knee on his neck and second, did the police handle this situation properly or should they have been able to de-escalate - some how, some way with less force.

Look no further to [our article today covering John Burris' press conference](#). Kristin Hart's husband was having a mental health crisis, he was cutting himself with a kitchen knife, but she said, he was not a threat to her, her two year old or newborn baby. Police were called and they shot and killed him within 29 seconds.

That's what we need to be focusing on - ways to get professionals with training in mental health crisis to respond, not armed police.

Thanks for reading.

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Criminal Justice News/ Commentary

Analysis: DA Reisig and Office Overplay Their Zero Bail Claims

Every month the Yolo County DA's office has put out a press release that makes the claim, something along the lines of: "Over 628 New Crimes Committed by Individuals Released on \$0 Bail." After they put that release

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Mental Health Call To Police Turns Into Fatal Shooting, Wife Files Suit Against Redwood City Police

In the midst of a national discussion over policing, an incident that occurred in December 2018 has triggered the widow of Kyle Hart to file a federal civil rights lawsuit after he was shot death by Redwood City Police

[Read More](#)

DAY 13 CHAUVIN TRIAL: Defense Expert Makes Curious Claims, Prosecution Attacks Credibility

A defense expert began the Wednesday with seemingly credible testimony that might benefit former police officer Derek Chauvin, now in Day 13 of his murder trial for killing George Floyd May 25, 2020.

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San Francisco D.A. in Conversation with USF Professor about Long History of AAPI Racism in the U.S.

District Attorney of San Francisco Chesa Boudin and USF School of Law Professor Bill Ong Hing held a Facebook live discussion about the long history of Anti-Asian racism in the United States this week.

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COVID CDCR and Jail Dashboards

Correctional Training Facility Reports Nineteenth COVID-related Death

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Cases Remain Low Across Sacramento, Alameda, Santa Clara and SF County Jails

Our daily run down on the COVID cases in selective County Jails

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San Francisco Court Watch

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SF Jury Finds Military Vet 'Not Guilty' of Embarcadero Attacks; Public Defender Showed Vet was 'Unconscious,' had 'Mental Health Crisis'

U.S. military veteran George Kennedy was found not guilty of two felony assault charges – alleged attacks on a tourist and a jogger – Monday in San Francisco County Superior Court after a jury “understood

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Yolo County Court Watch

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Defendant Gave Her Child Birthday Card – Judge Ignores, Sets Case for Court Diversion

A defendant in technical violation of a protection order—she gave her child a birthday card—raised some controversy in a hearing here in Yolo County Superior Court this week, but it eventually led the judge to

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Sacramento Court Watch

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Attorneys Forced to Yell Questions Across the Room for Hard-of-Hearing Witness

The hard-of-hearing victim of a felony burglary provided testimony at defendant Jayson Pulido's preliminary hearing this week, but the prosecution and defense were forced at times to yell from across the room to question her.

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Judge Greatly Concerned for Elderly Victim's Safety, Denies Bail for Defendant

"There's no amount of monitoring that would protect the victim's safety," said Sacramento County Superior Court Judge Stephen Acquisto Wednesday about defendant Tyrone Joseph, who faces several

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Alameda Court Watch

Court Doesn't Require Bail, But Really Doesn't Want Defendant Driving Before Trial After 'Wrong Way' Driving Causes Accident

The judge here in Dept 702 of Alameda County Superior Court really didn't want defendant Tammy Hodges, who was charged with causing a serious collision on the wrong side of the freeway, to drive before her upcoming trial.

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Los Angeles Court Watch

Orange County Trial Relating to Residential Burglary and Sexual Assault of Minor to Wrap Up Jury Selection

Attorneys involved in defendant Oscar Sosa Tapia's minor sexual assault case began with their jury selection this week at Orange County Superior Court.

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Contra Costa Court Watch

Defendant Fearing Deportation Allegedly Caused Accident, Lied that He Was Carjacked

Trial counsel and the judge here last week may have been sympathetic to a defendant seeking asylum in the U.S., but the defendant allegedly caused a vehicle collision and then told police he was carjacked – the

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Fresno Court Watch

Judge Doesn't Get 'Off the Record' Wish, and His Feared 'Chaos' Ensued

A couple of things happened here in Dep. 20 last week – a judge said he wanted to go “off the record” and that he didn't like “chaos.” The livestream kept running, and there was indeed chaos.

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Riverside Court Watch

Philly District Attorney Supports Biden Admin New Action Plan to Reduce Gun Violence

Philadelphia District Attorney Larry Krasner released a statement last Thursday, announcing his support of the Biden-Harris administration's new plan to prevent and reduce gun violence.

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Merced Court Watch

Family Survives in the Face of Father's Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

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Everyday Injustice - Podcast

see our podcasts

Everyday Injustice Podcast Episode 101: Duke Wrongful Convictions Clinic – Case of Junior Chandler

It was the 80s, and child sex cases and ritual cult cases were the paranoia. As the petitioners put it, at “the time in which the allegations arose – what has been deemed a period of ‘near hysteria’ about child sexual abuse in the

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Everyday Injustice Podcast Episode 100: Manhattan DA Candidate Tahanie Aboushi Talks Reform

Cy Vance announced he would not seek reelection after four terms as DA of NY. Whoever succeeds him will be just the fourth DA in the last 80 years.

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To: valerie.ibarra@sfgov.org

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"Holy (expletive)! I shot him," Kim Potter

Everyday Injustice Newsletter - April 14, 2021

State Senate Bill to Decertify Police As It Passes Out of Key Public Safety Committee

From the Let Us Live Coalition

Today, the California State Senate Committee on Public Safety voted to move forward Senate Bill 2, the Kenneth Ross Jr. Decertification Act – which would decertify police officers who engage in serious misconduct and put limits on immunity from being tried in civil court – in the legislative process. Senate Bill 2 is a reintroduction of last year's Senate Bill 731.

The Let Us Live Coalition – a coalition of families impacted by police violence and community, legal, and advocacy organizations – issued the following statement in response:

"It is past time that California implement a process to remove police officers who abuse their power from our communities. We know that having such officers on our streets not only puts individuals who come into contact with them at risk of harm, or even death, but severely compromises public safety by eroding community trust.

"Over the last year, we've been encouraged by elected leaders like former Assemblymember Shirley Weber and Senator Sydney Kamlager who have acted in solidarity with communities across our state to champion a reexamination of the role of police in our society, and a reimagining of public safety. Now the Public Safety Committee's decision to move Senate Bill 2 to the Appropriations Committee builds on their commitment for change and brings California one step closer to resolving an issue that for far too long has enabled police who terrorize our communities to remain on our streets and avoid accountability.

"This is nothing radical; California is one of only four states without a decertification mechanism. We applaud the committee, led by our bill author State Senator Steve Bradford, for putting us on the pathway that 46 other states have already taken. By voting to move forward Senate Bill 2, we are one step closer to creating real accountability for police officers who engage in serious misconduct, protecting those most often targeted by police violence and advancing public safety."

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Criminal Justice News/ Commentary

Guest Commentary: ACLU Responds to Shooting of Daunte Wright

Daunte Wright should be alive today. Taking a step back to listen to the circumstances surrounding Daunte Wright's killing hammers home the heartbreaking truth that we've known for so long — Black people living in America are

[Read More](#)

DAY 12 CHAUVIN TRIAL: Defense Begins – High Tension and ‘One-Upmanship’

Two sides of George Floyd were juxtaposed Tuesday on Day 12 of the murder trial of former police officer Derek Chauvin for killing Floyd Shortly before his death in May 2020, according to witness Shawanda

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Texas County District Attorney Stirs Things Up with Progressive Criminal Justice Reform

Travis County District Attorney José Garza has announced the creation of a Homicide and Major Crimes Unit, and an updated set of sentencing principles in a letter highlighting the progress his office has made

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SF Jury Finds Military Vet ‘Not Guilty’ of Embarcadero Attacks; Public Defender Showed Vet was ‘Unconscious,’ had ‘Mental Health Crisis’

U.S. military veteran George Kennedy was found not guilty of two felony assault charges – alleged attacks on a tourist and a jogger – Monday in San Francisco County Superior Court after a jury “understood

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COVID CDCR and Jail Dashboards

Only 19 Percent of Staff at High Desert State Prison Have Been Vaccinated

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Vaccine Acceptance Nears 40 Percent at Santa Clara County Jails

Our daily run down on the COVID cases in selective County Jails

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SF Jury Finds Military Vet 'Not Guilty' of Embarcadero Attacks; Public Defender Showed Vet was 'Unconscious,' had 'Mental Health Crisis'

U.S. military veteran George Kennedy was found not guilty of two felony assault charges – alleged attacks on a tourist and a jogger – Monday in San Francisco County Superior Court after a jury “understood

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Yolo County Court Watch

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Defendant Gave Her Child Birthday Card – Judge Ignores, Sets Case for Court Diversion

A defendant in technical violation of a protection order—she gave her child a birthday card—raised some controversy in a hearing here in Yolo County Superior Court this week, but it eventually led the judge to

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Sacramento Court Watch

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Judge Uses 'Humphrey' Bail Case to Refuse to Release 'Good Person' on No Bail

When Cassandra Pajibo arrived at her bail hearing in Sacramento County Superior Court on Monday morning her bail was set at \$50,000—when the hearing was over, she was held without bail and no chance of

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Man Willingly Remains in Jail in Order to Access Mental Health Treatment

Defendant Dewante Paul willingly remained in jail, refusing alternatives to incarceration, for 281 days in order to be considered for a mental health diversion program.

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Alameda Court Watch

After Apology, Court Allows Defendant to Attend Residential Treatment Program Instead of Detention

Despite defendant Robert Vines' extensive 15-year criminal history – and he's just 35 – the court here in Dept. 702 of the Alameda County Superior Court agreed to have Vines released on his own recognizance, without bail, to a

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Subject: FOR IMMEDIATE RELEASE: SF Jury Acquits U.S. Military Veteran on Assault Charges
Date: Tuesday, April 13, 2021 at 8:37:06 PM British Summer Time
From: Ibarra, Valerie (PDR)
To: Ibarra, Valerie (PDR)
Attachments: FOR IMMEDIATE RELEASE - SF Jury Acquits U.S. Military Veteran on Assault Charges - 04.13.2021.pdf

FOR IMMEDIATE RELEASE: April 13, 2021

MEDIA CONTACT: SF Public Defender's Office - Valerie.Ibarra@sfgov.org - (628)249-7946

**** PRESS RELEASE ****

SF Jury Acquits U.S. Military Veteran on Assault Charges

San Francisco Public Defender Showed that their Client was Suffering a Mental Health Crisis and was Unconscious

SAN FRANCISCO - On Monday, April 12, 2021, a San Francisco jury determined that U.S. military veteran George Kennedy, 49, was not guilty of two felony assaults because he was suffering from a mental health crisis and was unaware of his actions. Deputy Public Defender Martina Avalos and her team presented expert testimony to explain to the jury that Mr. Kennedy was in the midst of an acute psychotic episode that rendered him unconscious, which meant that he was not criminally culpable.

The charges stemmed from two consecutive incidents along the Embarcadero in February 2020, where Mr. Kennedy was identified as the person who attacked a jogger and then a tourist near Pier 39. Police tackled Mr. Kennedy while he was riding his bike and brought him into custody where he was immediately evaluated by Jail Health Services who flagged him for psychiatric treatment and ruled out drugs as a source of the psychosis.

“The jury understood that Mr. Kennedy was not conscious when these troubling incidents occurred. Cases like this are uncomfortable for all of us who care about the health and safety of our communities, but this case reminds us that criminal court is not the appropriate venue to address mental illness. Prison was never going to be the solution to Mr. Kennedy’s mental illness. Now, he can continue to get the medical care he needs through his full coverage with the Veterans Administration,” said Avalos.

The defense called five expert witnesses - one who testified about Mr. Kennedy’s diagnosis of paranoid schizophrenia, one who testified about what happens to the brain during an acute psychotic break, and three from Jail Health Services who have been monitoring Mr. Kennedy for over a year.

The jury deliberated for just over a day before delivering not guilty verdicts on both felony assault charges. The jury did find Mr. Kennedy guilty of a misdemeanor for resisting arrest, but due to an earlier dismissal and refile of the case and pandemic-related court delays, he has been in custody awaiting trial for 14 months and was released for time served.

“This was a very difficult and sad case. Clearly, Mr. Kennedy suffers from serious mental health issues and did not have the awareness and intent that the law requires for a criminal conviction. This case is a prime example of how the criminal legal system is not designed to solve our public health and safety problems,” said Public Defender Mano Raju. “I commend our defense team who worked hard and

skillfully to secure not guilty verdicts and avoid further incarceration for someone who is seriously ill.”

Deputy Public Defender Martina Avalos of the Public Defender’s Office defended Mr. Kennedy, assisted by second chair, Deputy Public Defender Oliver Kroll, Law Clerk Matt Dalton, Paralegal Margaret So, and Investigator James Faulkner.

###

This press release will be posted on [SFPublicDefender.org.media](https://SFPublicDefender.org/media).

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Valerie Ibarra
Public Information Officer
San Francisco Public Defender's Office
Valerie.Ibarra@sfgov.org
(628)249-7946
SFPublicDefender.org/Media

Subject: Everyday Injustice - Police Incidents Fire Up From Virginia to Minnesota

Date: Tuesday, April 13, 2021 at 7:00:21 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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"Holy (expletive)! I shot him," Kim Potter

Everyday Injustice Newsletter - April 13, 2021

ACLU Responds to Shooting of Daunte Wright

Paige Fernandez,
Policing Policy Advocate
ACLU Justice Division

Daunte Wright should be alive today. Taking a step back to listen to the circumstances surrounding Daunte Wright's killing hammers home the heartbreaking truth that we've known for so long — Black people living in America are subject to having their lives violently ripped away from them and the ones they love at the hands of our government for absolutely nothing.

Daunte Wright now joins a long list of Black people whose lives were snatched from them as they attempted to simply live — Breonna Taylor as she slept in her home, George Floyd outside a convenience store, Eric Garner outside of a neighborhood bodega, Botham Jean as he ate ice cream on his living room couch, Tamir Rice as he played in the park.

Reprehensible acts of police violence like this will be commonplace so long as police continue to serve their original purpose — to act as an occupying force and mechanism for social control in Black communities.

Police still exist to uphold white supremacy and have been empowered by laws and the courts to inject themselves into Black life for any reason, no matter how minor, even a dangling air freshener.

It is apparent there is no legal reform or departmental policy change that will alter this dichotomy and no amount of training that will prevent situations like this from happening.

Throwing more money at police departments has never resulted in an end to the killing of community members who police purport to serve, but in reality, just harm.

It is clear that the only way to end the scourge of police violence is to immediately divest from policing institutions that, from their inception, have been used to oppress Black people.

Instead, we must reinvest in Black and Brown communities that have for so long borne the brunt of these horrific acts of violence.

It is time to end the criminal enforcement of low-level offenses. You don't reform police — you remove their responsibilities and reallocate taxpayer money into harm-reducing solutions. It is now *far* past time for tangible action to avoid killings like that of Daunte Wright."

While we are waiting to learn more, the ACLU echoes the ACLU of Minnesota's calls for an immediate, transparent, and independent investigation by an outside agency other than the Brooklyn Center Police or the Minnesota Bureau of Criminal Apprehension, and the quick release of any bodycam footage. We also call for the naming of all officers and agencies involved.

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YouTube: <http://www.youtube.com/davisvanguard>

Criminal Justice News/ Commentary

Commentary: Once Again the Media Fall For the Reisig Reform Rhetoric

Here we go again. In 2018, Yolo County DA Jeff Reisig facing what would become a tight reelection bid was declared by the local paper to be the most progressive DA in the state despite a long record that argued

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Officer Shoots, Kills Unarmed Black Man During Traffic Stop, Protests Break Out

Just a few miles down the road from the national murder trial of ex-officer Derek Chauvin for killing George Floyd, a police officer Sunday shot and killed Daunte Wright, a 20 year old unarmed Black man, during a routine traffic stop.

[Read More](#)

DAY 11 CHAUVIN TRIAL: Cardiologist Expert Witness Testifies George Floyd's Death 'Absolutely Preventable'

In Day 11 Monday of ex-cop Derek Chauvin's murder trial, multiple witnesses were called to the stand, including

cardiologist expert witness, who testified George Floyd's death was "absolutely preventable" and there

[Read More](#)

Cop Who Pepper Sprayed Army Lt. at Traffic Stop Fired by Virginia City

After a video involving U.S. Army 2nd Lt. Caron Nazario and police officers Joe Gutierrez and Daniel Crocker surfaced the internet, Officer Gutierrez was fired, despite the police department having possession of the video for months.

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Multiple Medical Help Requests for COVID-19 Symptoms Ignored at Fresno County Jail

Vanguard reporter Jannat Alam spoke with an individual incarcerated in the Fresno County Jail — the hardest hit correctional facility in the United States with a total of 3,985 total confirmed positive cases, most of which were

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COVID CDCR and Jail Dashboards

Fourth COVID-Related Death Reported at CSP Corcoran

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Vaccine Acceptance Nears 40 Percent at Santa Clara County Jails

Our daily run down on the COVID cases in selective County Jails

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San Francisco Court Watch

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SF DA's Office 'Commends Courage' of Sexual Assault Victim, Announces Jury Guilty Verdict

The San Francisco District Attorney's Office announced Tuesday that defendant Antonio Montalvo was found guilty of four felony sexual assault charges, one misdemeanor theft charge following his assault

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Yolo County Court Watch

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Felony Charge Dropped for Misdemeanor 'Wet Reckless' Count Thanks to Positive Behavior of Defendant

It's not always the case, but Friday in Dept. 11 in Yolo County Superior Court, it all worked out for a young mother accused of drunk driving and other charges.

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Sacramento Court Watch

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Grieving Family of One-Year-Old Victim Criticize DA Office Negligence in Sentencing

It was a very emotional sentencing hearing at Sacramento County Superior Court as defendant Kira Collins late last week pleaded guilty to child neglect and grave bodily injury resulting in death of victim "Baby R."

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Murder Suspect Openly Admits to Killing Two and Attacking Two Others

Defense attorney Kenneth Rosenfeld looked on helplessly as his client, Martin Raymond Lackey-Garcia, admitted to killing two and wounding two others in a knife rampage at a Carmichael treatment center.

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Alameda Court Watch

After Apology, Court Allows Defendant to Attend Residential Treatment Program Instead of Detention

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Subject: Everyday Injustice - Duke Wrongful Convictions Clinic Discusses Case of Junior Chandler

Date: Monday, April 12, 2021 at 7:02:11 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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"65 percent of likely voters support reallocating some of law enforcement budgets to support such non-police first responder programs, including 80 percent of Democrats, 52 percent of Republicans, and 60 percent of independent or third party voters."

Everyday Injustice Newsletter - April 12, 2021

Lawyers Urge Santa Clara County BOS & Sheriff to Address Inhumane Conditions During COVID-19 At County Jails

By Alexander Ramirez and Angela Khov

The Law Foundation of Silicon Valley (LFSV) presented a [letter](#) to the Santa Clara County Board of Supervisors on March 17, criticizing the Santa Clara County Main Jail and Elmwood Correctional Facility for their failure to protect incarcerated people during the COVID-19 pandemic.

The Law Foundation conducted nearly 60 interviews over the last 11 months, uncovering multiple examples of the jail's lacking procedures, which they claim violates incarcerated people's Eighth and Fourteenth Amendment Rights.

"Constitutional Rights are not suspended during a crisis. Neither is Santa Clara County's obligation to comply with state and federal disability anti-discrimination laws. Santa Clara County's policies and actions violate detained and incarcerated people's Eighth and Fourteenth Amendment Rights to be free from cruel and unusual punishment and state inflicted harm. The County's failure to take measures to prevent the spread of COVID-19 is particularly alarming because it disparately impacts Black and Latinx people, as well as people with disabilities, who make up most of the population in Santa Clara County

Jails.”

Because underlying conditions such as chronic kidney disease, Down Syndrome, heart conditions and Type 2 diabetes, make individuals susceptible to developing complications associated with COVID-19, the lack of masking, unsanitary conditions, and medical negligence reported in LFSV’s interviews, are also argued to violate the Americans with Disabilities Act.

Since the pandemic emerged, at least 584 incarcerated people and 233 correctional officers have contracted the virus. After a massive outbreak in January, incarcerated people went on a nine-day hunger strike starting on Jan. 13 to protest “conditions of confinement and cruel and unusual punishment” at the jails.

Many incarcerated people who were interviewed by the LFSV stated that masking, a key recommendation from CDC to prevent transmission through respiratory droplets, is not being followed. Incarcerated people say that Medical or Sheriff’s Office staff provide only one cloth mask or crocheted mask to last for months without a replacement. Tears in masks and the inability to clean them, has made masking ineffective for many.

Full article: [here](#).

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Criminal Justice News/ Commentary

Everyday Injustice Podcast Episode 101: Duke Wrongful Convictions Clinic – Case of Junior Chandler

It was the 80s, and child sex cases and ritual cult cases were the paranoia. As the petitioners put it, at “the time in which the allegations arose – what has been deemed a period of ‘near hysteria’ about child sexual abuse in the

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Key CA Committee OK’s Bill that Restricts District Attorneys Who Accept Cop Money

Senate Bill 710 – which would put conditions on prosecutors who take campaign money from law enforcement groups – passed the California Senate Public Safety Committee on a 4-1 vote last week and is headed to Senate

[Read More](#)

Congresswomen Introduce Bill to Curb Disciplinary Actions Against ‘Girls of Color’ in Schools

Massachusetts Congresswoman Ayanna Pressley have teamed up with Representative Bonnie Watson Coleman and Ilhan Omar to re-introduce the Ending “PUSHOUT” Act, a bill aimed at ending the “punitive

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CA Public Safety Panel OK's Alternative Mental Health Treatments (Psychedelics)

In a historic first for California, legislation to decriminalize the possession and personal use of psychedelics was approved last week by the California State Senate Public Safety Committee.

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Santa Clarita Activists Demand Justice for Rashad Singletary

On Sunday, protestors gathered on the corner of McBean Parkway and Valencia Boulevard with Black Lives Matter posters and flags to demand justice for Rashad Singletary, the Black man who had been forcefully

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National Poll: Shift Law Enforcement Funds to Non-Police Emergency Response

A new national poll from Data for Progress and The Lab, a policy vertical of The Appeal, shows overwhelming support among likely voters for creating non-police emergency first responders to handle emergency calls that involve mental

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DAY 10 CHAUVIN MURDER TRIAL OF GEORGE FLOYD: Forensic Pathologist Testifies No Evidence Floyd Would Have Died without Restraint from Officers

Two forensic pathologists testified Friday here on Day 10 of former cop Derek Chauvin's murder trial of George Floyd, and detailed their findings on the autopsies – they asserted that low oxygen from restraint by

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COVID CDCR and Jail Dashboards

47 Percent of CDCR's Population Is Fully Vaccinated

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Vaccine Acceptance Nears 40 Percent at Santa Clara County Jails

Our daily run down on the COVID cases in selective County Jails

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San Francisco Court Watch

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Defendant Flips Out Over Misunderstanding, then Apologizes to Court When Realizes Case Dismissed

A defendant's failure to understand he won and was being released created a little confusion and frustration here in an arraignment at Yolo County Superior Court Monday – to his credit, when the defendant realized

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Sacramento Court Watch

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Domestic Violence Case Involves Awkward Questions About Victim's Sex Life – Judges Rules She Must Answer

It was, not doubt, unusual and uncomfortable questioning throughout the preliminary hearing held at the end of this past week in Sacramento County Superior Court for Kasey Nye, who faces felony aggravated assault corporal injury

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Defendant Accepts Deal; Judge Imposes Strict Release Conditions Before Sentencing After Seeing Man's Violent History

A judge in Sacramento County Superior Court here showed little hesitation in imposing strict enforcement of release conditions after hearing a defendant's violent history of assaults, warning "if any condition of

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Alameda Court Watch

After Apology, Court Allows Defendant to Attend Residential Treatment Program Instead of Detention

Despite defendant Robert Vines' extensive 15-year criminal history – and he's just 35 – the court here in Dept. 702 of the Alameda County Superior Court agreed to have Vines released on his own recognizance, without bail, to a

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Defendant Fearing Deportation Allegedly Caused Accident, Lied that He Was Carjacked

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Judge Doesn't Get 'Off the Record' Wish, and His Feared 'Chaos' Ensued

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Riverside Court Watch

Philly District Attorney Supports Biden Admin New Action Plan to Reduce Gun Violence

Philadelphia District Attorney Larry Krasner released a statement last Thursday, announcing his support of the Biden-Harris administration’s new plan to prevent and reduce gun violence.

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Merced Court Watch

Family Survives in the Face of Father's Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

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Everyday Injustice - Podcast

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Subject: Everyday Injustice - Video Pushes Back on SF Allegations of Hate Crime; Devastating Testimony in Chauvin Trial
Date: Friday, April 9, 2021 at 7:00:27 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"It was almost to the effect as if a surgeon had gone in and removed the lung. Not quite, but along those lines. So there was virtually very little opportunity for him to be able to get any air to move into the left side of his chest," Tobin said.

Everyday Injustice Newsletter - April 9, 2021

Understanding the Courts and Everyday Injustice

By David Greenwald

In 2015, I first read Bryan Stevenson's "Just Mercy" and what jumped out to me was the injustice of cases like Walter McMillan. My take home from reading that account was the duplicity of the local media, the fact that media blindly adhere to the law enforcement narrative, especially those who are reliant on law enforcement in order to get their sources.

I also recognized that having people in the court, trained observers, interns and eventually even investigative reporters we could start to turn the tide.

The reading moved me so much that when I finished the book, I made an appointment with Jeff Adachi, then Public Defender in San Francisco and talked to him about starting the court watch. It would take four more years and his untimely passing to be able to pull it off.

One thing that I have learned in my over 10 years covering the courts is that while there are high profile cases for sure that are worthy of being covered - Derek Chauvin's killing of George Floyd is a perfect example. A lot of the injustice we see is not the monumental injustice of police killings, the death penalty, wrongful convictions, but there is also Everyday Injustice.

In a way Hannah Arendt's description of the *banality of evil*, probably fits the criminal legal system even better than it did Nazi Germany.

I just wanted to flag two instances of Everyday Injustice, both happen to be in Riverside County (for those not familiar with California, it's to the east of Los Angeles and it's not a small county, 2.5 million people reside there).

Jury Trial Ends in Deadlock after Victim States, 'I Don't Remember Him. You Got the Wrong Guy'

By Linhchi Nguyen

After four hours, the jury hopelessly deadlocked on all but one charge here in Riverside County Superior Court Monday after the alleged victim stated about the defendant, "I'm sorry. I don't remember him. You got the wrong guy."

Judge Dean Benjamini ultimately declared a mistrial in the Salomon Garcia Saucedo case on two of three counts, which included assault with a deadly weapon and criminal threats against a homeless victim.

Saucedo was pronounced guilty for only his third charge, which is carrying a concealed weapon.

Link: <https://www.davisvanguard.org/2021/04/jury-trial-ends-in-deadlock-after-victim-states-i-dont-remember-him-you-got-the-wrong-guy/>

Convoluting California Vehicle Conduct Codes Turn a Speeding Violation Into Something Much More Complicated

By Naomi Cherone

During a courtroom battle discussing what guidelines should be enforced by the vehicle section conduct codes, Christian Guadalupe Felix-Rivas' case was found to be more complicated than expected.

Rather than putting into question Felix-Rivas' credibility as the defendant, the proper discernment of the vehicle code section 22350 and 22351 remained was essential to the Judge Dean Benjamini's agenda during this hearing.

As soon as Felix-Rivas' matter had commenced, Judge Benjamini made it evident that he would be closely looking at what vehicle code(s) were violated, and if the terms of that specific code had in fact been infringed upon. This case was not about if Felix-Rivas had been going over the speed limit, but rather if his speeding had met the criterion established by the vehicle codes, thus meriting his detention.

Link: <https://www.davisvanguard.org/2021/04/114047/>

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Criminal Justice News/ Commentary

Video Footage Shows Man Who Attacked Asian American Grandmother Was Victim of Vicious Assault Earlier

Deputy Public Defender Eric McBurney—who represents Steven Jenkins, arrested on March 17, 2021, for striking grandmother Xiao Zhen Xie—Thursday released a statement arguing his client was a victim of Boudin.

[Read More](#)

DAY 9 CHAUVIN TRIAL – Expert Medical Witnesses Star in Detailed Analysis of George Floyd’s Death

Court analysts are calling Dr. Martin Tobin – Thursday’s Day 9 expert witness in the Derek Chauvin murder trial for killing George Floyd – the most damaging yet for the former cop.

[Read More](#)

Letter: 60 Current and Former Prosecutors Sign Letter Pushing for Sentencing Review and Second Chance Opportunities

As current and former elected prosecutors and law enforcement leaders from across the country, we know that we will not end mass incarceration until we address the substantial number of individuals serving lengthy sentences

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ACLU Files Lawsuit against Voter Suppression Law in Georgia

The ACLU has filed a lawsuit challenging multiple provisions of SB 202, a state law signed by Gov. Brian Kemp of Georgia that places numerous restrictions on voting in the state.

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District Attorney Chesa Boudin Shows Support of New Program for Mental Health 911 Calls

District Attorney Chesa Boudin joined other public and elected officials this week to show support for a new civilian program for mental health 911 calls, replacing law enforcement’s role.

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Los Angeles Rally Honors The Victims of Incarceration and Demands the Closure of Men's Central Jail

On the evening of March 29, coalition leaders and community members held a press conference and rally to demand the closure of Men's Central Jail, advocate for the full funding of Measure J, and honor the lives of

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COVID CDCR and Jail Dashboards

CSP Solano Reports Its Sixth COVID-related Death

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Thirty-Six Percent of Santa Clara County Jail Population Consented for Vaccinations

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Sacramento Court Watch

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Prosecutor Admits Defendant Mental Illness, but Stalls Decision to Find Him Help as Law Provides

Deputy District Attorney Ryan Roebuck said Wednesday here in Sacramento County Superior Court that he believed mental illness was a contributing factor in the commission of a crime—but objected to allowing

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Not Every Day Occurrence; Court Sends 3 Defendants Home without Bail

It's not every day that a judge gets to send a defendant home, much less send them home without bail, but Wednesday, in Sacramento County Superior Court's Dept. 62, Commissioner Ken Brody did just that...for three people.

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Alameda Court Watch

After Apology, Court Allows Defendant to Attend Residential Treatment Program Instead of Detention

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Everyday Injustice Podcast Episode 98: County County Prosecutor Kim Foxx

Kim Foxx is trying to reform one of the most notorious counties in the Country – see what she is doing about issues like wrongful convictions, police shootings and bail reform.

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Subject: FOR IMMEDIATE RELEASE: Deputy Public Defender Eric McBurney's Statement on Case Involving His Client Steven Jenkins + Video Surveillance
Date: Thursday, April 8, 2021 at 8:54:58 PM British Summer Time
From: Ibarra, Valerie (PDR)
To: Ibarra, Valerie (PDR)
Attachments: PRESS STATEMENT - 4.8.21 - Deputy Public Defender Eric McBurney's Statement on Case Involving His Client Steven Jenkins + Video Surveillance.pdf

FOR IMMEDIATE RELEASE: April 8, 2021

MEDIA CONTACT: SF Public Defender's Office – Valerie.Ibarra@sfgov.org – (628)249-7946

****PRESS STATEMENT****

**Deputy Public Defender Eric McBurney's Statement on Case Involving
His Client Steven Jenkins**

Includes Previously Unreleased Video Surveillance

"My name is Eric McBurney, the Deputy Public Defender representing Steven Jenkins, who was arrested on March 17, 2021, after witnesses saw him strike Xiao Zhen Xie at the corner of Market and 7th Streets in San Francisco. Mr. Jenkins is also accused of hitting Ngoc Pham that same day.

These are two deeply troubling assaults of elderly Asian Americans in our community, at a time when Asian Americans locally and nationally are suffering from an escalation of violence and anti-Asian racism. As an immigrant from Taiwan myself, I understand why there has been so much concern about this case and I have great sympathy for Mr. Pham, Ms. Xiao, and their families.

However, this situation is much more complex than it may appear. Based on the facts that I have reviewed, I do not believe that Mr. Jenkins's actions were racially motivated. On that day, Mr. Jenkins himself was the victim of an unprovoked attack by four unknown assailants who struck him over forty times immediately before he was seen striking Mr. Pham and Ms. Xiao. Due to the initial attack, Mr. Jenkins suffered multiple head injuries, and I believe that he was in a diminished mental state, and disoriented as a result, when he encountered Mr. Pham and Ms. Xiao just moments later.

Right now, I cannot answer every question, but I wanted to share what we know so far from the [video surveillance](#) we are releasing today:

1. On the morning of March 17, 2021, Mr. Jenkins suffered an unprovoked assault by multiple unknown parties at UN Plaza. Surveillance video showed him as the victim of a group attack in broad daylight while pedestrians went about their business near the Farmers' Market. Following that initial assault by three people, another unidentified man followed Mr. Jenkins and struck him multiple times as he was walking away. In irregular bursts, the attack on Mr. Jenkins lasted over three minutes, during which time he was hit 45 times and sustained multiple blows to the head.
2. As he walked away from his own assailants, Mr. Jenkins's face was bloodied, he was disoriented and possibly concussed.
3. When Mr. Jenkins encountered Ms. Xiao three minutes later, he was being pursued by his fourth assailant who had just hit him multiple times approximately twenty seconds before Mr. Jenkins stuck Ms. Xiao. Ms. Xiao was standing near a pole at the corner of Market and 7th Streets. She was wearing a hat and a mask. Mr. Jenkins hit her one time before a security guard ran over and tackled him to the ground.

Steven Jenkins is a thirty-nine-year-old homeless man with mental health issues. What happened that day was not the norm for him. He has no prior convictions for physically hurting anyone. He has struggled throughout his life on the street, largely ignored by society. Even when he is attacked and hit over 40 times in broad daylight in the busy UN plaza, not one person comes to his aid.

This situation is a tragedy on many fronts. There were three victims of assault that terrible morning: Ms. Xiao, Mr. Pham, and indeed Mr. Jenkins himself."

##

To view this press statement and access the video online, please visit [SFPublicDefender.org/media](https://sfpublicdefender.org/media).

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Valerie Ibarra
Public Information Officer
San Francisco Public Defender's Office
Valerie.Ibarra@sfgov.org
(628)249-7946
[SFPublicDefender.org/Media](https://sfpublicdefender.org/Media)

Subject: Everyday Injustice - Wrongly Convicted Man Sent Back To Prison Three Years For Technical Parole Violation
Date: Thursday, April 8, 2021 at 7:01:34 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"An officer is only allowed to use a level of force that is proportional to the seriousness of the crime or the level of resistance that a subject is using towards the officers," Jody Steiger

Everyday Injustice Newsletter - April 8, 2021

Transforming the Criminal Justice System Through Court Watch

by David M. Greenwald

Genevieve Jones-Wright in 2018 was a public defender in San Diego and ran for DA as a reformer. While she didn't win, she was one of our keynote speakers in 2019 at our annual event talking about progressive prosecution.

She now heads up MOGO - Community Advocates for Just and Moral Governance.

We are going to be partnering with them in San Diego on a court watch there.

On Tuesday evening, I joined them "in San Diego" and had a great discussion about Criminal Justice Reform and talked about Court Watch as a Change Agent for Justice.

You can watch the discussion here: <https://fb.watch/4IXN-XPzcP/>

A huge point I always make in these things - we need to have eyes and ears on the courts to hold them accountable and we do that with our cutting edge program training interns to go into the courtroom, teaching them how to write journalistic articles, and mentoring them.

We have all of the interns these days do a long form investigative piece, we published one today on Jeff Perrotte who was wrongly convicted and then after being released on parole, was re-incarcerated for a technical parole violation for three additional years. Here's his [story](#).

One moment that really caught my attention was when she asked me what the Vanguard budget is - \$150,000. We have seven employees. We are covering multiple court rooms across California. And we are doing it all on pennies.

As she pointed out - we need to change that. One way to do that is for our readers to help. Can you become a sustaining member? It's just \$5 or \$10 a month (you can pay more of course).

It makes such a difference to know we are getting this amount every month.

To do that please go to: <http://davisvanguard.networkforgood.com>

Thanks and you are really helping to make a difference here.

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Criminal Justice News/ Commentary

VANGUARD INVESTIGATION: Injustice Through Manipulation: Lengthy Incarceration from Technical Violation May Have Violated Infamous Jeff Perrotte's Rights of Procedural Justice

Jeff Perrotte – a man involved in a 1992 high profile murder case for killing Frank Sinatra's close friend Jilly Rizzo – was convicted of violating parole and reincarcerated in 2015.

[Read More](#)

DAY 8/Derek Chauvin Murder Trial in Death of George Floyd: Use of Force Expert

Sgt. Jody Steiger of the Los Angeles Police Department, a use of force expert present on behalf of the state, continued with his testimony – along with other police and medical experts – Wednesday, April 7 in the

[Read More](#)

California Capitol Watch: Bill Would Reform Sentencing for Felony Murder Special Circumstances

In addition to some 700 prisoners on death row, there are currently over 5,100 people in California sentenced to die in prison, at an average annual per person cost of \$81,000. These are individuals who have received sentences of life

[Read More](#)

District Attorney Chesa Boudin Shows Support of New Program for Mental Health 911 Calls

District Attorney Chesa Boudin joined other public and elected officials this week to show support for a new civilian program for mental health 911 calls, replacing law enforcement's role.

[Read More](#)

COVID CDCR and Jail Dashboards

One New Case Reported at CA Healthcare Facility; CDCR Cases at All-Time Low

Our daily run down on the COVID cases in the California Prison System (CDCR)

[Read More](#)

Vaccine Acceptance Remains Grim at Alameda County & Santa Clara County Jails

Our daily run down on the COVID cases in selective County Jails

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San Francisco Court Watch

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SF DA's Office 'Commends Courage' of Sexual Assault Victim, Announces Jury Guilty Verdict

The San Francisco District Attorney's Office announced Tuesday that defendant Antonio Montalvo was found guilty of four felony sexual assault charges, one misdemeanor theft charge following his assault

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Yolo County Court Watch

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Defendant Flips Out Over Misunderstanding, then Apologizes to Court When Realizes Case Dismissed

A defendant's failure to understand he won and was being released created a little confusion and frustration here in an arraignment at Yolo County Superior Court Monday – to his credit, when the defendant realized

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Sacramento Court Watch

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Defendant Denied Reduced Charges After Accused of Kidnapping, Assaulting Ex-Girlfriend

A judge here in Sacramento County Superior Court this week refused to reduce felony kidnapping and assault charges for defendant Arturo Sanchez, accused of taking his ex-girlfriend from her home and

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Two Convicted Defendants Have 'Wants' from Court Before Sentencing

At two sentencings here in Sacramento County Superior Court this week, both defendants wanted something – one defendant had a statement he wanted to make, and another was very concerned that he

[Read More](#)

Defense Insists Defendant is Good Guy – Prosecution Counters He's 'Repeat' Domestic Violence Offender

Assistant Public Defender Sameera Ali suggested at a preliminary hearing here this week in Sacramento County Superior Court that alleged domestic violence injuries were minor, and that the defendant had a

[Read More](#)

Alameda Court Watch

After Apology, Court Allows Defendant to Attend Residential Treatment Program Instead of Detention

Despite defendant Robert Vines' extensive 15-year criminal history – and he's just 35 – the court here in Dept. 702 of the Alameda County Superior Court agreed to have Vines released on his own recognizance, without bail, to a

[Read More](#)

Los Angeles Court Watch

Orange County Trial Relating to Residential Burglary and Sexual Assault of Minor to Wrap Up Jury Selection

Attorneys involved in defendant Oscar Sosa Tapia's minor sexual assault case began with their jury selection this week at Orange County Superior Court.

[Read More](#)

Contra Costa Court Watch

Defendant Fearing Deportation Allegedly Caused Accident, Lied that He Was Carjacked

Trial counsel and the judge here last week may have been sympathetic to a defendant seeking asylum in the U.S., but the defendant allegedly caused a vehicle collision and then told police he was carjacked – the

[Read More](#)

Fresno Court Watch

Judge Doesn't Get 'Off the Record' Wish, and His Feared 'Chaos' Ensued

A couple of things happened here in Dep. 20 last week – a judge said he wanted to go "off the record" and that he didn't like "chaos." The livestream kept running, and there was indeed chaos.

[Read More](#)

Riverside Court Watch

Jury Trial Ends in Deadlock After Victim States, 'I Don't Remember Him. You Got the Wrong Guy'

After four hours, the jury hopelessly deadlocked on all but one charge here in Riverside County Superior Court Monday after the alleged victim stated about the defendant “I’m sorry. I don’t remember him. You got the wrong guy.”

[Read More](#)

Merced Court Watch

Family Survives in the Face of Father’s Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

[Read More](#)

Everyday Injustice - Podcast

see our podcasts

Everyday Injustice Podcast Episode 100: Manhattan DA Candidate Tahanie Aboushi Talks Reform

Cy Vance announced he would not seek reelection after four terms as DA of NY. Whoever succeeds him will be just the fourth DA in the last 80 years.

[Read More](#)

Everyday Injustice Podcast Episode 98: County County Prosecutor Kim Foxx

Kim Foxx is trying to reform one of the most notorious counties in the Country – see what she is doing about issues like wrongful convictions, police shootings and bail reform.

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Subject: Everyday Injustice - Day 7 of the Chauvin Trial; Attorney For Arata Fires Back Against Motion to Gag in SLO BLM Case

Date: Wednesday, April 7, 2021 at 7:00:11 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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At one point, the victim started yelling, "I'm sorry I don't remember him. You got the wrong guy, since I'm a f***** lying drug addict!"

Everyday Injustice Newsletter - April 7, 2021

Unannounced OIG Visits to CDCR Uncover 1,197 Incidents of COVID-19 Protocol Violations

By Julietta Bisharyan, Nick Gardner and Alexis Hogan

Central California Women's Facility, which consistently led CDCR in active cases throughout March, was found to have violated a directive limiting intake cells to four or fewer people. A March 12 report surfaced an incident in which an individual, later testing positive for COVID-19, had shared a cell with seven other people.

"We are concerned...that neither CDCR nor CCHCS were aware of this problem before we brought it to their attention," commented the Prison Law Office, a litigation-focused incarcerated advocacy group. Wasco State Prison, another facility approved for intake, has also seen double digit active cases, and even accounted for one-third of all sick individuals on March 23.

Staff Compliance:

A 2020 OIG report identified a consistent trend of noncompliance with physical distancing and PPE measures by both CDCR staff and incarcerated populations. In response, Judge Tigar commissioned subsequent rounds of unannounced OIG monitoring at 17 adult and 2 juvenile facilities that aimed to assign compliance ratings for both populations.

1,197 instances of noncompliance were reported from December 1, 2020 to February 23, 2021, 96 of which were repeat violations.

At CSP Solano, 7 out of 15 incarcerated individuals in the culinary area were observed improperly wearing masks, and only after noticing OIG inspectors did prison officials instruct the men to fix their face coverings. This follows a trend of noncompliance in this specific part of the facility documented in previous reports; “the prison clearly has not taken the necessary action to enforce face covering compliance in the culinary area,” inspectors concluded.

The report additionally highlighted a discrepancy in disciplinary action for non compliant officials. At the California Correctional Institution, the issuance of punitive Rules Violation Reports (RVR’s) greatly outnumbered verbal counseling, with 7 instances of the latter reported compared to 26 of the former. Conversely, no RVR’s were distributed at CSP Solano, despite 37 instances of verbal counseling.

Full report: [here](#)

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Criminal Justice News/ Commentary

DAY 7: Police Use of Force Trainer Testifies Neck Restraint Not MPD-Trained Technique

Lt. Johnny Mercil, a use of force instructor for the Minneapolis Police Department, testified that although Derek Chauvin may have used an authorized restraint technique against George Floyd, the use of his knee

[Read More](#)

Attorney For Arata Fires Back Against Motion to Gag in SLO BLM Case

Two weeks after the San Luis Obispo District Attorney – despite being recused from the case by Judge Matthew Guerrero in December – in the Tianna Arata case citing in part extensive interviews with Everyday

[Read More](#)

Federal Lawsuit Filed Over Police Killing of Homeless Man by ‘Murderer Hiding Behind a Badge’

With all eyes being on the Derek Chauvin trial, the U.S. is getting a good look at how the roles of law enforcement and the criminal justice system have been perpetrating violence and discrimination against the Black

[Read More](#)

Community Leaders, Actors, Organizers

Stand With Chesa Boudin As Recall Continues

As the recall of Governor Gavin Newsom seemingly has slowed, San Francisco District Attorney Chesa Boudin continues to receive a fiery backlash from the right.

[Read More](#)

Jury Trial Ends in Deadlock After Victim States, 'I Don't Remember Him. You Got the Wrong Guy'

After four hours, the jury hopelessly deadlocked on all but one charge here in Riverside County Superior Court Monday after the alleged victim stated about the defendant "I'm sorry. I don't remember him. You got the wrong guy."

[Read More](#)

Unannounced OIG Visits to CDCR Uncover 1,197 Incidents of COVID-19 Protocol Violations

On Wednesday night, four people were killed during a mass shooting in Orange County, CA. One of them was only 4 years old. This is the third shooting of its kind in the last three weeks.

[Read More](#)

Concerns Rise as Vaccine Acceptance Drops to 34 Percent at Santa Rita Jail

COVID-19 cases at Santa Rita Jail (SRJ) have been steadily rising over the past two weeks. Currently, there are five positive cases at SRJ, all of which are asymptomatic.

[Read More](#)

COVID CDCR and Jail Dashboards

Only 18 Active Cases Have Been Reported Across CDCR

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Vaccine Acceptance Remains Grim at Alameda County & Santa Clara County Jails

Our daily run down on the COVID cases in selective County Jails

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San Francisco Court Watch

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SF DA's Office 'Commends Courage' of Sexual Assault Victim, Announces Jury Guilty Verdict

The San Francisco District Attorney's Office announced Tuesday that defendant Antonio Montalvo was found guilty of four felony sexual assault charges, one misdemeanor theft charge following his assault

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Yolo County Court Watch

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Defendant Flips Out Over Misunderstanding, then Apologizes to Court When Realizes Case Dismissed

A defendant's failure to understand he won and was being released created a little confusion and frustration here in an arraignment at Yolo County Superior Court Monday – to his credit, when the defendant realized

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Sacramento Court Watch

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Nothing's Easy – Defendant Accepts Deal for Illegal Firearm Possession

Usually, even a plea agreement – when compared to a jury or bench trial – can still be a bit of a chore. In Sacramento County Superior Court last Friday, Judge Raoul Thorbourne presided

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Alameda Court Watch

After Apology, Court Allows Defendant to Attend Residential Treatment Program Instead of Detention

Despite defendant Robert Vines' extensive 15-year criminal history – and he's just 35 – the court here in Dept. 702 of the Alameda County Superior Court agreed to have Vines released on his own recognizance, without bail, to a

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Defendant Fearing Deportation Allegedly Caused Accident, Lied that He Was Carjacked

Trial counsel and the judge here last week may have been sympathetic to a defendant seeking asylum in the U.S., but the defendant allegedly caused a vehicle collision and then told police he was carjacked – the

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Judge Doesn't Get 'Off the Record' Wish, and His Feared 'Chaos' Ensued

A couple of things happened here in Dep. 20 last week – a judge said he wanted to go "off the record" and that he didn't like "chaos." The livestream kept running, and there was indeed chaos.

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Riverside Court Watch

Jury Trial Ends in Deadlock After Victim States, 'I Don't Remember Him. You Got the Wrong Guy'

After four hours, the jury hopelessly deadlocked on all but one charge here in Riverside County Superior Court Monday after the alleged victim stated about the defendant "I'm sorry. I don't remember him. You got the wrong guy."

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Merced Court Watch

Family Survives in the Face of Father's Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

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Everyday Injustice - Podcast

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Subject: Everyday Injustice - Chief of Police Testifies Chauvin's Restraint of George Floyd 'Absolutely' Violated Policy

Date: Tuesday, April 6, 2021 at 7:01:25 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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The police chief of the Minneapolis Police Department told jurors Monday that ex-police officer Derek Chauvin's restraint of George Floyd "absolutely" violates department policy and goes against "our ethics and our values."

Everyday Injustice Newsletter - April 6, 2021

Attorneys Fire Back At Motion to Gag

Last week reported that the SLO DA (despite being recused from the case by the Judge) filed a motion to gag Curtis Briggs and company in the Tianna Arata case citing in part extensive interviews with Everyday Injustice.

The hearing will be on April 23, but on Monday Briggs fired back.

The introduction to his motion is worth reading...

This is an American nightmare. This case is simply one highly publicized example of how Dan Dow's tenure as SLO's most powerful law enforcement official has been plagued by racism, extremism, and prosecutorial abuses that pose a clear and present danger to the integrity of the SLO criminal justice system and the taxpayers. This specific case now presents a troubling scenario wherein Dow, found by this Court to be motivated by professional benefit and political agenda, arranged for the arrest of a single Black woman amongst a peaceful group of 200-300 primarily white college students protesting injustice and systemic bias in the wake of the murder of George Floyd; engaged in a media smear campaign along with local law enforcement against the defendant and the Black Lives Matter movement; refuses to step aside after being recused based on the finding of a clear and actual conflict of interest; refuses to turn over discovery ordered by this Court based on a showing of discriminatory prosecution; and now seeks to place a gag order on the attorneys and parties preventing them from speaking to the public about this case and even from commenting on the District Attorney's own misconduct which is a matter of upmost public concern.

Despite Dow's assertions attorneys have "ratcheted up" media, Arata's arrest immediately became the subject of nationwide scrutiny, including over 500,000 people signing petitions, thousands of emails, letters, and phone calls to Dow. The gag order request readily admits that the Everyday Injustice Podcast was the public discussion precipitating the gag order request. Although quoting ad nauseum from the podcast, the request leaves out the most important remarks by undersigned counsel regarding procuring a district attorney candidate to run against Dow in the upcoming election.

What is most concerning and paradoxical about the District Attorney's request is the assertion that the gag order is necessary to promote the "administration of justice." In reality, the District Attorney is asking the Court to shield the misconduct of their office in pursuit of Dan Dow's re-election as his alarming ties to millions of dollars in misappropriation begin to surface. The freedom to speak openly about our government, our criminal justice system, our elected representatives, and most importantly about our government representatives when they are engaged in misconduct deserves the most stringent First Amendment protection. This ultimately is the exact type of speech our great nation was founded upon.

The District Attorney's request is undeniably unconstitutional. It tramples on the First Amendment rights of the parties in this case without adequate justification. Granting this request will result in a miscarriage of justice. The request must be denied.

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YouTube: <http://www.youtube.com/davisvanguard>

Criminal Justice News/ Commentary

Evidence Confirms Fewer Crimes Since SF District Attorney Chesa Boudin Took Office

Continuing statistical evidence appears to strongly confirm that San Francisco city crime is at an overall low since San Francisco District Attorney Chesa Boudin took office.

[Read More](#)

Federal Lawsuit Filed on Behalf of Teen Brutalized by Stockton Police – 2 Officers Already Fired

Law enforcement beatings and killings of Black and other people of color – despite the anti-police brutality movement, nationwide protests and new legislation – continue, and they're becoming more visible in recent

[Read More](#)

Gov. Cuomo Surprises, Signs Legislation Legalizing Marijuana in New York

New York governor Andrew Cuomo signed the Marijuana Legalization and Taxation Act (MRTA) last week, legalizing cannabis use for adults statewide.

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Everyday Injustice Podcast Episode 100: Manhattan DA Candidate Tahanie Aboushi Talks Reform

Cy Vance announced he would not seek reelection after four terms as DA of NY. Whoever succeeds him will be just the fourth DA in the last 80 years.

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COVID CDCR and Jail Dashboards

Only 29 Active Cases Have Been Reported Across CDCR's 35 Institutions

Our daily run down on the COVID cases in the California Prison System (CDCR)

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128 Individuals in Santa Rita Jail Custody Have Been Fully Vaccinated

Our daily run down on the COVID cases in selective County Jails

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Yolo County Court Watch

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Trial Begins Tuesday for Man Accused of

Assault with Pair of Scissors

The trial of a man accused of threatening people with a deadly weapon – a pair of scissors – begins jury selection here in Yolo County Superior Court Tuesday (April 6) after both sides dealt with pretrial motions Monday.

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Mother Stays Out of Jail for Now Despite Arguments From Prosecution to Put Her Away

A Yolo Superior Court judge gave defendant Barbara Parlette another chance after she failed to complete her jail sentence for the second time – citing her duty as a mother as a possible reason for incompleteness, and

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Sacramento Court Watch

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Judge's Unpleasant Task – Two Child Molestation Cases to Go to Trial

Judge Stephen Acquisto was given an unpleasant task in Sacramento County Superior Court last week – presiding over multiple preliminary hearings involving child molestation charges.

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Alameda Court Watch

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Riverside Court Watch

Defendant Threatens Minor with “Legal Connections” to Stop Her From Speaking Up About Violent Relationship

On Tuesday, two college students were asked to present themselves in the court room, not for educational purposes, but for charges of excessive violence from one partner to the other.

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Merced Court Watch

Family Survives in the Face of Father's Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

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Subject: Everyday Injustice - Crime Drops Despite Claims By Recall Effort in SF; Podcast with Manhattan DA Candidate

Date: Monday, April 5, 2021 at 7:00:36 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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The Real Justice PAC retweeted Chesa Boudin's prior tweet, saying the following: "With @ChesaBoudin as San Francisco DA, 'most types of violent crime actually plummeted — and all violent crime rates remain near their lowest levels since 1975.' We must #StandWithChesa as he fights for real public safety while reducing incarceration."

Everyday Injustice Newsletter - April 5, 2021

Crime is Not Spiking in San Francisco

By David M. Greenwald

The leaders of a recall against San Francisco DA Chesa Boudin will have you believe that crime is spiking in San Francisco.

Indeed, Richie Greenberg in his petition writes: "In 2020, violent crime, home invasions, rampant and unchecked drug dealing and business property theft have turned our city upside down."

The reality is that this is false.

Credit where credit is due - the San Francisco Chronicle did the heavy lifting to show a full analysis - [link](#). But blame, where blame is due, the Chronicle's previous coverage fed into this perception. February 25 ([Home burglaries are on the rise in San Francisco](#)). February 17 ([Police data: Burglaries in S.F.'s Richmond District up 370% from 2020](#)). February 21 ([Rampant burglaries plague S.F. businesses, compounding hurt of pandemic](#)).

Notice all of these are the same week in February right around the time that the recall drive was exploding.

There was also the January article: "[A violent year: Bay Area killings spiked 35% in 2020](#)."

But when we looked a few weeks ago at the ComStat reports we saw something interesting. Yes murders and burglaries were up, but other than vehicle thefts all over categories were way down. In fact, the totality of Type 1 Property Crimes as well as Violent Crimes as identified by the FBI's Uniform Crime Reporting Standard showed a drop in crime.

According to the Chronicle's analysis (or the data more like it), "crime rates in San Francisco steadily declined from 2017 to 2019. In the first year of the COVID-19 pandemic, and Boudin's first year as district attorney, some of these rates declined more sharply while others reversed course. Burglaries went up by more than 46%, and motor vehicle thefts increased by 22%."

But like us they found "rapes, assaults and robberies — all designated violent crimes according to the FBI — went down, as did larceny thefts, which are considered property crimes. The FBI defines larceny theft as taking someone's property. The crime becomes a burglary if it involves the "unlawful entry of a structure," and a robbery if it involves the use of force or the threat of force."

I am glad that the Chronicle did this analysis, but they actually have played a huge role of contributing to the problem.

Problem 1: the media plays up individual incidents without grounding in overall data that creates a perception of a trend that actually doesn't exist.

Problem 2: Murders are up in San Francisco. But guess what, murders are up about 33 percent nationwide according to a recent article. That might be an artifact of the pandemic. What it probably isn't a reflection on - Chesa Boudin.

Problem 3: There have been high profile anti-Asian incidents in San Francisco. But hate crimes against the AAPI community are happening in Oakland too, where there is a traditional DA and indeed across the country.

Richie Greenberg and some other prominent conservatives are attempting to take advantage of this situation, but reality is that (A) crime overall is down and (B) where crime is up, it appears part of broader trends than just a local DA's prosecution policies.

Thanks for reading.

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Criminal Justice News/ Commentary

Evidence Confirms Fewer Crimes Since SF District Attorney Chesa Boudin Took Office

Continuing statistical evidence appears to strongly confirm that San Francisco city crime is at an overall low since San Francisco District Attorney Chesa Boudin took office.

[Read More](#)

Federal Lawsuit Filed on Behalf of Teen Brutalized by Stockton Police – 2 Officers Already Fired

Law enforcement beatings and killings of Black and other people of color – despite the anti-police brutality movement, nationwide protests and new legislation – continue, and they're becoming more visible in recent

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Everyday Injustice Podcast Episode 100: Manhattan DA Candidate Tahanie Aboushi Talks Reform

Cy Vance announced he would not seek reelection after four terms as DA of NY. Whoever succeeds him will be just the fourth DA in the last 80 years.

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Gov. Cuomo Surprises, Signs Legislation Legalizing Marijuana in New York

New York governor Andrew Cuomo signed the Marijuana Legalization and Taxation Act (MRTA) last week, legalizing cannabis use for adults statewide.

[Read More](#)

CHAUVIN TRIAL DAY 4: Paramedic Testifies on Attempts to Resuscitate George Floyd

Despite George Floyd suffocating to death on a city street with ex-cop Derek Chauvin's knee choking the life out of him, a paramedic who arrived at the scene testified Thursday on Day 4 of Chauvin's murder trial

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The Santa Clarita Valley Sheriff Station is conducting a "use of force investigation" after a concerning [video](#) began circulating on Tuesday night of two Santa Clarita deputies engaged in a struggle with a Black

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Baltimore's COVID Policies Expand After One-Year-Old Experiment Results in Decreasing Arrests

In response to the COVID-19 outbreak that still persists today, the city of Baltimore has since implemented new policies in response to the needs and dangers that the pandemic has introduced into the prison

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COVID CDCR and Jail Dashboards

Only 40 Cases Reported Across CDCR; Death Toll Remains Constant at 217

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Yolo County Court Watch

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Teen Father/Defendant Remains in Custody, but Judge May Grant Pre-Trial Release under Strict Conditions

Teen defendant Dominic Caesar—in high school and the father of a six-month-old child—was sent back into custody late last week by Yolo County Superior Court Judge Samuel McAdam, but the judge said he may

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Sacramento Court Watch

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COVID and the Courts: The Pandemic Places a Strain on Proceedings – ‘977’ Appearances Increase

Half of the cases on the Sacramento County Superior Court Dept. 62 docket last Friday were “977” appearances—a sign of changing court dynamics in the COVID era.

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Despite Officer-Admitted Error, Judge Rules Traffic Stop, Arrest Lawful

Defense Attorney Jesse Ortiz argued Friday here in Sacramento County Superior Court in his motion to suppress evidence obtained at a traffic stop that an officer’s mistake led to the stop being “unreasonable and unlawful.”

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Alameda Court Watch

Defendant Remanded after Failed Alcohol Recovery Program Effort

Judge Yolanda Northridge here in Alameda County Superior Court this week was brutally honest, noting little confidence in defendant Grady Letherman’s desire to adhere to the requirements of an alcohol recovery program.

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Riverside Court Watch

Defendant Threatens Minor with “Legal Connections” to Stop Her From Speaking Up About Violent Relationship

On Tuesday, two college students were asked to present themselves in the court room, not for educational purposes, but for charges of excessive violence from one partner to the other.

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Merced Court Watch

Family Survives in the Face of Father's Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

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Subject: Everyday Injustice - Experts Question Use of Force in Chauvin Case; This Time Reformers Are Not Ceding the Stage

Date: Friday, April 2, 2021 at 7:00:16 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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"Based on your review of the body-worn-camera footage, do you have an opinion as to when the restraint of Mr. Floyd should have ended in this encounter?" prosecutor Steve Schleicher asked.

"Yes. ... When Mr. Floyd was no longer offering up any resistance to the officers, they could have ended the restraint," Pleoger said.

Everyday Injustice Newsletter - April 2, 2021

The Right is Pushing Back on Criminal Justice Reform - But This Time Reformers Are Not Ceding the Stage

By David Greenwald

It is pretty appropriate name - Josh Hammer, who issues a piece in the right wing [City Journal](#) - "Conservatives should lead the way in moving the pendulum back toward the rule of law."

As Clark Neily and Shon Hopwood point out in a response in the Cato Institute Blog: "[To a Man With a Hammer, Every Criminal Justice Problem Looks Like a Nail.](#)"

Particularly if your name is in fact Hammer, I suppose.

Hammer argues: "Homicides in the United States increased in 2020 by over 30 percent, on a year-over-year basis. Gun assaults and aggravated assaults also spiked, leading the National Commission on COVID-19 and Criminal Justice to deem the crime surge of 2020 a "large and troubling increase" with "no modern precedent." Tragically, the early available statistics for 2021 tell a similar tale. On the American

domestic front, however, issues such as Covid, the economy, and illegal immigration still garner more headlines than the escalating rates of violent crime.”

Clark Neily and Shon Hopwood respond: “Nearly every sentence in Hammer’s piece is wrong.”

They point out the dislogic of his argument: “Because despite being the world’s most prolific jailers, our real problem is that we don’t lock up *enough* people.”

They note, “in Hammer’s telling, high crime rates began to plummet in the 1990s amidst bipartisan support for “tough on crime” policies, and we have been reaping the supposed benefits of that aggressively carceral approach ever since. Lately, however, a feckless band of “light-on-crime libertarians” and Soros-loving Democrats have been trying to undo that progress under the banner of criminal justice reform by prosecuting fewer crimes, imposing lighter sentences, and making police more accountable. It’s an interesting and certainly creative historical take, but it doesn’t stand up to scrutiny.”

We recently had this debate on the pages of the Vanguard. The right argues for example crime is going up in San Francisco. The reality is its not. Murders have gone up - but violent crime overall is down. Burglaries have gone up, but overall property crime has gone down.

When I read these debates, I think of Nate Silver’s notion of the signal and the noise.

He argues, “We need to stop, and admit it: we have a prediction problem. We love to predict things - and we aren’t very good at it.”

But I think there is a bigger problem here - it is deciphering what the signal is through all of the noise.

There is a lot going on in society right now - massive upheaval, we saw pushback against historic racism, we saw mass protests, people out of work, confined to home - are we really going to assume that limited changes in the data - data that is really national in scope is really signalling something rather than throwing up a ton of noise that we cannot decipher and much of which might not mean a whole lot other than we are living in extremely unusual times?

And yet supposedly progressive publications put things out like”Derek Thompson’s “[Why America’s Great Crime Decline Is Over](#).”

Thompson writes: “Americans are experiencing a crime wave unlike anything we’ve seen this century. After decades of decline, shootings have surged in the past few years. In 2020, gun deaths reached their highest point in U.S. history in the midst of a pandemic.”

The key phrase - “in the midst of a pandemic” - signal or noise?

Thanks for reading.

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Guest Commentary: The Links Between Racialized and Gender-Based Violence

Like so many Asian Americans, I was shattered by the shooting rampage that killed six Asian women and two other people on March 17. Grief turned to rage when Cherokee County Sheriff's Office Captain Jay Baker announced, "The

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Minnesota Supreme Court Orders New Rape Trial After Ruling Man Can't be Charged with Sexual Assault if Woman Consumed Alcohol Voluntarily

In other Minnesota news other than Derek Chauvin's murder of George Floyd trial, the Minnesota Supreme Court this week declared someone cannot be charged with sexual assault if the victim consumed drugs or alcohol voluntarily.

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Santa Clarita Sheriff's Station Launch Investigation after Viral Video of Deputies Forcefully Detaining Robbery Suspect

The Santa Clarita Valley Sheriff Station is conducting a "use of force investigation" after a concerning [video](#) began circulating on Tuesday night of two Santa Clarita deputies engaged in a struggle with a Black

[Read More](#)

PUSHBACK to RECALL: Digital Publishers Write Support for SFDA Chesa Boudin

Since the beginning of the new year, there have been multiple calls to recall current District Attorney of San Francisco Chesa Boudin – But now, a new petition has begun circulating in order to gain support for the DA.

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Yolo County Court Watch

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Perceptive Judge Shows Concern for Injured Defendant, Cuts Deal but without Defense Assistance

A perceptive Yolo County Superior Court judge appeared to show concern for an injured defendant in a warrant hearing here this week as the defendant struggled to move in court, asking him, "Are you in

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Sacramento Court Watch

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Recalcitrant Defendant Ignored Previous Restraining Order, But Judge Gives Him Another Chance: Prosecutor Worries

Maybe a defendant here has learned his lesson – but the last time he was released with a restraining order to not go back to a woman's house, he went back immediately, despite the order, said prosecutors.

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Most Sophisticated Identity Theft Case Court Has Ever Seen, Claims Judge

Sacramento County Superior Court Judge Laurie Earl Tuesday maintained that the case before her was the most sophisticated case of identity theft the court has seen, not only because of the number of victims with

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Defendant Remanded after Failed Alcohol Recovery Program Effort

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Riverside Court Watch

Judge Denies, Under New Law, Prosecutor Request to Extend Probation

Judge Joan Burgess from Riverside County Superior Court, Dept. 21, on Friday denied a prosecutor’s persistent request to extend probation for defendant Luis Alberto Zamora, who was convicted for lewd conduct back in May 2019.

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Merced Court Watch

Family Survives in the Face of Father’s Gun Attack

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Everyday Injustice - Podcast

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Everyday Injustice Podcast Episode 99: Ronnie Greene – Police Violence & Cover-Up Post-Katrina

A few years ago Ronnie Greene told the stunning story of the police shooting and killing completely innocent families fleeing the horror of Hurricane Katrina on a bridge in New Orleans. Two innocent people died. Several others severely

[Read More](#)

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Subject: Everyday Injustice - We Could Really Use Your Help.....
Date: Thursday, April 1, 2021 at 9:01:46 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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We are making a huge impact - but we need your help - Can You Commit to \$5 or \$10 per month to support impact journalism in criminal justice and a cutting-edge organization?

Everyday Injustice Newsletter - April 1, 2021

We had another big week of impact on the Vanguard! - But We Need Your Help To Keep Going

We had another big week of impact on the Vanguard. Among the many successes this week, our podcast with attorneys in the San Luis Obispo BLM case was featured prominently in a motion to.

The DA in his motion notes: "In early March, defense attorneys, Curtis Briggs, Brian Ford, and Vincent Barrientos were guests in an 80-minute video posted on YouTube, entitled, **"Everyday Injustice Podcast Episode 94: Tianna Arata and Black Lives Matter Prosecution."**"

In addition, our coverage in Alameda County earned us a lot of praise.

This one came from an attorney: "Just read your piece about the DA's response. The honesty and clarity was extremely refreshing. Only sad that we don't read pieces like this all the time. Thank you for providing the public with an authentically fair reaction to what is happening in Alameda County. Stunning, truly."

One thing I have learned in my decade and a half doing it, half the battle is to be in the position to cover the stories that make an impact.

We are only able to do this because we have an awesome team that can go all over the state to cover the stories that matter. But we have a group of people we would love to be able to lock in and hire but don't have the money right now to do so.

That is where you can help - we are not asking for a ton - just \$5 or \$10 per month - can you do that?

If everyone on this list can commit at least to that, we can hire the people we need

to continue to make the kind of impact that we are.

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Subject: Everyday Injustice - Emotion Pours Out in Day 3 of Chauvin Trial; Police Incident in Santa Clarita
Date: Thursday, April 1, 2021 at 7:02:51 PM British Summer Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"The deputies attempted to detain the man regarding the theft investigation. The man became uncooperative and a use of force occurred. It was later determined, the man was wanted in connection with an armed robbery of a U.S. postal carrier approximately one hour earlier, in which a hand gun was simulated," said the statement.

Everyday Injustice Newsletter - April 1, 2021

Growing Evidence of the Public Safety Benefits of Non-Prosecution

By Miriam Krinsky

Fair and Just Prosecution Executive Director Miriam Krinsky wrote the following in response to a groundbreaking study conducted by Rutgers University's Amanda Agan, Texas A&M University's Jennifer Doleac, and New York University's Anna Harvey, as well as new policies announced last week by the Baltimore state's Attorney's Office.

During the COVID-19 pandemic, which saw correctional facilities become some of the largest hotspots across the country, many reform-minded prosecutors implemented reforms aimed at reducing local jail populations and protecting people behind bars, as well as those who work in these facilities, from the risk of infection. These sensible policies included declining to prosecute many low-level offenses, including drug possession, which have little impact on public safety but a significant impact on incarcerated populations. We now know that these policies didn't just improve public health, they are also consistent with promoting public safety.

In Baltimore, since implementing policies last March to stop prosecuting a range of low-level offenses, the jail population is down by 20 percent, even while violent crime declined 20 percent and property crime declined 36 percent. Of the nearly 1500 people who had cases dismissed because of these policies, just 0.4 percent were arrested for another crime in the eight months following implementation of these new policies.

These incredibly positive results are further bolstered by a [new report](#) out of Boston confirming that decisions not to prosecute are consistent with public safety. Looking at 67,000 misdemeanor cases from 2004 to 2020, researchers found that non-prosecution

reduced future criminal involvement – the number of subsequent misdemeanor complaints were reduced by 67 percent and subsequent felony complaints were reduced by 75 percent, as compared to comparable prosecuted defendants. And significantly, the report shows no evidence of an increase in reported crime of any kind in District Attorney Rachael Rollins' first year of office, during which she implemented policies declining to prosecute 15 misdemeanor offenses often associated with poverty and racial disparities.

These results from Boston and Baltimore confirm that past 'tough on crime' policies that swelled our prison populations aren't necessary to make communities safer. Even as opponents of reform stoke fear about crime in America and attack the actions of reform-minded prosecutors, we must look to the data, which show us that criminalizing fewer people – especially for involvement in lower level offenses – strengthens communities. Criminal convictions carry profound collateral consequences for future housing and employment, which are critical supports that, if disrupted, can exacerbate pressures that lead to criminal conduct. The criminal legal system has already torn apart too many families and futures; this evidence about the efficacy of non-prosecution corroborates the wisdom of charting a new way forward.

For too long, communities of color have been overpoliced and under protected. Racial disparities permeate every aspect of the criminal legal system, including misdemeanor arrests. And in this time of increasingly limited funding for local government, it is more important than ever that prosecutorial resources be directed to efforts that address these disparities, while also keeping communities safe.

SA Mosby and DA Rollins join several other reform-minded prosecutors in using non-prosecution as a tool for public safety and equity, including Los Angeles County District Attorney [George Gascón](#), San Francisco District Attorney [Chesa Boudin](#), Washtenaw County, Mich. District Attorney [Eli Savit](#), Dallas County District Attorney [John Creuzot](#) and a host of others.

We commend all the reform-minded prosecutors who are creating a new normal in prosecution with decarceral strategies that shrink the justice system, while continuing to promote safe and healthy communities.

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Criminal Justice News/ Commentary

CHAUVIN TRIAL DAY 3: Emotions Pour Out As Witness Relates to George Floyd Calling for His Mother Before Death

On Day 3 of the explosive murder trial of ex-police officer Derek Chauvin Wednesday, a clerk from Cup Foods, bystanders, and a police lieutenant testified to watching Chauvin press his knee into George Floyd

[Read More](#)

Letter: 54 Law Enforcement Professionals

Sign Letter Urging Congress to End Qualified Immunity

This week, the Law Enforcement Action Partnership released a letter addressed to Congress calling for an end to qualified immunity, a legal doctrine which says that police cannot be tried for even blatant violations of the law unless

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Santa Clarita Sheriff's Station Launch Investigation after Viral Video of Deputies Forcefully Detaining Robbery Suspect

The Santa Clarita Valley Sheriff Station is conducting a "use of force investigation" after a concerning [video](#) began circulating on Tuesday night of two Santa Clarita deputies engaged in a struggle with a Black

[Read More](#)

Ventura Sheriff Sued after Repeated Refusals to Release Records of Office Misconduct and Force as Required by Law

The First Amendment Coalition (FAC) sued the Ventura County Sheriff's Office this week for withholding public records relating to cases of police officer misconduct and serious use of force.

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PUSHBACK to RECALL: Digital Publishers Write Support for SFDA Chesa Boudin

Since the beginning of the new year, there have been multiple calls to recall current District Attorney of San Francisco Chesa Boudin – But now, a new petition has begun circulating in order to gain support for the DA.

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Less Than 50 Percent of Santa Clara Sheriff's Office Staff Accepted Vaccinations

Santa Clara's Main Jail and Elmwood Correctional Complex have faced numerous devastating COVID-19 outbreaks since the pandemic emerged. Under the California Public Health Dept.'s vaccine distribution framework, incarcerated

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COVID CDCR and Jail Dashboards

Salinas Valley State Prison Reports Fifth COVID Related Death; CDCR Death Toll Reaches 217

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Santa Rita Jail's Medically Vulnerable Population Reaches New High

Our daily run down on the COVID cases in selective County Jails

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San Francisco Court Watch

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SF DA's Office 'Commends Courage' of Sexual Assault Victim, Announces Jury Guilty Verdict

The San Francisco District Attorney's Office announced Tuesday that defendant Antonio Montalvo was found guilty of four felony sexual assault charges, one misdemeanor theft charge following his assault

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Yolo County Court Watch

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Perceptive Judge Shows Concern for Injured Defendant, Cuts Deal but without Defense Assistance

A perceptive Yolo County Superior Court judge appeared to show concern for an injured defendant in a warrant hearing here this week as the defendant struggled to move in court, asking him, "Are you in

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Sacramento Court Watch

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Judge in Disbelief at Defendant's High Blood Alcohol Level Before Sentencing Him to Jail for a DUI

Even the judge here Monday in Sacramento County Superior Court was in some disbelief when he heard how high the blood alcohol (BAC) was for the defendant charged with multiple felonies.

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Alameda Court Watch

Court Requires Veteran Defendant to Enroll in Anger Management Counseling

An Alameda County Superior Court judge denied the district attorney's request to raise bail for defendant Damond Taylor here last week, and instead required the defendant to enroll in anger management

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Los Angeles Court Watch

Orange County Trial Relating to Residential Burglary and Sexual Assault of Minor to Wrap Up Jury Selection

Attorneys involved in defendant Oscar Sosa Tapia's minor sexual assault case began with their jury selection this week at Orange County Superior Court.

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Contra Costa Court Watch

Defendant Fearing Deportation Allegedly Caused Accident, Lied that He Was Carjacked

Trial counsel and the judge here last week may have been sympathetic to a defendant seeking asylum in the U.S., but the defendant allegedly caused a vehicle collision and then told police he was carjacked – the

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Fresno Court Watch

Judge Doesn't Get 'Off the Record' Wish, and His Feared 'Chaos' Ensued

A couple of things happened here in Dep. 20 last week – a judge said he wanted to go “off the record” and that he didn’t like “chaos.” The livestream kept running, and there was indeed chaos.

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Riverside Court Watch

Judge Denies, Under New Law, Prosecutor Request to Extend Probation

Judge Joan Burgess from Riverside County Superior Court, Dept. 21, on Friday denied a prosecutor’s persistent request to extend probation for defendant Luis Alberto Zamora, who was convicted for lewd conduct back in May 2019.

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Merced Court Watch

Family Survives in the Face of Father’s Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

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Everyday Injustice - Podcast

[see our podcasts](#)

Everyday Injustice Podcast Episode 99: Ronnie Greene – Police Violence & Cover-Up Post-Katrina

A few years ago Ronnie Greene told the stunning story of the police shooting and killing completely innocent families fleeing the horror of Hurricane Katrina on a bridge in New Orleans. Two innocent people died. Several others severely

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Everyday Injustice Podcast Episode 98: County County Prosecutor Kim Foxx

Kim Foxx is trying to reform one of the most notorious counties in the Country – see what she is doing about issues like wrongful convictions, police shootings and bail reform.

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Subject: We had another big week of impact on the Vanguard!

Date: Wednesday, March 31, 2021 at 9:00:16 PM British Summer Time

From: David Greenwald

To: valerie.ibarra@sfgov.org

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Image



Image



Hello Valerie,

We had another big week of impact on the Vanguard. Among the many successes this week, our podcast with attorneys in the San Luis Obispo BLM case was

featured prominently in a motion to gang the attorneys.

The DA in his motion notes: "In early March, defense attorneys, Curtis Briggs, Brian Ford, and Vincent Barrientos were guests in an 80-minute video posted on YouTube, entitled, "[Everyday Injustice Podcast Episode 94: Tianna Arata and Black Lives Matter Prosecution.](#)"

In addition, our coverage in Alameda County earned us a lot of praise.

This one came from an attorney: "Just read your piece about the DA's response. The honesty and clarity was extremely refreshing. Only sad that we don't read pieces like this all the time. Thank you for providing the public with an authentically fair reaction to what is happening in Alameda County. Stunning, truly."

One thing I have learned in my decade and a half doing it, half the battle is to be in the position to cover the stories that make an impact.

We are only able to do this because we have an awesome team that can go all over the state to cover the stories that matter. But we have a group of people we would love to be able to lock in and hire but don't have the money right now to do so.

That is where you can help - we are not asking for a ton - **just \$5 or \$10 per month** - can you do that?

If everyone on this list can commit at least to that, we can hire the people we need to continue to make the kind of impact that we are.

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Subject: Everyday Injustice - Dramatic Testimony in Day Two of the Chauvin Trial, Report Highlights the Trial Penalty

Date: Wednesday, March 31, 2021 at 7:00:28 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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"The decline in trials and rise in guilty pleas severely weakens the integrity of the justice system," a report released this week said. "Trials and pretrial motion practice provide a critical check on law enforcement overreach and abuse and assures public transparency in the administration of justice."

Everyday Injustice Newsletter - March 30, 2021

The Trial Penalty is Real - And It is a problem for the Criminal Legal System

By David Greenwald

Nationally somewhere between 94 and 97 percent of all cases end up pleading out before they go to trial. That means most people are forgoing their constitutional right to contest their charges and taking a plea agreement. That makes sense from a systemic standpoint, but one of the reasons why so many cases plead out is that the trial penalty - extra exposure if you lose at trial is so high, that it makes the decision to challenge, even false or questionable charges problematic.

In a report from the National Association of Criminal Defense Attorneys (NACDL) and NY's State branch, they found this playing out in NY where, "in New York State 99 percent of misdemeanor charges and 94 percent of felony charges are resolved by a guilty plea. New York is by no means an aberration. Across the country criminal trials are vanishing at an alarming rate. A principal cause of this phenomenon is the simple fact that in virtually every jurisdiction people plead guilty to avoid significantly greater punishment, having nothing to do with their guilt or innocence."

"The decline in trials and rise in guilty pleas severely weakens the integrity of the justice system," they write. "Trials and pretrial motion practice provide a critical check on law enforcement overreach and abuse and assures public transparency in the administration of justice."

“Guilty pleas not only allow prosecutors to avoid proving their case before a jury of the defendant’s peers, but also to avoid legal and constitutional challenges to law enforcement methods of investigation.”

Key findings of the study:

New York State has a trial penalty: 94% of practitioners agreed that the trial penalty plays a role in criminal practice in their county.

The trial penalty manifests in numerous ways: While longer sentences are part of the trial penalty, they are not the only part. To obtain favorable pleas, defendants are also forced to waive various appellate rights and the ability to challenge the government’s case through motion practice

Numerous factors drive the trial penalty: The trial penalty is driven by a broad range of different factors. Prosecutorial practices such as aggressive charging, judicial pressure to plead guilty, and the prospect of severe criminal penalties, sentencing enhancements and mandatory minimums should a defendant proceed to trial are significant contributors. Defense counsels’ excessive caseloads also contribute to the pressure on defendants take pleas and forgo exercising their statutory and constitutional rights.

Data confirms the existence of a trial penalty: Data analysis supported practitioners’ insights. In 66% of cases, defendants in the sample experienced a trial penalty. The data also shows increased plea offers are associated with increased eventual sentences. For example, a plea offer of five years was associated, after conviction at trial, with a sentence of 7.5 years and a 20 year offer would be associated with a 28 year sentence.

Based on these findings, the Task Force developed a set of 10 principles and 15 policy recommendations to mitigate the effect of the trial penalty and restore the criminal trial’s central role in the justice system.

See page 7 - 10 [here](#).

Thanks for reading

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Criminal Justice News/ Commentary

DEREK CHAUVIN TRIAL DAY 2: Minors, Firefighter Testify to Horror of Witnessing George Floyd’s Death

On Day 2 of the murder trial of ex-police officer Derek Chauvin Tuesday, four minors – including one then nine-year-old – and a Minneapolis firefighter testified to the horror of watching Chauvin kill George Floyd

[Read More](#)

Potential Change for Sheriff Elections? State Measure Would Remove Restrictive Candidacy Requirement

Change could soon be coming for who can run for sheriff in California. At a Tuesday press conference at the State Capitol, State Senator Scott Wiener touted Senate Bill 271, the Sheriff Democracy and Diversity Act, that would remove a restrictive

[Read More](#)

PART II: The Committee on the Revision of the Penal Code Presents Unique Challenges to California's Death Penalty System

In addition to the continuing legal battles around the constitutionality and inhumane nature of capital punishment in California, the Committee on the Revision of the Penal Code discussed several criticized legal infirmities

[Read More](#)

STUDENT OPINION: Defunding the LAPD Will Lower Crime

Divesting funds from LAPD and placing them into community-based initiatives will be more cost-effective at reducing crime than the police would be. The current massively overinflated budget of the LAPD is overkill

[Read More](#)

SF District Attorney Chesa Boudin Condemns Acts of AAPI Hate, Said Trump Encourage It, in NPR Interview

San Francisco District Attorney Chesa Boudin, in an NPR interview over the weekend, reaffirmed his office condemns "acts of violence and hate" toward the Asian American Pacific Islander (AAPI) and San Francisco.

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COVID CDCR and Jail Dashboards

Salinas Valley State Prison Reports Fifth COVID Related Death; CDCR Death Toll Reaches 217

Our daily run down on the COVID cases in the California Prison System (CDCR)

[Read More](#)

Santa Rita Jail's Medically Vulnerable Population Reaches New High

Our daily run down on the COVID cases in selective County Jails

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San Francisco Court Watch

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SF DA's Office 'Commends Courage' of Sexual Assault Victim, Announces Jury Guilty Verdict

The San Francisco District Attorney's Office announced Tuesday that defendant Antonio Montalvo was found guilty of four felony sexual assault charges, one misdemeanor theft charge following his assault

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Yolo County Court Watch

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DA Charges Former SF Forensic Laboratory Employee with Meth Theft

San Francisco District Attorney Chesa Boudin said Thursday his office has filed charges against former San Francisco County Forensic Laboratory Division employee, Justin Volk, who allegedly stole

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Sacramento Court Watch

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Judge in Disbelief at Defendant's High Blood Alcohol Level Before Sentencing Him to Jail for a DUI

Even the judge here Monday in Sacramento County Superior Court was in some disbelief when he heard how high the blood alcohol (BAC) was for the defendant charged with multiple felonies.

[Read More](#)

Delay Granted for Funeral of Defendant's Baby, Despite Prosecution Objection that 'It's Always One Thing After Another'

Over vehement objections Monday of a deputy district attorney here in Sacramento County Superior Court – even after he learned a defendant's continuance request was to bury his stillborn child – Judge

[Read More](#)

Who Let the Dog(s) Out? Trial Expected Centers on Actions of Defendant's Dog

The end of Richard Grimes' preliminary hearing here Tuesday in Sacramento County Superior Court quickly became focused on a matter of semantics: was the dog let out, or did it merely go out?

[Read More](#)

Alameda Court Watch

Court Requires Veteran Defendant to Enroll in Anger Management Counseling

An Alameda County Superior Court judge denied the district attorney's request to raise bail for defendant Damond Taylor here last week, and instead required the defendant to enroll in anger management

[Read More](#)

Los Angeles Court Watch

Man Stabbed in Thousand Oaks – Witness Testimony Ruled Not 'Credible'

A witness was called in to testify at the Superior Court of Ventura County regarding the stabbing of a male in Thousand Oaks, though her jitteriness and moments of anger led to the court to discredit her testimony.

[Read More](#)

Contra Costa Court Watch

Defendant Fearing Deportation Allegedly Caused Accident, Lied that He Was Carjacked

Trial counsel and the judge here last week may have been sympathetic to a defendant seeking asylum in the U.S., but the defendant allegedly caused a vehicle collision and then told police he was carjacked – the

[Read More](#)

Fresno Court Watch

Judge Doesn't Get 'Off the Record' Wish, and His Feared 'Chaos' Ensued

A couple of things happened here in Dep. 20 last week – a judge said he wanted to go “off the record” and that he didn’t like “chaos.” The livestream kept running, and there was indeed chaos.

[Read More](#)

Riverside Court Watch

Judge Denies, Under New Law, Prosecutor Request to Extend Probation

Judge Joan Burgess from Riverside County Superior Court, Dept. 21, on Friday denied a prosecutor’s persistent request to extend probation for defendant Luis Alberto Zamora, who was convicted for lewd conduct back in May 2019.

[Read More](#)

Merced Court Watch

Family Survives in the Face of Father’s Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

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Everyday Injustice - Podcast

[see our podcasts](#)

Everyday Injustice Podcast Episode 99: Ronnie Greene – Police Violence & Cover-Up Post-Katrina

A few years ago Ronnie Greene told the stunning story of the police shooting and killing completely innocent families fleeing the horror of Hurricane Katrina on a bridge in New Orleans. Two innocent people died. Several others severely

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Everyday Injustice Podcast Episode 98: County County Prosecutor Kim Foxx

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Subject: Everyday Injustice - Opening Arguments in Case Against Derek Chauvin; Major Study Finds Not Charging Misdos Reduces Crime

Date: Tuesday, March 30, 2021 at 7:00:27 PM British Summer Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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Jerry Blackwell: "Mr. Derek Chauvin betrayed this badge when he used excessive and unreasonable force upon the body of Mr. George Floyd, that he put his knees upon his neck and his back grinding and crushing him until the very breath, no ladies and gentlemen, until the very life was squeezed out of him. "

Everyday Injustice Newsletter - March 30, 2021

Opening Arguments in Chauvin

The case against former Police Officer Derek Chauvin in the killing of George Floyd opened yesterday. Here is a bit of Prosecutor Jerry Blackwell's opening arguments.

Mr. Derek Chauvin betrayed this badge when he used excessive and unreasonable force upon the body of Mr. George Floyd, that he put his knees upon his neck and his back grinding and crushing him until the very breath, no ladies and gentlemen, until the very life was squeezed out of him. You will learn that he was well aware that Mr. Floyd was unarmed, that Mr. Floyd had not threatened anyone, that Mr. Floyd was in handcuffs, he was completely in the control of the police, he was defenseless.

You will learn what happened in that nine minutes and 29 seconds, the most important numbers you will hear in this trial are 9:29, what happened in those nine minutes and 29 seconds when Mr. Derek Chauvin was applying this excessive force to the body of Mr. George Floyd. We have two objectives in this trial, ladies and gentlemen, the first objective is to give Mr. Chauvin a fair trial. Mr. Chauvin has the presumption of innocence. He is presumed to be innocent until proven guilty. We plan to prove to you beyond a reasonable doubt that Mr. Chauvin was anything other than innocent on May 25th of 2020.

And our second objective ladies and gentlemen, is to bring you the evidence which I'm trying to preview this morning. We are bringing this case, this prosecution against Mr. Chauvin for the excessive force that he applied onto the body of Mr. George Floyd for engaging in behavior that was eminently dangerous in the force that he applied without regard for its impact on the life of Mr. George Floyd.

So let's begin by focusing then on what we will learn about this nine minutes and 29 seconds. And you will be able to hear Mr. Floyd saying, "Please, I can't breathe, please, man, please." In this nine minutes and 29 seconds you will see that as Mr. Floyd is handcuffed there on the ground, he is verbalizing 27 times you will hear in the four minutes and 45 seconds, "I can't breathe, please. I can't breathe." You will see that Mr. Chauvin is kneeling on Mr. Floyd's neck and back.

He has one knee on his neck and the knee on his back is intermittently off and on, on his back as you will be able to see for yourself in the video footage. You will hear Mr. Floyd as he's crying out. You hear him at some point, cry out for his mother when he's being squeezed. He was very close to his mother, you will learn. You will hear him say, "Tell my kids I love them." You will hear him say about his fear of dying, he says, "I'll probably die this way. I'm through. I'm through. They're going to kill me. They're going to kill me, man."

You will hear him crying out and you will hear him cry out in pain, "My stomach hurts. My neck hurts. Everything hurts." You will hear that for yourself, "Please. I can't breathe. Please, your knee on my neck." You will hear it and you'll see at the same time, while he's crying out, Mr. Chauvin never moves. The knee remains on his neck. Sunglasses remain undisturbed on his head and it just goes on. You will hear his final words when he says, "I can't breathe." Before that time, you'll hear his voice get heavier. You will hear his words further apart. You will see that his respiration gets shallower and shallower, and finally stops when he speaks his last words, "I can't breathe."

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Criminal Justice News/ Commentary

Study Finds Declining to Prosecute Low Level Offenses Reduces Crime

For years, advocates of Broken Windows Theory argued that cracking down on low level offenses and visible signs of crime will help prevent more serious crimes from occurring. But critics have pointed to

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FIRST TRIAL DAY: Jurors Hear Opening Arguments, Witnesses in Chauvin Trial for Killing George Floyd

After more than two weeks of jury selection, the true trial of former police officer Derek Chauvin for the murder of George Floyd – Hennepin County District Judge Peter Cahill began by excusing the 15th juror

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District Attorney Chesa Boudin Protests with Janitors Against Unfair Labor Practices

District Attorney Chesa Boudin protested with janitors against unfair labor practices this past week, noting that he was “proud to march with the SEIU Local 87 early this morning to demand that janitors’ health, safety,

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LAPD Unconstitutionally Detains Journalists During Echo Park Protests

There have been a number of protests in Los Angeles in the past week as a result of the city planning to close the Echo Park Lake and clear the homeless encampment which has grown exponentially in the past

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11 Weekly Highlights from CDCR’s COVID-19 Crisis: In-Person Visitation to Resume in Phases From April 10

As of Mar. 27, there have been a total of 49,212 confirmed COVID-19 cases in the CDCR system – 39 of them emerged in the last two weeks. 40 cases are active in custody while 612 have been released while active. A total of

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STUDENT OPINION: Riverside Town Hall Meeting’s Criticisms of The Left’s Approach To Criminal Justice Reform Fail To Address Systemic Racism

On March 11th, Riverside Town Hall held a meeting entitled “Reclaiming the Republic” to discuss conservative concerns of the Riverside community in regards to criminal justice reform and the recent actions and

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Manhattan Beach Police Officer Charged with Sending Explicit Messages to Teenager

John Cheatham, a Manhattan Beach police officer, was charged on February 25 for sending explicit messages to a 15-year-old girl. Cheatham met the victim at the police station when she was there to report a sexual assault

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COVID CDCR and Jail Dashboards

Salinas Valley State Prison Reports Fifth

COVID Related Death; CDCR Death Toll Reaches 217

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Santa Rita Jail's Medically Vulnerable Population Reaches New High

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Sacramento Court Watch

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No Lower Bail for Defendant Judged Public Safety Risk, History of Non-Appearances

Under new bail laws, more defendants awaiting trial could be released on lower or no bail. But not all defendants. Defendant Troy Ransom, who appeared in Sacramento County Superior Court Monday on a request for lower bail under the Affordable

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Bus Driver Assault Case Goes to Trial Despite Problems with Identification

Although Judge Matthew Gray pointed out a clear identification issue during defendant Dante Day's preliminary hearing here in Sacramento County Superior Court Monday, he still found enough evidence was

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Alameda Court Watch

Court Requires Veteran Defendant to Enroll in Anger Management Counseling

An Alameda County Superior Court judge denied the district attorney's request to raise bail for defendant Damond Taylor here last week, and instead required the defendant to enroll in anger management

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Defendant Fearing Deportation Allegedly Caused Accident, Lied that He Was Carjacked

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Riverside Court Watch

Judge Denies, Under New Law, Prosecutor Request to Extend Probation

Judge Joan Burgess from Riverside County Superior Court, Dept. 21, on Friday denied a prosecutor’s persistent request to extend probation for defendant Luis Alberto Zamora, who was convicted for lewd conduct back in May 2019.

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Merced Court Watch

Family Survives in the Face of Father’s Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

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The victim tweeted, "I was attacked in SF in what I can only describe as a case of anti-Asian hate."

Everyday Injustice Newsletter - March 29, 2021

A Report Finds that Alameda County DA Practices Lead to Overcriminalization

By David Greenwald

A report released this week found that policies and practices of the Alameda County District Attorney's Office, under the leadership of Nancy O'Malley, lead to overcriminalization, needlessly cost the county money, and promoted mass incarceration, with devastating impact on Black and Brown communities.

The report was compiled over two years of data collection by the ACLU of Northern California and the Urban Peace Movement and shines a light on the Alameda County DA's Office and its charging policies.

"The Alameda County District Attorney plays an outsized role in maintaining mass incarceration, fueling racial disparities and failing to hold police accountable," said E.J. Pavia, Campaign Director with Urban Peace Movement. "We are calling on the Alameda County District Attorney to change its internal policies and practices. We are also calling on Alameda County residents to hold the office accountable for its actions."

EJ Pavia said that, as community members, they wanted to know whom the local DA was charging and whether "there were any disproportionate numbers in their data" as well as their "policies especially around alternatives to incarceration."

He explained, "There is a lot of data that incarceration does more harm than good in our communities."

One of the surprising findings in the report is that, despite the reputation of Alameda County as being a high crime area, "[o]ver six in 10 of all charges the Alameda County DA brought against adults were low-

level offenses that either should have been directed to diversion programs or not charged at all.

"In the report, we identify a list of charges that we feel are so low level that they should just never be charged at all," Pavia explained in a phone interview with the Vanguard on Friday. "They are so low level that public dollars should not even be wasted on... (the court time)."

In addition, he explained there are other offenses "we feel should always be diverted" and "we feel there are so many alternatives to incarceration that have so many inclusionary criteria that it seems difficult for even a prosecutor to offer it to somebody," Pavia added.

O'Malley, he explained, promotes her creation of alternative programs and courts.

"While that may be true, the data shows that only five percent utilization (of diversion programs) from 2017 to 2018," he added. "For us it's really important to make sure that people are benefiting from those programs and they're not going to waste."

[See the full article from Saturday here](#)

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Criminal Justice News/ Commentary

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Sunday Commentary: Vanguard Interview with Attorneys in SLO BLM Case Becomes a Centerpiece on SLO DA's Motion to Gag

The case literally about nothing continues to escalate. I view this case as a poster child case for Everyday Injustice – after all here you have a group of protesters who were protesting police misconduct and systemic racism who have

[Read More](#)

District Attorney Chesa Boudin's Office Announces Prosecution of 2 More Anti-AAPI Hate Crimes

District Attorney Chesa Boudin and his office announced they are working to prosecute two more cases of AAPI hate crimes, noting the office has successfully prosecuted several cases already this year of AAPI hate crimes.

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After 13 Years, Committee on the Revision of the Penal Code Reviews The Death Penalty

The Committee on the Revision of the Penal Code is currently examining the death penalty in California for the first time in 13 years. In 2008, the Committee conducted an extensive review into the death penalty.

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California Sent \$8 Billion to Counties to Improve Jails and Services But Failed to Track the Money, Says Auditor

A decade after California embarked on a sweeping prison overhaul that diverted thousands of inmates to county jails, state and local governing bodies have failed to adequately track billions of dollars intended for improving county

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Mayor Breed Declares She Wants Bayview-Hunters Point Community to Be 'Lifted Up'

Organizers and politicians from Wealth and Disparities in the Black Community and the San Francisco Human Rights Commission gathered on the corner of 3rd and Palou to address concerns around stopping

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COVID CDCR and Jail Dashboards

Only Two New Cases Reported Across

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Nearly 50 Percent of Santa Rita Jail's Population Has Been Offered Vaccinations

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Sacramento Court Watch

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Drug Deal Turned Deadly: Trio Face Trial for Man Killed by Gunfire

Defendants Khali Brown, Cochese Stevens, and Khalil Sabree wrapped up their preliminary hearings in Sacramento County Superior Court Dept. 15 on last Friday to answer to charges stemming from a drug

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Alameda Court Watch

Court Requires Veteran Defendant to Enroll in Anger Management Counseling

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Riverside Court Watch

Riverside Police Track Up to 23 Illegal

Indoor Marijuana Grows All Belonging to One Single Group

Law enforcement officers testified in Riverside County Superior Court last week they uncovered two illegal indoor residential marijuana grows in the county of Riverside, which they believe are a part of an organized

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Merced Court Watch

Family Survives in the Face of Father's Gun Attack

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Kim Foxx is trying to reform one of the most notorious counties in the Country – see what she is doing about issues like wrongful convictions, police shootings and bail reform.

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Everyday Injustice Podcast Episode 97: Pima County Attorney Laura Conover

Everyday Injustice checks in with Laura Conover who was elected in the fall as Pima County Attorney in Arizona. She talks about her first few months on the job, what she has been able to accomplish and what she is still looking to

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"The crisis in California is even higher because the bail schedule has been so high that only the super rich can afford to pay their way to pretrial freedom," Mano Raju said. "Pretrial detention heightens your risk of losing your job, losing your home. It's a vicious cycle."

Everyday Injustice Newsletter - March 26, 2021

Supreme Court Changes Cash Bail But It Doesn't End It

By David Greenwald

Another day, another landmark ruling this week.

In some respects *Humphrey* was a powerful ruling. It was a 7-0 vote. There was no dissent. And the underlying principle is correct: "The common practice of conditioning freedom solely on whether an arrestee can afford bail is unconstitutional."

"Because the trial court here failed to consider *Humphrey's* ability to afford \$350,000 bail (and, if he could not, whether less restrictive alternatives could have protected public and victim safety or assured his appearance in court), we agree with the Court of Appeal: *Humphrey* was entitled to a new bail hearing," Justice Cuellar writes.

The court notes that underlying the cash bail system is a major premise that "that the state has a compelling interest in assuring the arrestee's appearance at trial and protecting the safety of the victim as well as the public."

At the same time, the court recognized that those pending trial "have not yet been convicted of a charged crime" and therefore "unquestionably suffer a 'direct 'grievous loss' " of freedom in addition to

other potential injuries.”

This is a good ruling. It recognizes a fundamental principle: people who cannot afford to pay bail should not be held in custody absent a compelling government reason - flight risk or public safety.

Alec Karakatsanis, Executive Director of Civil Rights Corps, argued this case in front of the Supreme Court.

At a press conference yesterday, he said, “Today’s decision will go a long way to eradicating the widespread caging in our society... But it’s also just a first step.”

That seems reasonable. The research here is pretty clear. People held in custody are severely disadvantaged.

“Bail is the mechanism that has made mass incarceration possible,” Gina Clayton-Johnson, Executive Director and Founder of Essie Justice Group said . Those fighting charges while behind bars are more likely to take a plea, less likely to win their case, and even if innocent, the family can be left financially devastated.

There is a huge racial disparity.

Mano Raju, San Francisco’s Public Defender noted that the decision acknowledged the fact that bail has been used as a tool of racial oppression.

In an exhibit, Justice Cuellar noted the defense motion which attached a 2013 study of San Francisco’s criminal system.

That study found, “Black adults in San Francisco are 11 times as likely as White adults to be booked into County Jail” prior to trial.

“The crisis in California is even higher because the bail schedule has been so high that only the super rich can afford to pay their way to pretrial freedom,” he said. “Pretrial detention heightens your risk of losing your job, losing your home. It’s a vicious cycle.”

This is the good part. Taking money out of the equation is a good start. But fundamentally cash bail makes little sense. Either someone is a risk to the public or not. Ability to pay is not a measure of that risk.

Thanks for reading.



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Criminal Justice News/ Commentary

California Supreme Court in a 7-0 Decision Requires Court To Consider Ability To Pay in Setting Bail

In a landmark decision that will drastically change the dynamics of bail, the court while stopping short of declaring cash bail unconstitutional, rule in a unanimous opinion written by Justice Cuellar that the court must take into

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Calling It a First Step, Supporters of Bail Reform Respond to Humphrey Ruling

Early on Thursday, the California Supreme Court called the practice “conditioning freedom solely on whether an arrestee can afford bail,” “unconstitutional.” The court stopped short of ending cash bail and supporters

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Judge Rejects Public Defender Motion to Recuse DA’s Office

Superior Court Judge Allan Hymer rejected a motion by Richard Foxall of the Alameda Public Defender’s Office to recuse the DA’s office from prosecuting the murder case involving Shawn Martin.

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San Francisco Court: Risk Your Life For Your First Amendment Right

The Vanguard has provided continued coverage on San Francisco Court’s public access — or rather the lack thereof. At the time of writing this article, it has been 373 days since San Francisco’s initial shelter in place order, and the

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Sacramento Mayor Recall Committee Asks Federal Court to End City Delay of Campaign – Calls City Actions ‘Voter Suppression’

Charging the actions of the city of Sacramento are “voter suppression,” the Committee to Recall Darrell Steinberg Thursday announced the filing of a U.S. District Court action asking a federal judge for a writ of

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NYC Public Defenders Urge End to Jail Phone Recording After 1,500+ Calls Wrongly Bugged

Recent information reveals more than 1,500 phone calls made from those incarcerated here were wrongly recorded, leading New York City public defenders to urge an end to all recordings of phone calls made by

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DA Charges Former SF Forensic Laboratory Employee with Meth Theft

San Francisco District Attorney Chesa Boudin said Thursday his office has filed charges against former San Francisco County Forensic Laboratory Division employee, Justin Volk, who allegedly stole

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COVID CDCR and Jail Dashboards

Only Two New Cases Reported Across CDCR Over the Weekend

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Nearly 50 Percent of Santa Rita Jail's Population Has Been Offered Vaccinations

Our daily run down on the COVID cases in selective County Jails

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San Francisco Court Watch

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SF DA's Office 'Commends Courage' of Sexual Assault Victim, Announces Jury Guilty Verdict

The San Francisco District Attorney's Office announced Tuesday that defendant Antonio Montalvo was found guilty of four felony sexual assault charges, one misdemeanor theft charge following his assault

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DA Charges Former SF Forensic

Laboratory Employee with Meth Theft

San Francisco District Attorney Chesa Boudin said Thursday his office has filed charges against former San Francisco County Forensic Laboratory Division employee, Justin Volk, who allegedly stole

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Judge Rules Miranda Rights Not Needed in DUI Arrest

It's a regular scene seen on television and in movies when law enforcement officers inform defendants of their Miranda Rights – but do suspects really have to be read Miranda Rights?

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Defendant Accused of Putting Pipe Bombs – One Inscribed with 'I am a Killer' – Near School

Defendant Gustavo Aguilar has been charged with multiple felonies for allegedly placing pipe bombs – one with notes inscribed on it – and other weapons near an elementary school in Sacramento, according to a

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Judge Denies Disabled Man's Blood Test Taken Non-Consensually – Case Goes to Trial

Both the defense and prosecution agreed here in Sacramento County Superior Court this week that the defendant had driven his car into someone's garage. But, whether or not a blood test taken to measure his blood

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Alameda Court Watch

Court Requires Veteran Defendant to Enroll in Anger Management Counseling

An Alameda County Superior Court judge denied the district attorney's request to raise bail for defendant Damond Taylor here last week, and instead required the defendant to enroll in anger management

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Los Angeles Court Watch

Man Stabbed in Thousand Oaks – Witness Testimony Ruled Not ‘Credible’

A witness was called in to testify at the Superior Court of Ventura County regarding the stabbing of a male in Thousand Oaks, though her jitteriness and moments of anger led to the court to discredit her testimony.

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Contra Costa Court Watch

Defendant Fearing Deportation Allegedly Caused Accident, Lied that He Was Carjacked

Trial counsel and the judge here last week may have been sympathetic to a defendant seeking asylum in the U.S., but the defendant allegedly caused a vehicle collision and then told police he was carjacked – the

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Fresno Court Watch

Judge Denies Motion to Suppress Evidence in Questionable CHP Stop

A motion to suppress evidence in the questionable stop of an alleged reckless driver thought to be under the influence of alcohol was denied by Judge Samuel Dalesandro here in Fresno County Superior Court this week.

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Riverside Court Watch

Riverside Police Track Up to 23 Illegal Indoor Marijuana Grows All Belonging to One Single Group

Law enforcement officers testified in Riverside County Superior Court last week they uncovered two illegal indoor residential marijuana grows in the county of Riverside, which they believe are a part of an organized

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Merced Court Watch

Family Survives in the Face of Father's Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

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Everyday Injustice - Podcast

see our podcasts

Everyday Injustice Podcast Episode 98: County County Prosecutor Kim Foxx

Kim Foxx is trying to reform one of the most notorious counties in the Country – see what she is doing about issues like wrongful convictions, police shootings and bail reform.

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Everyday Injustice Podcast Episode 97: Pima County Attorney Laura Conover

Everyday Injustice checks in with Laura Conover who was elected in the fall as Pima County Attorney in Arizona. She talks about her first few months on the job, what she has been able to accomplish and what she is still looking to

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For Immediate Release: March 25, 2021

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****PRESS RELEASE****

**California Supreme Court Rules in Favor of Pretrial Rights in
Re Kenneth Humphrey Decision**

*Court unanimously rules California's money bail system unconstitutional, reiterates that
detention should only be used if absolutely necessary*

SAN FRANCISCO – Today, the California Supreme Court upheld Californians' fundamental right to pretrial liberty in a unanimous decision in *In re Kenneth Humphrey*. In their decision, the court found that California unconstitutionally detained Petitioner Kenneth Humphrey by setting a bail amount without considering his ability to pay or considering nonmonetary alternatives.

In the three years since his release, Humphrey has satisfied every court mandate and thrived. "I am pleased other people will have the same opportunities I had to change their lives and they will not

have to wait in jail for years because they are too poor to pay bail,” **Kenneth Humphrey said.**

The Court declared that California’s pervasive practice of requiring money bail in most cases is unconstitutional and that courts must consider all non-monetary alternatives to detention. While the Court did not rule on the process for denying bail, it reiterated past federal precedent in *United States v. Salerno* that “liberty is the norm, and detention prior to trial or without trial is the carefully limited exception.”

“Today’s decision will go a long way toward eradicating wealth-based human caging from our society,” said **Alec Karakatsanis, Founder and Executive Director of Civil Rights Corps.** “The police, prosecutors, and bail bond companies who benefit from pretrial human caging are working hard to ensure that any system that replaces this money bail system reproduces its harms; however, today’s victory provides us much needed energy as we continue our fight for basic liberty and for returning people to their families and communities.”

“Today’s historic decision affirms that people like our client Kenneth Humphrey, who bravely fought for his pretrial freedom, can no longer be locked up in jail simply for being poor and when they pose no threat to public safety. Mr. Humphrey’s success while out of custody shows what can happen when we invest in people, not cages, and my office is committed to continuing to push for changes that will result in more fairness and equity for all Californians,” said **Mano Raju, Public Defender of San Francisco.**

The case originated in 2017 when Humphrey was kept in jail because he was unable to pay the \$350,000 bail set after his arrest. The San Francisco Public Defender along with Civil Rights Corps represented Humphrey in the subsequent appeals process.

In January 2018, California’s First District Court of Appeal ruled in favor of Humphrey, holding that California’s money bail system violated due process and equal protection – a decision that the California Supreme Court affirmed today. Humphrey was released from jail in May 2018.

“As a community that has been torn apart by pretrial detention, we applaud the Supreme Court’s ruling that our loved ones can’t be held because of their inability to pay. But this fight for freedom was never only about ending money bail, it was about freeing our people,” said **Alicia Chavez, Participatory Defense Organizer with Silicon Valley De-Bug.** “The Supreme Court avoiding the movement’s call to limit who can be stripped of their liberty means that our community will continue to be vulnerable to pretrial incarceration based solely on judicial bias. So our fight for pretrial justice in California continues.”

“Essie Justice Group is a loving and powerful community of women with incarcerated loved ones based in CA. Our members are the women who have shouldered the cost of bail fees and have seen and experienced first hand the devastation caused by our state’s bail system,” said **Gina Clayton-Johnson, Executive Director and Founder of Essie Justice Group.** “As all Essie members who have had a loved one detained pretrial can tell you – when you are fighting a case from behind bars, you are more likely to take a plea deal, less likely to win your case, and even if you are eventually found innocent – your family may be left financially devastated. Today’s Supreme Court decision matters for the mothers we bail out and for all those who remain behind bars despite being legally innocent. It matters in a history of child separation, class inequity, and racial bias that disproportionately harms Black women.”

The money bail system that California used to detain Humphrey – and used in other states – keeps poorer people in jail for months to years waiting for trial while releasing wealthier people with similar charges. Across the country, over 500,000 people – predominantly Black and Brown folks – are held in pretrial incarceration each night solely because they are poor.

Even though the Court's decision ending unconstitutional money bail applies only in California, the language the justices used reaffirms that pretrial incarceration should be restricted to only the most limited circumstances. This decision is a step forward in advancing racial justice and ending mass incarceration in California and across the United States.

###

To read this press release online and access the CA Supreme Court decision document, please visit [SFPublicDefender.org/media](https://sfpublicdefender.org/media).

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Subject: Everyday Injustice - Newsom Selects Reformer as AG; Virginia Ends the Death Penalty
Date: Thursday, March 25, 2021 at 6:01:13 PM Greenwich Mean Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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George Gascon: "That California's chief law enforcement official is a member of the AAPI community speaks volumes to the Golden State's commitment to advance tolerance and inclusion and end the violence visited against vulnerable members of our community."

Everyday Injustice Newsletter - March 25, 2021

Wednesday was a Momentous Day, Today Could Be Another

By David Greenwald

As it turns out, Wednesday was a rather momentous day. It began with the expected - the signature in Virginia by Governor Ralph Northam making Virginia the 23rd state to abolish the death penalty but the first one in the South to do it.

. "It is a powerful thing to stand in the room, where people have been put to death." Northam stated. "Signing this law is the right thing to do; it is the moral thing to do to end the death penalty in the Commonwealth of Virginia," he added.
See the Vanguard's full coverage - [here](#).

Then came the unexpected. I was convinced that it would be Adam Schiff who the governor nominated. Instead he went to Rob Bonta, who as I pointed out in my [lengthy commentary](#), topped my realistic list of candidates which also included Contra Costa DA Diana Becton and former Public Defender and now Assemblymember Ash Kalra.

Make no mistake - this puts California on the map on criminal justice reform, police accountability and should I say... bail reform.

Bonta was the sponsor along with Hertzberg of SB 10. Make no mistake, SB 10 was compromise bill, as it eliminated cash bail in most instances but replaced it with risk assessment tools based on algorithms to determine whether to detain or release someone and, if released, under what conditions.

During the legislative process SB 10 was watered down to the point where advocacy groups like the ACLU feared it would simply replace bail with pretrial detention imposed by risk assessment likely to be skewed against people of color.

So when the bail industry put it on the ballot, many progressives who oppose bail, ended up opposing SB 10.

This year new bills arose. As [Eric Gelber reported for the Vanguard](#), "Two identical new bills have been jointly introduced in the current legislative session that would significantly restrict the use of cash bail but would take a more limited and straightforward approach than the risk assessment method relied on by SB 10: AB 329 (Bonta) and SB 262 (Hertzberg and Skinner)."

Fittingly we have word that the California Supreme Court today will issue its ruling on the Humphrey case.

[In January](#), the Supreme Court heard oral arguments in the case of Kenneth Humphrey that could end up ending cash bail in California.

Charged May 2017 for robbing an elderly neighbor of \$5 and a bottle of cologne, then threatening him, Humphrey has spent a year in jail on a whopping \$600,000 bail. Though later reduced to \$350,000, it was still a formidable figure for the then-64-year-old retired shipyard worker.

[Earlier this month](#), we spoke with Alec Karakatsanis, lead attorney with Civil Rights Corps who argued the case.

Will the Supreme Court end cash bail in California? It would be a fitting bookend to this week. But we'll see.

Thanks for reading.



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Criminal Justice News/ Commentary

Commentary: Newsom Goes Progressive with Bonta Pick

Word leaked out just before the scheduled 2 pm press conference in San Francisco. Given the expectation that Governor Newsom was going name his AG pick on Wednesday and the location of the press

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Breaking News: Governor Newsom Appoints Reformer as the New AG, Rob

Bonta (Updated)

In a move that will no doubt please progressives and came as a shock to many, Governor Gavin Newsom announced the appointment of Assemblymember Rob Bonta as the next Attorney General, filling the seat vacated by Xavier Becerra.

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Comparing SF and Alameda Calls Into Question Traditional ‘Tough on Crime’ DA Policies

As the Recall Chesa Boudin movement gains momentum, casting a negative light on the reform-minded approach of the SF District Attorney's office, Kate Chatfield points to Oakland's alarming 210% spike in yearly

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Virginia Becomes First Southern State to Abolish Death Penalty – State Executed More People Than Any Other State

In its 400-year history, Virginia has executed more than 1,300 people, which is more than any other state. However, on the morning of Tuesday, March 24, Gov. Ralph Northam signed a bill putting an end to the death penalty in Virginia. It is the

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Final Juror Seated as Monday Trial Nears for Ex-Cop Derek Chauvin, George Floyd Accused Murderer

The 15th juror – just in case the juror is needed – was seated here Wednesday for next Monday's start date for the trial of former cop Derek Chauvin, accused of murdering unarmed George Floyd by

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SF DA's Office ‘Commends Courage’ of Sexual Assault Victim, Announces Jury Guilty Verdict

The San Francisco District Attorney's Office announced Tuesday that defendant Antonio Montalvo was found guilty of four felony sexual assault charges, one misdemeanor theft charge following his assault

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5 Weekly Highlights from CDCR's COVID Crisis – CA Prisons Rank 2nd in the US for Total Confirmed Cases

As of March 20, there have been a total of 49,190 confirmed COVID-19 cases in the CDCR system – 33 of them emerged in the last two weeks. 38 cases are active in custody while 613 have been released while active. A total of

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COVID CDCR and Jail Dashboards

Only Two New Cases Reported Across CDCR Over the Weekend

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Nearly 50 Percent of Santa Rita Jail's Population Has Been Offered Vaccinations

Our daily run down on the COVID cases in selective County Jails

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San Francisco Court Watch

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SF DA's Office 'Commends Courage' of Sexual Assault Victim, Announces Jury Guilty Verdict

The San Francisco District Attorney's Office announced Tuesday that defendant Antonio Montalvo was found guilty of four felony sexual assault charges, one misdemeanor theft charge following his assault

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Yolo County Court Watch

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A Rarity: Prosecutor, Defense Agree Mental Competence Report for Defendant 'Biased' and Farcical'

It's rare when prosecutors and defense attorneys agree, on the record. But, Monday, here in Yolo County Superior Court Dept. 8, Deputy Public Defender Aram Davtyan and Deputy District Attorney David Robbins concurred that a mental competence

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Sacramento Court Watch

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Suspect Hurls Woman Out of Trailer into Ditch after She Recorded Him Illegally Dumping Concrete

After hearing a harrowing and horrific story of an older woman hurled from a trailer into a deep ditch by a man she recorded illegally dumping concrete, a Sacramento County Superior Court this week ordered that

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Defense Argues Victim's Mental Health an Issue; Judge Still Sets Two-Felony Trial for Attacker

The alleged victim testifying in a preliminary hearing here in Sacramento County Superior Court Tuesday presented a hazy memory and admitted she was taking a drug, but didn't know what it was treating,

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Judge Tosses Charges; Defendant's Constitutional Rights Violated by Police after Unlawful Search

A Sacramento County Superior Court judge here Monday ruled two Sacramento Police Dept. patrol officers violated a defendant's Fourth Amendment rights to privacy after a simple traffic stop for tinted windows

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Alameda Court Watch

Court Requires Veteran Defendant to Enroll in Anger Management Counseling

An Alameda County Superior Court judge denied the district attorney's request to raise bail for defendant Damond Taylor here last week, and instead required the defendant to enroll in anger management

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Los Angeles Court Watch

Man Stabbed in Thousand Oaks – Witness Testimony Ruled Not ‘Credible’

A witness was called in to testify at the Superior Court of Ventura County regarding the stabbing of a male in Thousand Oaks, though her jitteriness and moments of anger led to the court to discredit her testimony.

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Contra Costa Court Watch

Defendant Fearing Deportation Allegedly Caused Accident, Lied that He Was Carjacked

Trial counsel and the judge here last week may have been sympathetic to a defendant seeking asylum in the U.S., but the defendant allegedly caused a vehicle collision and then told police he was carjacked – the

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Fresno Court Watch

Judge Denies Motion to Suppress Evidence in Questionable CHP Stop

A motion to suppress evidence in the questionable stop of an alleged reckless driver thought to be under the influence of alcohol was denied by Judge Samuel Dalesandro here in Fresno County Superior Court this week.

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Riverside Court Watch

Riverside Police Track Up to 23 Illegal Indoor Marijuana Grows All Belonging to One Single Group

Law enforcement officers testified in Riverside County Superior Court last week they uncovered two illegal indoor residential marijuana grows in the county of Riverside, which they believe are a part of an organized

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Merced Court Watch

Family Survives in the Face of Father's Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

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Everyday Injustice - Podcast
see our podcasts

Everyday Injustice Podcast Episode 98: County County Prosecutor Kim Foxx

Kim Foxx is trying to reform one of the most notorious counties in the Country – see what she is doing about issues like wrongful convictions, police shootings and bail reform.

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Everyday Injustice Podcast Episode 97: Pima County Attorney Laura Conover

Everyday Injustice checks in with Laura Conover who was elected in the fall as Pima County Attorney in Arizona. She talks about her first few months on the job, what she has been able to accomplish and what she is still looking to

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Subject: MEDIA ADVISORY: SF Public Defender, Civil Rights Corps, and Justice Advocates Respond to California Supreme Court Decision in *In re Kenneth Humphrey*

Date: Thursday, March 25, 2021 at 5:22:40 PM Greenwich Mean Time

From: Ibarra, Valerie (PDR)

To: Ibarra, Valerie (PDR)

MEDIA ADVISORY: March 25, 2021

CONTACTS:

Valerie Ibarra
San Francisco Public Defender's Office
valerie.ibarra@sfgov.org

Amber English Coleman
Civil Rights Corps
Amber@CivilRightsCorps.org

****MEDIA ADVISORY****

SF Public Defender, Civil Rights Corps, and Justice Advocates Respond to California Supreme Court Decision in *In re Kenneth Humphrey*

SAN FRANCISCO - This morning, the California Supreme Court delivered its ruling in *In re Kenneth Humphrey*, a pivotal case in our understanding of money bail and pretrial incarceration in the state of California and potentially throughout the country. Across the country, over 500,000 people each night are trapped in jail cells awaiting trial solely because they are poor. The Court had an opportunity today to uphold federal constitutional rights to pretrial liberty and keep California courts from unjustifiably detaining people.

This afternoon (March 25) at 12:30 p.m. PT/3:30 p.m. ET, join **Civil Rights Corps** and the **San Francisco Public Defender's Office** - the legal teams who brought the California Supreme Court petition - along with key justice advocates **Silicon Valley De-Bug** and **Essie Justice Group** for a press conference to answer questions about the California Supreme Court's ruling.

Who:

- [Alec Karakatsanis](#), Executive Director of Civil Rights Corps
- [Mano Raju](#), San Francisco's Public Defender
- [Gina Clayton-Johnson](#), Executive Director and Founder of Essie Justice Group
- [Raj Jayadev](#), Co-Founder of the Silicon Valley De-Bug

What: California Supreme Court's Decision in *In re Kenneth Humphrey* Press Conference

Where:

- Phone: 646-558-8656
- Meeting ID: 817 1234 6158
- Passcode: 823880
- One-Tap Mobile: +16465588656,,81712346158#,,,,*823880#

When: March 25, 2021 at 12:30 p.m. PT

Please let us know if you will be attending. In case of technical difficulties or questions, please email the contacts above or call Aaron Zeiler at 904-527-0338.

###

Valerie Ibarra
Public Information Officer
San Francisco Public Defender's Office
Valerie.Ibarra@sfgov.org
(628)249-7946
SFPublicDefender.org/Media

Subject: Fwd: National Court Watchers - David Vanguard
Date: Thursday, March 25, 2021 at 2:18:56 PM Greenwich Mean Time
From: David M. Greenwald
To: Layla Mustafa, Wilson, Jacque (PDR), Ibarra, Valerie (PDR)

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I already sent her all of our links, but wanted to pass this on.

----- Forwarded message -----

From: **Carmen Johnson** <carmen@lifeafterrelease.org>
Date: Thu, Mar 25, 2021 at 7:10 AM
Subject: National Court Watchers - David Vanguard
To: info@davisvanguard.org <info@davisvanguard.org>

Hello Mr. Vanguard,

We are Court Watch PG in Maryland. We spoke to Rebecca yesterday from Court Watch LA about the issues we are faced with in virtual access termination in Prince Georges County Courts. We are running a campaign to stop any termination of this virtual access. We are now looking to take this campaign nationally because so many Court Watchers and community members are having similar issues, we are facing we heard. Rebecca stated that you may can connect us with some more Court Watch organizations in your area. Please let me know if that is possible?

We hope we can get letters from these Court Watcher Organizations pertaining to as follow:

1. The issues they been having with access to the court since covid.
2. Some have never had virtual access and need it.
3. Some have access but it will be shut terminated soon.
4. And other issues they been having court watching.

Also, below is the link to our petition take a look at it, sign it and pass it on if you are compelled and have time. Subjectively, at this point we want to take the campaign national.

https://campaigns.organizefor.org/petitions/keep-the-pg-county-courts-virtual?share=b8cedce1-3223-4dc5-9140-5de09be34956&source=email-share-button&utm_source=email

Sincerely,

Dr. Carmen Johnson
Director of Court Watch
Activist, Abolitionist and Humanitarian

"Not everything you face can be changed, but nothing can be changed until you face it"
James Baldwin

--

David M. Greenwald
Executive Director
[The People's Vanguard of Davis](#)

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"The Investigative Eye"

Log on daily to get the latest news, commentary, and information about the city of Davis, Yolo County, and the Sacramento Region.

"Journalism is printing what someone else does not want printed: everything else is public relations." — George Orwell

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Subject: Everyday Injustice - Court Access Nightmares in SF and Los Angeles; Pretrial - Virtually No One Dangerous Enough to Justify Jail Pretrial
Date: Wednesday, March 24, 2021 at 6:01:44 PM Greenwich Mean Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"If this system [RAAP] is not fully functioning, it cannot fulfill its purpose of granting the public, including the families of people who are incarcerated or facing charges, access to court proceedings." - Rebecca Brown, Court Watch LA

Everyday Injustice Newsletter - March 24, 2021

Court Access During COVID Approaches Disastrous Levels

By David Greenwald

For much of the pandemic we have had a team of reporters and interns through our partnership with the San Francisco Public Defender's Office ironically logging on to court proceedings in places like

Sacramento, Fresno, Yolo, Contra Costa and Alameda Counties because San Francisco, in the heart of tech country, could not or perhaps would not provide reliable streams for us to log onto.

Two weeks ago, [Amy Buitrago Zarabanda and Layla Mustafa](#) audited the San Francisco court access and found, shockingly, very few of the already meager YouTube channel streams of court proceedings worked.

They wrote: "Over the past 34 days, we checked the YouTube channel a total of 88 times. There were a total of 16 live streams present, with only eight of them having audio and visual."

This week, we were supposed to cover a trial that began on Monday in Department 16, Judge Van Aken's courtroom. Public Defender Martina Avalos was the defense attorney.

We had been told from the start that we would have public access via YouTube, but the judge just informed everyone on Monday that would not be the case, rather people would need to attend in person or in an adjacent courtroom where the feed would be streamed to.

The problem is not just San Francisco.

Naomi Cherone from our LA Branch [reports this morning](#) - that while LA Superior Court "promises to provide equal access to justice, but the falsity of this claim has become evident in the court's poor transition into a remote format."

On their website, the LASC claims that, "Whether appearing by phone, from home, the office or coming to the courthouse, Here For You | Safe For You provides safe, efficient options to access justice."

She writes, "Yet, there is an evident disconnect when it comes to the LASC's claims, and the actions they have taken to amend their technical troubles, according to the Court Watch Los Angeles."

Rebecca Brown, a legal fellow at the National Lawyers Guild Los Angeles and member of Court Watch LA, wrote a letter to the Presiding Judge Eric Taylor on behalf of Court Watch LA and their partner organizations.

"On February 26th, we attempted to listen to proceedings in Department 48 at Clara Shortridge Foltz Criminal Justice Center. We logged on to the streaming platform at 8:30 and the player said 'streaming currently unavailable'... there was no sound. At 9:45, we could hear an announcement that court resumed and could hear the cases being heard... the stream turned back on at 10:25 then turned off again five minutes later at 10:30. In total, we could hear 15 minutes of proceedings in two hours," said Brown.

Same problem - different jurisdiction.

Somehow counties like Sacramento, Yolo, Contra Costa, Alameda, Fresno, Merced, Riverside, Orange and many other counties have been able to provide steady streams but not San Francisco or Los Angeles.

During this time of COVID, being able to have transparency in our courts in a safe manner not only for reporters, court watchers but also for victims, families of the defendants, and members of the public. San Francisco and Los Angeles are falling well short for that public commitment.

Thanks for reading.

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YouTube: <http://www.youtube.com/davisvanguard>

Criminal Justice News/ Commentary

Court Watch LA Calls on Los Angeles Superior Court to Fix Accessibility Issues Plaguing Remote Hearings

The Los Angeles Superior Court (LASC) promises to provide equal access to justice, but the falsity of this claim has become evident in the court's poor transition into a remote format.

[Read More](#)

Guest Commentary: Virtually No One is Dangerous Enough to Justify Jail

Every day, jails in the U.S. hold close to half a million people who are legally presumed innocent. When people who have been arrested can't afford or are denied bail, they are locked in concrete cages that are sometimes littered with

[Read More](#)

SF DA Boudin Cites Expanding Victim Services, Recall Committee Attacks via Twitter

San Francisco District Attorney Chesa Boudin – after citing expanding victim services in the city – was attacked again by Recall Committee spokesperson, Richie Greenberg, via Twitter. From an article on Washington Post, Boudin tweeted

[Read More](#)

Spousal Rape to be Changed to Rape, According to Proposed California Law

California Assemblymembers Cristina Garcia (D-Bell Gardens) and Evan Low (D-Campbell) announced their introduction of AB 812 Monday, a bill that aims to change the standards in the California Penal Code for "spousal rape."

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COVID CDCR and Jail Dashboards

Only Two New Cases Reported Across CDCR Over the Weekend

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Only 32 Percent of Incarcerated People Offered Vaccines at Santa Rita Jail Have Consented

Our daily run down on the COVID cases in selective County Jails

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Black Lives Matter Protest Escalates to Incident with SF Cop

He was attending a Black Lives Matter protest – protesting the one year anniversary of the death of Breonna Taylor when Yusuf Labib spotted a San Francisco Police Officer with a Blue Lives Matter shirt. After questioning him, the

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Yolo County Court Watch

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A Rarity: Prosecutor, Defense Agree Mental Competence Report for Defendant 'Biased' and Farcical'

It's rare when prosecutors and defense attorneys agree, on the record. But, Monday, here in Yolo County Superior Court Dept. 8, Deputy Public Defender Aram Davtyan and Deputy District Attorney David Robbins concurred that a mental competence

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Sacramento Court Watch

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Man Asks Judge for One More Day in Jail After Court Order Stops Mom from Picking Him Up

Just minutes before his potential release, defendant Jack Kirkman made an unusual request to the court: a request to remain in jail one additional night. Judge Timothy Frawley granted the request in Sacramento County Superior Court,

[Read More](#)

Alameda Court Watch

Court Requires Veteran Defendant to Enroll in Anger Management Counseling

An Alameda County Superior Court judge denied the district attorney's request to raise bail for defendant Damond Taylor here last week, and instead required the defendant to enroll in anger management

[Read More](#)

Los Angeles Court Watch

Man Stabbed in Thousand Oaks – Witness Testimony Ruled Not ‘Credible’

A witness was called in to testify at the Superior Court of Ventura County regarding the stabbing of a male in Thousand Oaks, though her jitteriness and moments of anger led to the court to discredit her testimony.

[Read More](#)

Contra Costa Court Watch

Defendant Fearing Deportation Allegedly Caused Accident, Lied that He Was Carjacked

Trial counsel and the judge here last week may have been sympathetic to a defendant seeking asylum in the U.S., but the defendant allegedly caused a vehicle collision and then told police he was carjacked – the

[Read More](#)

Fresno Court Watch

Judge Denies Motion to Suppress Evidence in Questionable CHP Stop

A motion to suppress evidence in the questionable stop of an alleged reckless driver thought to be under the influence of alcohol was denied by Judge Samuel Dalesandro here in Fresno County Superior Court this week.

[Read More](#)

Riverside Court Watch

Riverside Police Track Up to 23 Illegal Indoor Marijuana Grows All Belonging to One Single Group

Law enforcement officers testified in Riverside County Superior Court last week they uncovered two illegal indoor residential marijuana grows in the county of Riverside, which they believe are a part of an organized

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Merced Court Watch

Family Survives in the Face of Father's Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

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Everyday Injustice - Podcast

see our podcasts

Everyday Injustice Podcast Episode 98: County County Prosecutor Kim Foxx

Kim Foxx is trying to reform one of the most notorious counties in the Country – see what she is doing about issues like wrongful convictions, police shootings and bail reform.

[Read More](#)

Everyday Injustice Podcast Episode 97: Pima County Attorney Laura Conover

Everyday Injustice checks in with Laura Conover who was elected in the fall as Pima County Attorney in Arizona. She talks about her first few months on the job, what she has been able to accomplish and what she is still looking to

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YouTube: <https://avanan.url-protection.com/v1/url?o=http%3A//www.youtube.com/davisvanguard&g=ODRjMDVjMzQ4MwVhY2E2MQ==&h=NDdkMTQ3NGM1MDJjYzU4NDE2NzIzYTc1MzBjNTQxN2Q0NDk2YWlyOTI5YzhmNGFhOWJiOGQ4NTNkMmYxYTUwOA==&p=YXAzOnNmZHQyOmF2YW5hbJpvOjFmN2Q0YzY1OWRjMmU2ZDcxNGZiZDdIYjYyMTYwMGnkOnYx>

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Subject: Court Watch LA Calls on Los Angeles Superior Court to Fix Accessibility Issues Plaguing Remote Hearings | Davis Vanguard
Date: Wednesday, March 24, 2021 at 3:52:49 PM Greenwich Mean Time
From: Ibarra, Valerie (PDR)
To: Ibarra, Valerie (PDR)

<https://www.davisvanguard.org/2021/03/court-watch-la-calls-on-los-angeles-superior-court-to-fix-accessibility-issues-plaguing-remote-hearings/>

Sent from my iPhone

Subject: Court Watch LA Calls on Los Angeles Superior Court to Fix Accessibility Issues Plaguing Remote Hearings | Davis Vanguard
Date: Wednesday, March 24, 2021 at 3:52:48 PM Greenwich Mean Time
From: valerie.ibarra@sfgov.org
To: Valerie Ibarra

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Sent from my iPhone

Subject: Everyday Injustice - Hate Crimes and CJ Reform; Biden on the Spot on the Death Penalty Now
Date: Tuesday, March 23, 2021 at 6:02:17 PM Greenwich Mean Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"We will not let white supremacy tear us apart," Chesa Boudin stated

Everyday Injustice Newsletter - March 22, 2021

Biden To Get Tested Early on the Death Penalty

By David Greenwald

It figures to be a huge test for Joe Biden, a long time supporter of the death penalty who in the 80s and 90s was responsible for strengthening it, but who got elected on a promise to end the federal death

penalty.

The issue arises as the Supreme Court Monday indicated it would consider reinstating the death sentence for Boston Marathon bomber Dzhokhar Tsarnaev. The judges will hear an appeal by the Trump administration. It would not be heard until the fall and the AP reports, "it's unclear how the new administration will approach Tsarnaev's case. The initial prosecution and decision to seek a death sentence was made by the Obama administration, in which Biden served as vice president."

"Death penalty opponents want Biden to empty federal death row and stop seeking new death sentences," Marshall Project reporter Maurice Chammah, a recent guest on Everyday Injustice and author of a book on the Texas Death Penalty tweeted.

"But that would include cases like Dylann Roof, Robert Aaron Long — and Dzhokhar Tsarnaev," he continued. "The death penalty often obeys a law of backlash, and Biden may be reticent to spark one."

Statement from Mikey Borgard who was a survivor of the bombing:

"The First Circuit's decision to overturn Mr. Tsarnaev's death sentence was the right one – it identified serious problems regarding jury selection and exclusion of crucial mitigation evidence. I was relieved by the First Circuit's decision because I do not want someone to be killed in my name. I do not believe the victims in this case were adequately consulted before the government decided to seek cert from the Supreme Court. It's hard for me to understand why the Supreme Court granted review today, or what good could come out of its eventual decision in this case. I hope the Biden Administration will reconsider pursuing a death sentence. Mr. Tsarnaev will spend the rest of his life in prison no matter what."

Meanwhile Biden has pledged to seek an end to the federal death penalty. And his press secretary Jen Psaki, was non-committal on Monday.

"He has grave concerns about whether capital punishment as currently implemented is consistent with the values that are fundamental to our sense of justice and fairness. He has also expressed his horror at the events of that day and Tsarnaev's actions," Psaki told reporters.

This is the key test case - it is easy to be against the death penalty in cases where there are questions of guilt and innocence, questions about mental capacity, can you be against it for high profile, heinous acts that killed innocents and were inexplicable?

Thanks for reading.

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Twitter: <https://twitter.com/DavisVanguard>
YouTube: <http://www.youtube.com/davisvanguard>

Criminal Justice News/ Commentary

Commentary: Why I Will No Longer Support Hate Crimes Enhancements

We live in an evolving world and anyone who has set beliefs locks themselves in to what might have been dated reasoning or responses to past situations. When I worked in DC in the mid-1990s during the Clinton Administration,

[Read More](#)

Guest Commentary: Deadly Texas Storm Was a Reminder of an Inhumane US Prison System

Last month, as a series of winter storms raged through Texas, prisons and jails across the state descended into chaos. Thousands of people who were packed together in facilities were left with no running water, limited or inedible food,

[Read More](#)

Chesa Boudin Speaks Out against White Supremacy and AAPI Hate Crimes at Rally

San Francisco District Attorney Chesa Boudin joined colleagues and community leaders at Sunday's LGBTQIA community-led rally in condemning the rise of violence Asian Americans in the past year.

[Read More](#)

Letter: Asian Lawyers Speak Out Against Atlanta Shooting

On March 16, 2021, eight people were shot and killed at three different spas in the Atlanta, Georgia area. Their names were Soon Chung Park, Hyun Jung Grant, Suncha Kim, Yong Ae Yue, Delaina Ashley Yaun, Paul Andre Michels,

[Read More](#)

Day 11 of Derek Chauvin Trial: 14 Jurors Are Seated, Opening Arguments Begin in One Week

The 14th juror was seated in former Minneapolis police officer Derek Chauvin's murder trial. Opening arguments are scheduled to begin on next Monday, March 29. As the long day of jury selection commenced, it was easy to see how difficult

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Alameda Public Defender Files Motion to Recuse Entire DA's Office for Misconduct; Of Course DA Responds by Cutting Off Informal Talks with Public Defenders

Citing a "troubling and extensive pattern of misconduct" by "some prosecutors which the District Attorney of Alameda County has failed to seriously address," Alameda County Assistant Public Defender Richard Foxall will move for

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COVID CDCR and Jail Dashboards

Only Two New Cases Reported Across CDCR Over the Weekend

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Judge Listens, Overrules Prosecution and Releases Homeless, Health-Challenged Defendant Awaiting Trial Despite History of Missing Court

The judge here in Yolo County Superior Court Friday, recognizing a homeless defendant had medical issues and a lack of resources, took a “flyer”—against the prosecution’s wishes—and released him from jail without any bail ahead

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Sacramento Court Watch

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Trial Set for Woman Who Shot Boyfriend in Alleged Self-Defense

On March 22, 2021, Defendant Shauna Giffin appeared in Sacramento County Superior Court. Giffin, who shot and killed her boyfriend on November 29, 2020, was present on a self-defense claim.

[Read More](#)

Despite Victim's Wishes, Suspect in Car Chase and Attempted Murders Held Without Bail

Earlier this month, Ramitesh Kumar allegedly fired a gun at his former girlfriend over ten times while pursuing her in a car chase. On Monday, at a bail hearing in a Sacramento Superior Court,

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Alameda Court Watch

Alameda Public Defender Files Motion to Recuse Entire DA's Office for Misconduct; Of Course DA Responds by Cutting Off Informal Talks with Public Defenders

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Everyday Injustice Podcast Episode 97: Pima County Attorney Laura Conover

Everyday Injustice checks in with Laura Conover who was elected in the fall as Pima County Attorney in Arizona. She talks about her first few months on the job, what she has been able to accomplish and what she is still looking to

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Everyday Injustice Podcast 96: Justin Brooks and Wrongful Convictions

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Subject: Everyday Injustice - Interview with Cook Co Attorney Kim Foxx; Alameda PD Attempts to Recuse DA's Office
Date: Monday, March 22, 2021 at 6:01:47 PM Greenwich Mean Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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DA O'Malley writes: "It is very unfortunate that it has come to this. Regrettably, false and misleading accusations against my Office, which has a great reputation, and false and misleading accusations against me and against members of the Office have created a hostile and unworkable relationship with the Public Defender's Office."

Everyday Injustice Newsletter - March 22, 2021

**Traditional DA's Under
Fire and Getting Defensive**

By David M. Greenwald

Twice this week I have been rather surprised by the Orange County DA Todd Spitzer.

Yesterday he tweeted: "My Democratic friends. Be very careful of Ada's agenda. Ask her "What do we really know about this person Peter Hardin?" Do we support him just because he has a "D" next to his name? Is that the only litmus test?"

I tweeted a response: "Fascinating to see [@toddspitzeroc](#) continue to respond this early"

Someone else added that he must feel really threatened.

To my utter amazement, he responded: "Not threatened. There are plenty of Republicans who ask for support and don't get it just because they have an "R" next to their name. That's all."

Then there was the interesting response to my column yesterday on the Alameda County DA.

On Saturday we ran a story that the [Alameda Public Defender](#) who filed a motion to recuse the entire DA's office. Yesterday, we had a pointed commentary on the childish behavior of DA Nancy O'Malley for writing to Public Defender Brendon Woods where the DA announced that "the District Attorney's Office will no longer engage in informal discussions with the Public Defender staff."

My reaction is really one of bemusement. I cannot fathom the level of hubris here to respond in this way.

We got a comment from someone under the name: baybob510. Unfortunately we couldn't publish it on the site because it violated our clear rule that comments must be posted under the actual name.

But here is the comment:

"What I find appalling, David, is that you or the source you got your information from omitted a very critical aspect of Ms. O'Malley's letter.

She stated, very explicitly, that her office would continue to negotiate cases with the public defender's office but would refrain from doing so informally and would only engage in plea negotiations on the record and in front of a judge. The stated purpose was to deprive the public defender's office the opportunity to continue making misrepresentations such as those in Foxall's brief. That approach is a far cry from the picture your article attempts to paint.

Also, your article is a superficial examination, at best, of what the various appellate courts actually said and you neglected entirely to examine whether the assertions in Foxall's brief accurately match the content of the appellate court opinions.

Do better. Maybe one day you'll get to work in big boy journalism."

The column yesterday of course was opinion. The actually was an article on Saturday - which was linked to yesterday's column - duly reported the following: "O'Malley clarifies that they are not halting their efforts to resolve cases."

"If there are to be any discussions regarding offers made to resolve cases, we will readily appear in court with the Judge present and a court reporter, if possible," she writes.

We also pulled directly from the appellate opinion. If you are going to criticize my journalism shouldn't you follow the backlink to the clearly identified previous article? The backlink was in the lede paragraph after all.

Baybob510 posted his comment and then deleted his profile. I suspect that the commenter is probably in the DA's office.

Also got a very nice note late last night: *"Just read your piece about the DA's response. The honesty and clarity was extremely refreshing. Only sad that we don't read pieces like this all the time. Thank you for providing the public with an authentically fair reaction to what is happening in Alameda County. Stunning, truly."*

Glad to see the piece was appreciated. Thanks for reading.

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Criminal Justice News/ Commentary

Stockton Taxpayers Pay \$3.25 Million in Civil Rights Case; ‘Creepy’ Cop Shot Black Man in Back in 2016

David Wells has been known as a dangerous and even “creepy” cop to the Stockton community for at least a decade. Now, Stockton taxpayers have paid a price for Wells’ rogue cop mentality and actions

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Everyday Injustice Podcast Episode 98: County County Prosecutor Kim Foxx

Kim Foxx is trying to reform one of the most notorious counties in the Country – see what she is doing about issues like wrongful convictions, police shootings and bail reform.

[Read More](#)

Guest Commentary: We Must Abolish Qualified Immunity to Prevent Further Police Harm — Especially for People in Mental Health Crises

On July 10, 2017, Gabriel Eduardo Olivas was having a mental health crisis in his home. His son called 911 to ask for help. Instead of sending mental health workers with the tools and experience to help Mr. Olivas, the 911 dispatcher

[Read More](#)

Sunday Commentary: Why Do a Lot of DAs Seem to Have the Maturity of a Petulant Child?

Yesterday we reported on the bizarre give and take between the Alameda County DA and their public defender. As reported yesterday, Assistant Public Defender Richard Foxall filed a motion to recuse the entire DA’s office from a case due to

[Read More](#)

Sunday Commentary: Newsom Has a Chance to Change the Direction of Criminal Justice in California

Bill Lockyer. Jerry Brown. Kamala Harris. Xavier Becerra. What do they have in common? They are all Democrats. Most would consider them liberal. They were all attorneys general. And none of them pushed forward any sort of

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San Francisco Court Watch

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Sacramento Court Watch

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Plea Deal Off, Defendant Facing Drug Charges Loses Prelim, has May Trial Date

Despite apparent serious discussions of a deal Friday, defendant Lance Jordan now has a trial date in May for four felonies, including unlawful possession of methamphetamine and heroin, as well as possession of a handgun,

[Read More](#)

‘He Can Sit in Jail’ Rules Exasperated Judge Savage After Slow-Moving Court Negotiations

Judge Michael Savage—contending that his time was being wasted—gave an ultimatum to Assistant Public Defender Vadim Kobrya and defendant Larry Richardson Friday here in an effort to pressure them to make a decision.

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Alameda Court Watch

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Subject: Vanguard Media Group (@DavisVanguard) has added you to a group conversation on Twitter!

Date: Saturday, March 20, 2021 at 12:38:01 PM Greenwich Mean Time

From: Vanguard Media Group (via Twitter)

To: SF Public Defender

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"Alameda Public Defender File
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Subject: Everyday Injustice - SFPD Attacks Man at BLM Protest, Man Charged; Judge Upholds Gag Order against SF Bay View Editor

Date: Friday, March 19, 2021 at 6:00:30 PM Greenwich Mean Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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SF Public Defender Gabrielle Rodezno: "In this particular case Mr. Labib was violently attacked by S.F.P.D. This was during a protest. He has absolutely no criminal record whatsoever."

Everyday Injustice Newsletter - March 19, 2021

**Judge Upholds Gag
Order against SF Bay View Editor Who Exposed COVID-19**

Outbreak at Taylor Street Halfway House

By Layla Mustafa

Malik Washington, the San Francisco Bay View editor who garnered much attention in the Bay Area and beyond for exposing a COVID-19 outbreak at Taylor Street Halfway House, has been forced to remain silent while facing the threat of disciplinary sanctions and potential re-incarceration by the GEO Group and the Federal Bureau of Prisons (BOP).

In January 2021, Washington was retaliated against after speaking out about a COVID-19 outbreak at the Taylor Street Center—a halfway house for those exiting prisons or jails and integrating into society. Washington, a resident of the house, had shared a posted notice of a COVID outbreak [with a fellow journalist, Tim Redmond of 48 Hills](#).

The posted notice indicated to residents that at least three people had tested positive for the virus and included a new set of regulations for residents of the facility. The SF Bay View distributed a press release on the outbreak, and Redmond reached out to GEO Group to comment on the accusations—which they initially denied. Since then, Washington has experienced a wave of retaliation from both GEO and the BOP.

Initially, Washington was prevented from going to work and had his phone and technology confiscated under the [Inmate Discipline Program](#). Under this program, the Federal Bureau of Prisons CODE 327 says that “unauthorized contacts with the public” is a prohibited act of moderate severity and may include loss of privileges and personal property.

Washington and local advocacy groups argue that not only is this punishment an encroachment of his First Amendment Right, but the sentiment is also very dangerous to the larger community. Washington was trying to warn the surrounding neighborhood of the outbreak for their safety. Nationally, [GEO Group has had a bad track record](#) in upholding transparency on the state of COVID at their facilities.

[On February 2, Washington held a press conference to officially announce a lawsuit he was pursuing against the BOP and GEO Group](#). Washington filed the lawsuit as a vehicle to reclaim his cell phone, restore his good-time credits, and regain his freedom to act as editor-in-chief of the SF Bay View.

Following the press conference, [GEO officials investigated several public appearances made by Washington prior to the conference](#). This information was used against him, claiming it was a violation of his disciplinary sanctions.

Many groups have risen to show their support for Washington. Both the San Francisco Public Defender Mano Raju and the District Attorney Chesa Boudin have agreed that Washington has been persecuted for speaking out against the facility.

In a statement shared with Nube Brown, Managing Editor of the SF Bay View, [Public Defender Mano Raju said](#), “We continue to witness GEO Group’s pattern of deceit and neglect in its response to the COVID pandemic. We must protect the health and dignity of the people living at 111 Taylor and invest in future reentry care that is community-based and focused on the needs of individuals, not the profits of GEO Group. I stand in solidarity with Malik Washington and for his rights as a member of the Black press to speak out and protect his community.”

Additionally, in a letter read during the March 7 rally in support of Washington, DA Boudin said, “The last four years have shown the need for enduring that people – especially those in the press – are free and able to tell truth to power. It is deeply concerning when people – like Malik Washington – who are devoted to truth-telling are targeted precisely for trying to ensure that critical information is made public. We must stand against attempts to target or prevent people like Malik from speaking out.”

Full story is here: [click for article](#)



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Criminal Justice News/ Commentary

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He was attending a Black Lives Matter protest – protesting the one year anniversary of the death of Breonna Taylor when Yusuf Labib spotted a San Francisco Police Officer with a Blue Lives Matter shirt. After questioning him, the

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Danville Police Case Filed in Last Week's Shooting; Hayward Case Settles For \$3.3 Million

Civil Rights Attorney John Burris this week announced he was being retained to represent the family of Danville Police shooting victim Tyrell Wilson, while at the same time, he announced a \$3.3 million settlement with the city of Hayward

[Read More](#)

Day 9 of Ex-Cop Derek Chauvin's Floyd Murder Trial: 12th Juror Seated, Judge Visibly Upset About \$27 Million Settlement

On Day 9 of the former cop Derek Chauvin's trial for the murder of George Floyd, the number of jurors increased to 12 from nine – 14 are needed – while Hennepin County District Judge Peter Cahill angrily ordered

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COVID CDCR and Jail Dashboards

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Yolo County Court Watch

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Judge Requests Additional Briefing After Hearing of West Sacramento Murderer Seeking Parole

Kenneth Ray Buffer, convicted of murder in 1995, was denied parole on March 12, 2016, and he's now appealing that decision here in Yolo County Superior Court. Private defense attorney Rob Gorman filed a response Jan. 25 of this year to

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Sacramento Court Watch

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Judge to Ask Interpreter Office Why It Can't Help Defendant's Attorney

Although the Sacramento County Superior Court judge here Thursday suggested a request to order an interpreter for a defendant is unusual, similar cases have cropped up in other courtrooms over the past year,

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Alameda Court Watch

Tough Balancing Act for Judges Weighing Jail COVID Risk and Public Safety

As Judge Colin Bowen moved through cases last week here in Alameda County Superior Court, Dept. 702, it was clear that the issue of public safety clashed with health when multiple defense attorneys requested their clients be

[Read More](#)

Prosecution Argues for Incarceration Over Public Safety Concerns – Judge Punts for Now

The prosecution had some concerns over the circumstances surrounding the felony case of Defendant Damon Wilburn last week. Overseen by Alameda County Superior Court Judge Barbara Dickinson, Wilburn's hearing was a recall bench

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Los Angeles Court Watch

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A witness was called in to testify at the Superior Court of Ventura County regarding the stabbing of a male in Thousand Oaks, though her jitteriness and moments of anger led to the court to discredit her testimony.

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Contra Costa Court Watch

Defendant Fearing Deportation Allegedly Caused Accident, Lied that He Was Carjacked

Trial counsel and the judge here last week may have been sympathetic to a defendant seeking asylum in the U.S., but the defendant allegedly caused a vehicle collision and then told police he was carjacked – the

[Read More](#)

Fresno Court Watch

Judge Denies Motion to Suppress Evidence in Questionable CHP Stop

A motion to suppress evidence in the questionable stop of an alleged reckless driver thought to be under the influence of alcohol was denied by Judge Samuel Dalesandro here in Fresno County Superior Court this week.

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Riverside Court Watch

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Family Survives in the Face of Father's Gun Attack

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Everyday Injustice - Podcast

[see our podcasts](#)

Everyday Injustice Podcast Episode 97: Pima County Attorney Laura Conover

Everyday Injustice checks in with Laura Conover who was elected in the fall as Pima County Attorney in Arizona. She talks about her first few months on the job, what she has been able to accomplish and what she is still looking to

[Read More](#)

Everyday Injustice Podcast 96: Justin Brooks and Wrongful Convictions

Justin Brooks has headed the California Innocence Project since 1999. Over that time, the US has learned a lot about wrongful convictions and while it remains exceedingly difficult to free people wrongly convicted, the existence of

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[o=https%3A//www.facebook.com/Sacramento-Court-Watch-1432660796849531/%26nbsp&g=MDZhMTJlYWNlZGVlZjRhZQ==&h=NmYwM2E4NDA4ZjAyNGNhZDZkODZmMTNhZjNjMjdmMmFiMjJkMmJjYjY5MTMzZTA1MzU3NDZmFIMWE4ZDg1N2ZkMA==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmFIZTUxNDVjMjY0NjZkMzM0OGMyODMwN2JmNGE3ZGRkOnYx;](https://avanan.url-protection.com/v1/url?o=https%3A//www.facebook.com/Sacramento-Court-Watch-1432660796849531/%26nbsp&g=MDZhMTJlYWNlZGVlZjRhZQ==&h=NmYwM2E4NDA4ZjAyNGNhZDZkODZmMTNhZjNjMjdmMmFiMjJkMmJjYjY5MTMzZTA1MzU3NDZmFIMWE4ZDg1N2ZkMA==&p=YXAzOnNmZHQyOmF2YW5hbGpvOmFIZTUxNDVjMjY0NjZkMzM0OGMyODMwN2JmNGE3ZGRkOnYx;)

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Subject: Everyday Injustice - Man Gets New Trial After 23 Years Wrongly Incarcerated; Gascon Lays Out Successes of First 100 Days
Date: Thursday, March 18, 2021 at 6:01:21 PM Greenwich Mean Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"Since I took office I instituted a series of reforms based on data and science that will enhance the safety for our community while reducing racial disparities and the misuse of incarceration," George Gascon

Everyday Injustice Newsletter - March 18, 2021

Highlighting Our Work

Who are we and what do we do? This week, the Vanguard and Everyday Injustice released a video laying out exactly who we are.

Thanks to the great work of Assistant Director Michelle Lagos and board member Morgan Poindexter, we

have put out this three minute video laying out exactly what we are doing these days.

<https://www.youtube.com/watch?v=Gz2lhFRuTxk>

Please watch, please share, and if you are so inclined, please donate to:
<http://davisvanguard.networkforgood.com>

Making an Impact

This week our work has been featured in [the Crime Report](#) - the proposed state bill **AB1542** would "authorize the court to divert an offender to confinement in a secured residential treatment facility if it determines that the crime was caused in whole or in part by that individual's substance abuse."

Our story on an office in Sacramento who faces felony charges for kicking a robbery suspect in the head - ended up in the Marshall Project newsletter. *Former Elk Grove peace Officer Bryan Schmidt found himself at the center of a use-of-force internal affairs investigation following an incident with a robbery suspect outside of Burlington Coat Factory in Sacramento County on June 5, 2019. (See article [here](#)).*

Our article on the retirement of Cy Vance as Manhattan's DA was highlighting by DA candidate Dan Quart. "Systemic, deep reform of the **#ManhattanDA** office will allow us to achieve public safety without punishing people experiencing poverty, mental illness, or other societal problems who for all sorts of reasons have ended up in the Manhattan criminal courtroom over the last decade." (See [article here](#)).

Hadar Aviram, a law professor at UC Hastings, featured our work in her published: "One such resource is a regional collection effort by the Davis Vanguard, which includes an accessible database covering several counties..." (See article [here](#)).

Finally, today's lead story is a massive effort by three amazing young writers: **Lovepreet Dhinsa, Linhchi Nguyen, and Kathryn Wood**. These three highlighted the case of Bart McNeil, who has served 23 years in prison for the death of his three year old daughter and now will get a new trial as he attempts to clear his name. (see [article here](#)).

It has been an amazing week and we have an amazing team helping to uncover everyday injustice in every part of the country.

Thanks for reading.

See the video below...



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Yolo County Court Watch: <https://www.facebook.com/groups/yolojudicialwatch/>

Sacramento Court Watch: <https://www.facebook.com/Sacramento-Court-Watch-1432660796849531/>

San Francisco Court Watch: <https://www.facebook.com/SF-Court-Watch-577413429452441/>

Twitter: <https://twitter.com/DavisVanguard>

YouTube: <http://www.youtube.com/davisvanguard>

Criminal Justice News/ Commentary

A Chance of Freedom for Wrongfully Convicted Man Serving 100 Years for the Death of His 3-Year-Old Daughter

After 23 years of serving in prison, Barton Monroe McNeil will finally have the chance to acquit himself in an upcoming retrial after being wrongfully convicted for murdering his three-

year-old daughter.

[Read More](#)

Gascón Lays Out Record For First 100 Days of Reform as LA District Attorney, Projecting Hundreds of Millions in Savings

"Since I took office I instituted a series of reforms based on data and science that will enhance the safety for our community while reducing racial disparities and the misuse of incarceration," he said at a press conference on Wednesday.

[Read More](#)

Day 8 of Ex-Cop Chauvin's Trial: Substantial Media Coverage Knocks 2 Jurors Off Panel

The trial of former Minneapolis police officer Derek Chauvin Tuesday took a brief break from five days of jury selection to instead hold a short hearing on a defense request to include evidence from George Floyd's

[Read More](#)

SFDA Chesa Boudin Stands Up for Domestic Home-Care Workers' Rights in New Lawsuit

San Francisco District Attorney Chesa Boudin and founder of the Economic Crimes Against Workers Unit Scott Stillman joined listeners this week on Facebook live to discuss a new lawsuit against home-care company, "Handy."

[Read More](#)

Alameda Public Health Dept. Issues Mandatory Staff Testing Order to Santa Rita Jail

Santa Rita Jail has reported 109 total COVID-19 cases among staff/contractors since the pandemic emerged. All of them have recovered, leaving no current cases.

[Read More](#)

5 Weekly Highlights from CDCR's COVID Crisis – Staff Employment Fell by Nearly 2,000 Since Pandemic Emerged

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[Read More](#)

COVID CDCR and Jail Dashboards

CDCR Death Toll Stands at 216; Only 42 Cases Reported Across All Institutions

Our daily run down on the COVID cases in the California Prison System (CDCR)

[Read More](#)

Multiple Housing Units Quarantined at Santa Rita Jail, Surveillance Testing Underway

Our daily run down on the COVID cases in selective County Jails

[Read More](#)

San Francisco Court Watch

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Federal Judge Grants Writ of Habeas Corpus, Ordering Hearing For Immigrant Detainee

A judge here in Alameda County Superior Court has dismissed a defendant's charge of an alleged rape in 2012 after finding "the record riddled with meaningful inconsistencies" and "changes in the story."

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Yolo County Court Watch

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Defendant's 'Bad Experience' with Alternative Program Assured by Judge 'We'll Get There'

Judge David Rosenberg was part patience and part understanding in a pre-trial conference in Yolo County Superior Court Wednesday for a defendant who encountered some difficulties while enrolled in an alternative program.

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Sacramento Court Watch

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Cameras Everywhere: Defendants Caught On Security Cameras in Alleged Residential Burglary

Cameras are everywhere, for better, and for sure worse for defendant Keymar Johnson and his co-defendant, who were seen trespassing in a home and going through drawers and cabinets in the kitchen.

[Read More](#)

Alameda Court Watch

Judge Sets Zero Bail for First Degree Robbery after an Eight-Month Filing Delay

A filing delay put Alameda County Superior Court in a difficult situation last Friday when a defendant who would normally be kept in custody for the safety of the community exhibited a change in character during the eight months since

[Read More](#)

Prosecution Argues for Incarceration Over Public Safety Concerns – Judge Punts for Now

The prosecution had some concerns over the circumstances surrounding the felony case of Defendant Damon Wilburn last week. Overseen by Alameda County Superior Court Judge Barbara Dickinson, Wilburn's hearing was a recall bench

[Read More](#)

Los Angeles Court Watch

Man Stabbed in Thousand Oaks – Witness Testimony Ruled Not 'Credible'

A witness was called in to testify at the Superior Court of Ventura County regarding the stabbing of a male in Thousand Oaks, though her jitteriness and moments of anger led to the court to discredit her testimony.

[Read More](#)

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Defendant Fearing Deportation Allegedly Caused Accident, Lied that He Was

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U0NmzvZWZWNhZWMwZWRhOXBx](https://avanan.url-protection.com/v1/url?o=https%3A//www.facebook.com/groups/yolojudicialwatch/%26nbsp&g=ZDA3YzVkZTlmNmMwNGNjZg==&h=MDUwYmMyYTEyXDM5MjFiNzFkYTlINjIxM2NjNDhiYmlxOTE0YmFkMjlwMjk3NGVhZTM0ZWZmZDZAAYTA2YWJjNQ==&p=YXAyOnNmZHQyOmF2YW5hbGpvOmU1ZDM3ZGZIMzE5OTdkM2U0NmzvZWZWNhZWMwZWRhOXBx)

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VWhZGQwMmRhOnYx](https://avanan.url-protection.com/v1/url?o=https%3A/twiter.com/DavisVanguard%26nbsp&g=MTBjODMzMmU1MTg2NDVjZg==&h=NTg4YjUwNzIxMxZjQzMTRkZDAwYWVmMGFkOTdIODFiNmU0YjdhdTAXNmM2NTYxYzg4Y2NhMmlxNDRIODMzOQWYg==&p=YXAxOnNmZHqyOmF2YW5hbGpvOmU1ZDM3ZGZlMzE5OTdkM2U0NzgyZWZE2NVWhZGQwMmRhOnYx)

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Subject: San Francisco District Attorney Chesa Boudin Supports Reentry Housing Bill to Disrupt Prison to Homeless Pipeline | Davis Vanguard

Date: Wednesday, March 17, 2021 at 11:34:16 PM Greenwich Mean Time

From: Ibarra, Valerie (PDR)

To: PUBDEF-Policy

<https://www.davisvanguard.org/2021/03/san-francisco-district-attorney-chesa-boudin-supports-reentry-housing-bill-to-disrupt-prison-to-homeless-pipeline/>

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Date: Wednesday, March 17, 2021 at 11:34:15 PM Greenwich Mean Time

From: valerie.ibarra@sfgov.org

To: PUBDEF-Policy

<https://www.davisvanguard.org/2021/03/san-francisco-district-attorney-chesa-boudin-supports-reentry-housing-bill-to-disrupt-prison-to-homeless-pipeline/>

Sent from my iPhone

Subject: The Marshall Project and Crime Report! What's next?

Date: Wednesday, March 17, 2021 at 8:00:22 PM Greenwich Mean Time

From: David Greenwald

To: valerie.ibarra@sfgov.org

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Image



Hey Valerie!

Have you read our latest article yet? If not here's what you missed!

Former Elk Grove peace Officer Bryan Schmidt found himself at the center of a use-of-force internal affairs investigation following an incident with a robbery suspect outside of Burlington Coat Factory in Sacramento County on June 5, 2019.

With our reporters this brutal mistreatment and excessive use of force by peace Officer Bryan Schmidt did not go unnoticed!

The Marshall Project has joined our team in highlighting this case to bring national attention to the going issues around police misconduct.

Get involved in the conversation!

READ THE FULL STORY HERE: <https://bit.ly/2OB4PmW>

Image

image: The Marshall Project Newsletter

Our latest report on the proposed state bill [AB1542](#) would “authorize the court to divert an offender to confinement in a secured residential treatment facility if it determines that the crime was caused in whole or in part by that individual’s substance abuse.”

Our report had such an impact

that *Crime Report* and Dan
Quart, Member of the New York
State Assembly, republished and
twitted about it!

Get involved in the conversation!
READ THE FULL STORY HERE ON
CRIME REPORT: <http://bit.ly/3tyTYbF>

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Subject: Everyday Injustice - Hardin Comes Out Firing in OCDA Race; Protesters Press Bronx DA in Wrongful Case
Date: Wednesday, March 17, 2021 at 6:00:50 PM Greenwich Mean Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"Unfortunately the history of this office—the law was used for punishing poor people and by extension disproportionately people of color," Dan Quart, Candidate for Manhattan DA

Everyday Injustice Newsletter - March 17, 2021

The Announcement Barely Done in Orange County and the Gloves Are Already Off

By David M. Greenwald

Todd Spitzer was elected in 2018 with the backing of many progressives - despite his career as a

Republican Assemblymember - because the incumbent DA Tony Rackaukas had proven to be so bad. It was under the previous DA's watch that the Seal Beach Massacre that should have been a slam dunk prosecution of Scott Dekraai and turned into a fiasco.

It was Paul Wilson, the husband of one of the victims who on Tuesday first unloaded on DA Todd Spitzer.

Wilson explained that when his wife was killed in the hair salon at Seal Beach, "no one wanted the death penalty more than I did. The Orange County prosecutors assured me that nothing would get in that way. For the next six years they watched a slam dunk case unravel as the public defender who represented my wife's killer, presented a never-ending stream of lies by the prosecutors and law enforcement."

The behavior of the prosecutors was so bad that the entire district attorney's office was removed from the case," he said. "The only time a DA's office has been recused from a capital punishment case in the history of California."

The death penalty was dismissed, but Wilson said, by that point, "I became convinced that the death penalty does not serve the best interest of victims."

Paul Wilson said that, after years of pain, he viewed Todd Spitzer as a potential savior, as he ran a campaign to remove the district attorney.

"He assured me that his word was solid and it was built to last," he said. "When he won, I thought victims and the criminal justice system had won as well. I wanted nothing more (than) for him to keep his promises."

"It was all a con game," he said. "He played it from day one."

"Todd Spitzer was more concerned about winning over prosecutors that he had criticized on the campaign trail than doing what was right," he said. "Everyone and everything at the Orange County DA's office stayed the same."

While Pete Hardin - the candidate to replace Spitzer is running on a progressive platform (see [today's article for details](#)), the surprising thing is that he came out firing from the first minute.

"Todd Spitzer is a walking scandal and unfit leader," he said.

To be honest, Pete Hardin doesn't look the part. When I sat down with him last week over zoom, he had his Marine Uniform and Sword as his backdrop, a conservative suit, and more.

But when I asked him about the death penalty and bail reform - he's right there on the issues. That ought to tell you how far the death penalty issue has come - a conservative looking ex-marine prosecutor is unabashedly against it running for DA in former conservative bastion of Orange County.

The other surprising part is how hard DA Todd Spitzer hit back.

In a tweet on Tuesday afternoon, he said, "Glad my unknown Gascon wannabe (sic) opponent showed his true colors today. Sorry Peter... tell your buddy George won't happen here in the OC #nopeterhardin #peterhardin #georgegascon."

During his comments, Hardin said on Tuesday, "My opponent thinks he's running against the LA DA George Gascón." He responded, "My name is Pete Hardin."

That ought to tell you that Spitzer is in trouble. Otherwise, most incumbents are trained to ignore their opponents and certainly not draw attention to them by naming them in a hashtag.

This one will definitely be worth watching as the fireworks continues to fly.

Thanks for reading

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Criminal Justice News/ Commentary

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Fresno Court Watch

Judge Denies Motion to Suppress Evidence in Questionable CHP Stop

A motion to suppress evidence in the questionable stop of an alleged reckless driver thought to be under the influence of alcohol was denied by Judge Samuel Dalesandro here in Fresno County Superior Court this week.

[Read More](#)

Riverside Court Watch

Riverside Police Track Up to 23 Illegal Indoor Marijuana Grows All Belonging to One Single Group

Law enforcement officers testified in Riverside County Superior Court last week they uncovered two illegal indoor residential marijuana grows in the county of Riverside, which they believe are a part of an organized

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Merced Court Watch

Family Survives in the Face of Father’s Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

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Everyday Injustice - Podcast

see our podcasts

Everyday Injustice Podcast Episode 97: Pima County Attorney Laura Conover

Everyday Injustice checks in with Laura Conover who was elected in the fall as Pima County Attorney in Arizona. She talks about her first few months on the job, what she has been able to accomplish and what she is still looking to

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Everyday Injustice Podcast 96: Justin Brooks and Wrongful Convictions

Justin Brooks has headed the California Innocence Project since 1999. Over that time, the US has learned a lot about wrongful convictions and while it remains exceedingly difficult to free people wrongly convicted, the existence of

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YouTube: [https://avanan.url-protection.com/v1/url?
o=http%3A//www.youtube.com/davisvanguard&g=YjBIN2Q5OGUyMDE4NmViZg==&h=OWMwNjMy
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jZDVkOnYx](https://avanan.url-protection.com/v1/url?o=http%3A//www.youtube.com/davisvanguard&g=YjBIN2Q5OGUyMDE4NmViZg==&h=OWMwNjMyMmlzOThhMDZIMzMyZTBjM2U2YTc4OWMyZGU3MjYyNjA5ODk1YTEyZDNmZWU1Yzg3OTk0ZDdIODNjZg==&p=YXAzOnNmZHQyOmF2YW5hbJpvOmY5NGRiZjM3OGYyZjEzNjFjMTIxODgyMGQwMTRjZDVkOnYx)

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Subject: Immigrants in ICE Detention Face High Risks in COVID-19 Pandemic | Davis Vanguard

Date: Wednesday, March 17, 2021 at 2:44:29 AM Greenwich Mean Time

From: valerie.ibarra@sfgov.org

To: PUBDEF-Immigration

<https://www.davisvanguard.org/2021/03/immigrants-in-ice-detention-face-high-risks-in-covid-19-pandemic/>

Sent from my iPhone

Subject: Re: COURT WATCH MEETING MOVED TO 1:30
Date: Tuesday, March 16, 2021 at 8:39:01 PM Greenwich Mean Time
From: Layla Mustafa
To: lkdhinsa@dons.usfca.edu, Ligonzalez1316@gmail.com, emeiners@mail.ccsf.edu, abuitrago392@gmail.com, amorgan@westmont.edu, Max Kennedy, David Greenwald, Michelle Lagos, Ibarra, Valerie (PDR), Wilson, Jacque (PDR)
Attachments: ACLU Judicial Council Letter on Public Access Crisis in CA courts.pdf

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Attached is letter.

Here are helpful links as well:

June 2020 Lawsuit:

https://www.aclusocal.org/sites/default/files/aclu_socal_v_harber-pickens_20200626_complaint.pdf

In Violation of 1st Amendment, the Public has Been Denied Access to Court Proceedings:

<https://www.aclusocal.org/en/press-releases/kern-county-sued-over-secret-court-proceedings>

Agreement Comes in the Wake of a Lawsuit by the ACLU and First Amendment Coalition:

<https://www.aclusocal.org/en/press-releases/kern-county-agrees-ensure-public-access-courts-during-pandemic>

Settlement Agreement:

https://www.aclusocal.org/sites/default/files/2020-12-14_fully_executed_aclu_v_harber-pickens_settlement_agreement_w_court.pdf

Davis Vanguard Article:

<https://www.davisvanguard.org/2021/01/after-9-months-of-secrecy-kern-county-superior-court-finally-allows-public-access/>

NOTICE OF EX PARTE MOTION AND EX PARTE MOTION FOR TEMPORARY RESTRAINING ORDER; MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF

<https://firstamendmentcoalition.org/wp-content/uploads/2020/06/Memo-for-Temporary-Restraining-Order-6.29.20.pdf>

COMPLAINT FOR INJUNCTIVE AND DECLARATORY RELIEF:

<https://www.law360.com/articles/1287367/attachments/0>

KERN RESCINDS PUBLIC ACCESS BAN:

<https://yubanet.com/california/kern-county-superior-court-rescinds-public-access-ban/>

On Tue, Mar 16, 2021 at 12:15 PM Layla Mustafa <lrmustafa@ucdavis.edu> wrote:

Hello All,

Court Watch meeting moved to 1:30 (ZOOM link below). This is when we will be meeting with Kathleen from the ACLU. Please email Jacque or David with specific questions that don't relate to the livestream issue which we will be discussing with Kathleen.

If you can attend- that would be great! However, we understand if you have a scheduling conflict.

I apologize if I've forgotten anyone on this email chain. If so, please forward the message.

Thanks!

Layla

COURTWATCH MEETING AT 1:30 PM:

Join Zoom Meeting

<https://us02web.zoom.us/j/83416243294?pwd=T1VDNTNQ1luR2xFMWFwb1FDcHB3dz09>

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Passcode: 555777

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+1 929 205 6099 US (New York)
+1 301 715 8592 US (Washington DC)
+1 312 626 6799 US (Chicago)

Meeting ID: 834 1624 3294

Passcode: 555777

Find your local number: <https://us02web.zoom.us/j/kdj8KB2Ogw>

--

Layla Mustafa
San Francisco Public Defender's Office
The Davis Vanguard
lrnustafa@ucdavis.edu - 415.990.9736

Subject: COURT WATCH MEETING MOVED TO 1:30

Date: Tuesday, March 16, 2021 at 7:15:59 PM Greenwich Mean Time

From: Layla Mustafa

To: lkdhinsa@dons.usfca.edu, Ligonzalez1316@gmail.com, emeiners@mail.ccsf.edu, abuitrago392@gmail.com, amorgan@westmont.edu, Max Kennedy, David Greenwald, Michelle Lagos, Ibarra, Valerie (PDR), Wilson, Jacque (PDR)

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--

Layla Mustafa
San Francisco Public Defender's Office
The Davis Vanguard
lrnustafa@ucdavis.edu - 415.990.9736

Subject: Everyday Injustice - Vance Retires from Manhattan DA; Chauvin Trial Resumes

Date: Tuesday, March 16, 2021 at 6:03:27 PM Greenwich Mean Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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"Unfortunately the history of this office—the law was used for punishing poor people and by extension disproportionately people of color," Dan Quart, Candidate for Manhattan DA

Everyday Injustice Newsletter - March 16, 2021

**Philly Conviction
Integrity Unit Secures Its 19th Exoneration**

By David Greenwald

There are now nearing 60 conviction review units in DA offices across the state, many of those having started in the last five years. For Philadelphia, things started to change in 2018 when progressive DA Larry Krasner took over the Philadelphia DA's office and launched its Conviction Integrity Unit.

Krasner brought in CIU Director Patricia Cummings who gained "a national reputation for the effectiveness of her previous work in Texas leading the Dallas County CIU." She then hired among others, former Ohio Innocence Project attorney Carrie Wood.

Last week Philadelphia Court of Common Pleas has granted District Attorney Larry Krasner's motion to withdraw prosecution of Jahmir Harris, 31, who served eight years in prison after he was wrongfully convicted of a murder that occurred in 2012. Although his conviction was vacated in January, Harris remained incarcerated until March 12, 2021.

That marked an astonishing 19th exoneration secured by the Conviction Integrity Unit (CIU), led by Supervisor Patricia Cummings, since District Attorney Krasner took office in 2018.

Here is the Philly DA's account of this case:

On October 16, 2020, following an investigation into Harris's Post Conviction Relief Act (PCRA) petition, the District Attorney's Office (DAO) informed the Court that *Brady* violations had occurred during trial, that Harris was not the shooter in the case, and that the DAO was investigating the suspect who the evidence points to as the actual shooter responsible for the death of Louis Porter on December 23, 2012, in the parking lot of Walgreens at 23rd Street and Oregon Avenue in South Philadelphia. At that same time, the Commonwealth also informed the Court that it was requesting expedited proceedings so the Court could consider Harris's release from prison.

On January 19, 2021, at the conclusion of an evidentiary hearing, the Court granted Harris's PCRA petition explicitly finding that a new trial was constitutionally mandated as a result of *Brady* violations that undermined confidence in the conviction. Despite that finding, the Court rejected the Commonwealth's oral motion to dismiss all charges, instead ordering the Commonwealth to file a written motion detailing its investigation into whether Harris played any role in the crime. The Court also denied the defense's motion for Harris's release, even though the Commonwealth's stated position was that another known individual committed Porter's murder.

As directed by the Court, the Commonwealth submitted a written motion for *nolle prosequi* on February 24th. After conducting two additional hearings, the Court granted the motion on Friday, March 12th.

"Every office and official within the criminal legal system must show fidelity to the truth above all else. The consequences when the system falls short of its oath are disastrous – to individuals, to their loved ones, and to the public's faith and cooperation with the criminal legal system," District Attorney Krasner said.

He added: "I want to express my deep regret for the failings of this office and its system partners many years ago. I am also incredibly proud to lead an office of prosecutors whose highest fidelity is to the truth, and thank CIU Supervisor Patricia Cummings and ADA Carrie Wood for once again making sure this office seeks justice moving forward and looking backward."

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Vaccine Acceptance Rate Plummets – 5 Weekly Highlights from Santa Rita Jail's COVID Crisis

While COVID-19 cases at Santa Rita Jail have dwindled over the last two weeks, the virus continues to threaten the health of those in custody since the population size is on a steep upward trajectory and reached an all-time high this

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Subject: 1:30 PM CourtWatch Link Meeting

Date: Tuesday, March 16, 2021 at 5:42:08 PM Greenwich Mean Time

From: Wilson, Jacque (PDR)

To: David M. Greenwald, Layla Ritner Mustafa, Any Patricia Buitrago Zarabanda, Guneratne, Kathleen (PDR), Ibarra, Valerie (PDR), Ghose, Pia

Join Zoom Meeting

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Meeting ID: 834 1624 3294

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Find your local number: <https://us02web.zoom.us/j/kdj8KB2Ogw>

Subject: Everyday Injustice - Pima County Attorney Speaks with Everyday Injustice; Follow up on Stankewitz Case
Date: Monday, March 15, 2021 at 6:01:13 PM Greenwich Mean Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"Yeah, so he got COVID in June," Alexandra Cock replied. "So [the prison] told [everyone incarcerated] that if they exhibited symptoms like lower oxygen or a [high] temperature, they would send them into isolation. Isolation is punishment...and they don't have phone access. They're even more isolated from everybody else."

Everyday Injustice Newsletter - March 15, 2021

Court Watch
Highlights Everyday Injustice

By David Greenwald

The concept of Everyday Injustice is simple but it is also fundamental to understanding the problem of the criminal legal system. When massive injustices happen - the case of Ronnie Long being released from prison after being wrongly convicted in the 1970s or the case of George Floyd dying after Derek Chauvin knelt on his neck for 8 minutes 46, everyone in the world can see it and know about it.

But those are comparatively rare (although not nearly rare enough). On an everyday basis we have injustice that occurs in every courtroom in America, and while none of them rise to the level of mass injustice, they all contribute to things like mass incarceration and racial inequity.

The task of the Vanguard Court Watch is to identify those cases of everyday injustice and shine a light on them.

These are cases no one would know about if it weren't for us.

Like the case of Daniel Silva in Yolo County. Vanguard reporter Tanya Descendario reports that Judge David Reed, a long time veteran judge in Yolo County threw out three charges of resisting a police officer leveled against Daniel Silva after describing the conduct West Sacramento Police officers as "excessive and unnecessary."

Deputy DA Michelle Sarifin asked for a holding order on all counts, arguing that "he escalated the contact by saying he was on parole 'for killing one of you guys'...I don't believe that that Silva thought that the officers would believe that that's true and his only intent in making that comment is to agitate the officers and to escalate the situation."

Judge Reed stated the videos are alarming and disturbing. He concluded, "There was no evidence that being there was illegal. None of the testimony was that he was committing a crime."

He explained that Silva's statement of "For killing one of you guys" was not a serious statement. He then stated, "I would agree that it could have been interpreted that that comment was intended to escalate the confrontation and if that was the intent, Officer Kinda...let himself get sucked in and he escalated a detention for an open container to detention with handcuffs, which was not justified."

The Judge determined that he would not charge Silva with three counts of Penal Code section 69, stating that there was a lack of evidence regarding the force toward Officer Venikov, explaining that "what I saw was he swung his foot at him twice and it was clear to me that he never made contact with Officer Venikov and after kicking and missing twice, Officer Venikov exerted force to Mr. Silva."

Read the full story: [here](#).

In the meantime, in a rare criminal case against an officer charged with excessive force, Former Elk Grove police officer Bryan Schmidt is criminal charged for his conduct where he alleged kicked a robbery suspect outside of Burlington Coat Factory in Sacramento County on June 5, 2019.

As reporters Aishwarya Rajan and Natasha Feuerstein note: "Multiple surveillance videos and officer accounts displayed the defendant kicking the robbery suspect in the head while he lay on his stomach, rendering him unconscious for a few moments. Schmidt then committed other acts of violent force."

Schmidt appeared in Sacramento County Superior Court last week, facing felony criminal charges of battery and unlawful beating by a public officer.

The incident and alleged excessive use of force was never reported, but Schmidt was released from his Elk Grove Police Dept. duties shortly after a lawsuit was filed.

Read the full story: [here](#).

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Criminal Justice News/ Commentary

Vanguard Follow-Up in Stankewitz Case: COVID and Hope for the Future

Alexandra Cock, who is part of the legal team fighting for the release of Douglas “Chief” Stankewitz – the longest serving individual on death row in California – told The Vanguard late last week how the legal team was

[Read More](#)

Everyday Injustice Podcast Episode 97: Pima County Attorney Laura Conover

Everyday Injustice checks in with Laura Conover who was elected in the fall as Pima County Attorney in Arizona. She talks about her first few months on the job, what she has been able to accomplish and what she is still looking to

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City of San Jose Sued for Police Brutality During 2020 Police Brutality Protests

During protests in May 2020, demonstrators in the City of San Jose experienced brutal and racially aimed repression by police, with many protestors being seriously injured, prompting a class action rights lawsuit from

[Read More](#)

Black Lives Matter Reveals Website Designed to Provide Tools for Defunding the Police

The Black Lives Matter movement, declaring “we all want public safety and to live in a world where our people are free and safe from violence, what we have now is not public safety,” has launched a new website

[Read More](#)

Looking Back: Advice to the Wrongfully Convicted

As readers know, I served sixteen years in prison for a murder and rape I did not commit. I was proven innocent 3 1/2 years ago. I recently spoke with a mother who advised her son was wrongfully convicted. she asked for advice to pass

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Cop Faces Charges After Kicking Robbery Suspect in Head

Former Elk Grove peace officer Bryan Schmidt found himself at the center of a use of force internal affairs investigation following an incident with a robbery suspect outside of Burlington Coat Factory in

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Judge Calls Officers' Acts 'Excessive,' Videos of Arrest 'Alarming and Disturbing' – Dismisses 3 Charges against Unhoused Man

Describing the conduct of West Sacramento Police officers as "excessive and unnecessary," and video "alarming and disturbing," Yolo County Superior Court Judge David Reed last week threw out all three charges

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Cases Plummet Across CDCR, Only 87 Active Cases Reported

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Vaccine Acceptance Among Incarcerated Population Drops to 35 Percent at Santa Rita Jail

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A judge here in Alameda County Superior Court has dismissed a defendant's charge of an alleged rape in 2012 after finding "the record riddled with meaningful inconsistencies" and "changes in the story."

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Sacramento Court Watch

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Unusual Drug Find: Deputies Locate Meth under Man's Stomach Fold

It might not be the usual place you'd find hidden drugs, or even search for them, but Sacramento Sheriff Dept. Deputies Silver Paley and Ryan Thrall—after searching a suspect's car inside and out—eventually

[Read More](#)

Drive-Thru Lane Stops Alleged DUI Driver with History of DUI & Vehicular Manslaughter

An Arby's drive-through lane should be credited with an assist in the arrest late last year of a suspected DUI driver with a history of drunk driving and vehicular manslaughter, after details of the arrest were disclosed here last

[Read More](#)

Pregnant Wife Admits She Pulled Knife on Abusive Husband

A pregnant alleged domestic violence victim admitted to police she pulled a knife on her husband, but only because he was beating her and endangering another child, according to testimony here last week

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Alameda Court Watch

Despite Remarkable Success, Court Denies Formerly Convicted Man's Application for Dismissal

Formerly incarcerated people often have difficulty in re-entry into society because of barriers on essential services and inadequate preparation, assistance and resources for life after conviction— ex-convicts are

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Man Stabbed in Thousand Oaks – Witness Testimony Ruled Not 'Credible'

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Merced Court Watch

Family Survives in the Face of Father's Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

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Everyday Injustice - Podcast **see our podcasts**

Everyday Injustice Podcast Episode 97: Pima County Attorney Laura Conover

Everyday Injustice checks in with Laura Conover who was elected in the fall as Pima County Attorney in Arizona. She talks about her first few months on the job, what she has been able to accomplish and what she is still looking to

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Everyday Injustice Podcast 96: Justin Brooks and Wrongful Convictions

Justin Brooks has headed the California Innocence Project since 1999. Over that time, the US has learned a lot about wrongful convictions and while it remains exceedingly difficult to free people wrongly convicted, the existence of

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Subject: PRESS STATEMENT: Statement by Public Defenders Coalition for Immigrant Justice Public Defenders
Urge Federal Government to Stop Criminalizing Immigrants - Urge Federal Government to Stop
Criminalizing Immigrants

Date: Monday, March 15, 2021 at 4:09:08 PM Greenwich Mean Time

From: Ibarra, Valerie (PDR)

To: Ibarra, Valerie (PDR)

FOR IMMEDIATE RELEASE: March 15, 2021

CONTACT: SF Public Defender's Office; pubdef-mediarelations@sfgov.org; Valerie
Ibarra (628)249-7946

****PRESS STATEMENT****

**Statement by the Public Defenders Coalition for Immigrant Justice on the
Introduction of the U.S. Citizenship Act, the American Dream and
Promise Act, and the Farm Workforce Modernization Act**

Public Defenders Urge Federal Government to Stop Criminalizing Immigrants

SAN FRANCISCO – On March 12, 2021, the [Public Defenders Coalition for Immigrant Justice](#), a nationwide coalition of public defender offices, released the following statement in response to the introduction of the U.S. Citizenship Act, the American Dream and Promise Act, and the Farm Workforce Modernization Act by the United States Congress:

“Our Coalition shares in the excitement of introducing legislation that will finally provide needed relief to millions of immigrants throughout the country. However, we express grave concerns with legislation that strips due process rights for people who have experienced police contact. Any provisions that categorically exclude a person from legalizing their status due to a past criminal conviction or police contact will doubly punish communities surviving cycles of family separation caused by incarceration and deportation.

As public defenders who represent noncitizens in criminal and immigration proceedings, we recognize the pernicious connection between the criminal and civil immigration legal systems that has developed in the past 25 years. Every day our offices fight against the devastating impact of criminal and immigration laws that disproportionately punish noncitizens. We witness how the criminal legal system, especially the “War on Drugs”, “broken windows” and “stop and frisk” policing, have long targeted Black people and other communities of color. These are the same communities which are the most susceptible to immigration enforcement and deportation. In fact, our immigration system relies on state and local criminal legal systems to find noncitizens, detain them, and subject them to the civil deportation process.

Criminalization and punishment are already integral to the Immigration and Nationality Act due to the 1996 reforms. The existing criminalization bars in the Immigration and Nationality Act are extensive and can only be characterized as draconian and highly punitive. They are prime examples of the failed “tough on crime” policies that have long resulted in poverty, incarceration and traumatized generations of immigrants and their families. As a coalition, we are disappointed to see that the recent immigration reform bills have not addressed these issues. While we strongly support the urgent need to create pathways to legal status and citizenship for noncitizens, these bills further a dangerous divide in our nation’s immigration policy between those the government deems “deserving” and those it does not. We urge Congress to repeal the broad and punitive criminal grounds of inadmissibility and deportability, end the arrest to deportation pipeline, end mandatory detention, and ensure the right to counsel for all immigrants facing deportation.

Not only has Congress failed to address the Immigration and Nationality Act’s extensive and punitive bars, but we are dismayed to see that these bills would expand the categories of ineligibility by creating additional criminalization bars to legal status and citizenship, thereby even

more broadly excluding Black and Latinx communities. For example, each bill would make people who have been convicted of either two or three misdemeanors ineligible

for legal status. These disqualifiers would remain in effect for life, so a 30-year-old conviction would have the same impact as a recent one. This type of perpetual punishment subjects Black and Latinx immigrants to live in fear and instability for no justifiable reason. Additionally, provisions in the American Dream and Promise Act include a second layer of review through which applications could be denied under the guise of “public safety.” Public safety has long been used as a pretext for criminalizing immigrants and should not be a determination made by a civil immigration agency.

We have an opportunity to lift up immigrant communities by building pathways to legal status and citizenship. Now is the time to stop criminalizing immigrants and to instead build stable, prosperous and vibrant communities for immigrants, their families, and for all of us. It is time for immigrants to stop having to live under the constant fear of incarceration, separation, and deportation. We must break from the unjust and outdated practice of granting immigration relief for some in exchange for harsher punishments and criminalization of others. Excluding those with police contact ignores that systemic racism in the criminal legal system inequitably triggered those contacts, resulting in the unjust convictions that are then used to vilify and deport immigrants of color.

In furtherance of separating the criminal legal and immigration systems, we support amendments like those being proposed by Congressmembers Jesús ‘Chuy’ García, Ayanna Pressley, and Pramila Jayapal, which would defang some of the criminalization bars. We urge Congress to commit to the creation of new policies that do not disproportionately punish immigrants of color who have been subject to over-policing in their communities, but instead includes them in the opportunities for lawful status and citizenship.”

###

BACKGROUND

The [Public Defenders Coalition for Immigrant Justice](#) is a coalition of public defender organizations that represent noncitizens in criminal and immigration proceedings. This Coalition seeks to harness both the collective power and perspective of public defenders and to center our clients and their families to illustrate the injustices noncitizens face in both the criminal and immigration legal systems.

The Public Defenders Coalition for Immigration Justice consists of public defender offices across the country, including Alabama, Arizona, California, Florida, Georgia, Illinois, Louisiana, Maryland, Massachusetts, New York, Nebraska, Oregon, Tennessee, and Texas.

To view this press release online, please visit SFPublicDefender.org/media.

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Valerie Ibarra

Public Information Officer
San Francisco Public Defender's Office
Valerie.Ibarra@sfgov.org
(628)249-7946
[SFPublicDefender.org/Media](https://www.sfpd.org/Media)

Subject: Everyday Injustice - AG and DA Slapped Down in SLO Case; Orange County DA Blasted; Third Degree Murder Reinstated in Chauvin
Date: Friday, March 12, 2021 at 7:03:47 PM Greenwich Mean Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"This creates bias towards charging and the particular outcome, which makes it unlikely that the defendant will receive fair treatment during all portions of the criminal proceedings. Second, the statement used inflammatory terms such as "anarchist", "crazy" and "wacky", which is an extrajudicial statement made to potential jurors in an attempt to sway them and get them to make a financial contribution," Brian Ford.

Everyday Injustice Newsletter - March 12, 2021

Justice For the Wrongly Convicted Remains Elusive At Best

By David M. Greenwald

Last week, we saw the Missouri Supreme Court turn down attempts to free Lamar Johnson - despite overwhelming evidence of innocence on very technical grounds. Now in another state, a man named Andre Brown, has been behind bars for over 22 years having been convicted of two counts of attempted murder.

Despite real questions about both his trial and convictions - — from ineffective counsel and violations of his rights during the trial, to newly discovered evidence that has yet to be heard - he remains in limbo.

Bronx County Supreme Court Judge David Lewis, upon reading the motion and the DA's opposition, agree that an evidentiary hearing was in order. However, that was March 2020 prior to COVID and the courts being shut down.

While Gov. Cuomo's Executive Law 202 states that matters can proceed virtually, that requires "consent of the parties."

Judge Lewis was ready to proceed and here the case virtually but the Bronx District Attorney's Office refused to consent.

Legal team, Oscar Michelen and Jeffrey Deskovic, have filed a motion asking Judge Lewis to grant the hearing over the BXDA's objection.

Michelen stated: "Every day the Bronx courthouse is conducting virtual court appearances on serious criminal matters. This objection has no substantive basis and is just another chapter in the BXDA's history of refusing to acknowledge wrongful convictions."

Deskovic, who himself served 16 years for a murder and rape he did not commit, became an attorney, and is the founder of The Deskovic Foundation which helps other wrongfully accused people.

"As someone who well knows the pain of being incarcerated when you are innocent, I can state that every day in prison is a new hell. If the BXDA believes that her case is strong, then she should not be afraid of giving Andre his long-awaited day in court," said Deskovic.
The BXDA's response to the motion is due March 19, 2021.

His legal team believe they have sufficient evidence to warrant a new trial, but the Bronx DA's office is standing in the way. Brown was sentence to two counts of second degree attempted murder in March of 2000, this months marks his 21st year since his conviction, for which he has served just over half his 40 year sentence.

Thanks for reading.

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YouTube: <http://www.youtube.com/davisvanguard>

Criminal Justice News/ Commentary

Appellate Court Refuses To Hear Repeal of Recusal of SLO DA's Office From Prosecuting BLM Protesters

On Thursday, a California Appellate Court announced that they had declined to hear the appeal of a ruling from San Luis Obispo County Judge Matthew Guerrero, who in December recused the SLO DA's office after finding that DA Dan

[Read More](#)

DA Spitzer Accused of Whitewashing Evidence Booking Scandal in January Report

Orange County Assistant Public Defender Scott Sanders on Thursday filed a motion to compel discovery attempting to gain reports and evidence documenting sheriff's personnel who have falsely claimed that they have booked evidence

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Judge Cahill Reinstates Third Degree Murder Charge; Jury Selection Resumes With Six Seated to Date

Judge Peter Cahill reinstated the third-degree murder charge against Derek Chauvin in the death of George Floyd here, and the number of seated jurors rose to six as one additional juror was selected on Thursday—three jurors are

[Read More](#)

Petition Approved, Circulating to Recall SF District Attorney Chesa Boudin

The petition to recall San Francisco District Attorney Chesa Boudin has been officially approved by San Francisco Department of Elections, and as of Friday is being circulated for the necessary 51,000 signatures.

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COVID CDCR and Jail Dashboards

Cases Plummet Across CDCR, Only 87 Active Cases Reported

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Yolo County Court Watch

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Victim of Alleged Wooden Stick Attack May Have been Armed, But Police Didn't Investigate

The judge here in Yolo County Superior Court here Wednesday refused to release a man accused of allegedly getting into a fight in front of a Sherwin-Williams paint store, and striking the victim's head with a wooden stick.

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Sacramento Court Watch

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Defendant Initially Represents Himself at Preliminary Hearing – Later Takes Judge's 'Advice' to Get an Attorney

Defendant Joki Jones appeared in Sacramento County Superior Court representing himself at his preliminary hearing earlier this week, charged with illegally possessing a firearm as an ex-felon, stemming from a 1997 conviction.

[Read More](#)

Defendant Criticizes PD Who Kept Him Out of Jail – Even Prosecutor, Judge Support PD

Ill will and resentment bubbled over this week in Sacramento

County Superior Court's Dept. 60 between defendant Andrew Rodriguez and Assistant Public Defender Stephen Nelson.

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Sometimes 'Dark' Court Unusually Cheerful – Judge and Attorneys Share Pleasant Banter During Short Work Day

Usually, courtrooms are dark places, with sometimes horrific stories of mayhem, cruelty, desperation and utter futility, with defendants begging to be released, others sentenced to jail or prison. And lawyers squabbling.

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Police Officers in Murder Trial Recount Differing Stories on What Happened During Home Invasion Robbery 12 Years Ago

Twelve years is a long time, even for trained law enforcement officers, as was evident here in Sacramento County Superior Court this week in the trial of John Meskell, charged with first degree murder and a home

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Alameda Court Watch

Despite Remarkable Success, Court Denies Formerly Convicted Man's Application for Dismissal

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One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

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Everyday Injustice Podcast 96: Justin Brooks and Wrongful Convictions

Justin Brooks has headed the California Innocence Project since 1999. Over that time, the US has learned a lot about wrongful convictions and while it remains exceedingly difficult to free people wrongly convicted, the existence of

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"We are shattering these systems as we speak," Rachael Rollins, Suffolk DA

Everyday Injustice Newsletter - March 11, 2021

Former Alabama AG Believes Innocent Man is on Death Row

By David Greenwald

If you want to better understand the dynamics of Alabama and death row, a quick read of Bryan Stevenson's *Just Mercy* or Anthony Ray Hinton's *The Sun Also Rises* will paint a pretty stark and bleak picture.

However, this week's [Washington Post](#) column by former Alabama AG Bill Baxley is fairly remarkable. Here is a longtime supporter of the death penalty, who in fact, led the effort in the 70s to bring it back and who still believes, "some crimes are so horrendous as to demand the penalty of death."

But in his column he writes: "As a lifelong defender of the death penalty, I do not lightly say what follows: An innocent man is trapped on Alabama's death row."

"His name is Toforest Johnson, and Alabama must not execute him. Johnson's murder trial was so deeply flawed, the evidence presented against him so thin, that no Alabamian should tolerate his

incarceration, let alone his execution,” Baxley writes and has joined [eight former Alabama prosecutors](#) and [two former chief justices of Alabama](#) in calling for Johnson’s conviction to be set aside.

Baxley unlike some, still supports the death penalty as long as “the crime (is) sufficiently heinous) and “we must be *absolutely certain* of their guilt.”

“In this case, [the facts](#) point to the outright innocence of the defendant,” Baxley writes.

Among the key points, “No physical evidence links him to the crime.”

Multiple alibi witnesses place him across town at the time of Hardy’s death.

And the only witness against him was paid \$5,000 for her testimony

“The defense was not informed of this payment,” he explains. “Most shockingly, though, the prosecution presented five completely different theories of who killed Hardy at different court proceedings.”

Baxley explains: “when I finally examined the facts, I was so shocked that I could hardly believe that this had occurred in our state’s court system.”

He concludes: “I have never known anyone in Alabama’s courts or law enforcement who would knowingly go along with executing an innocent man. But unless Johnson is granted a new trial, we risk doing so. This would be an offense against all Alabamians — even those who, like me, believe in the death penalty.”

A 2014 National Academy of Science report found that at least 4.1 percent of those sentenced to death in the US have been found to be innocent. Currently we have 2500 people facing execution in this country, if just 4 percent are innocent, that would be 100 innocent people put to death.

Thanks for reading.

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Criminal Justice News/ Commentary

SF’s Boudin Joins Progressive Prosecutors In Facebook Live Panel Discussing Black Communities in Criminal Justice System

San Francisco DA Chesa Boudin, Philadelphia DA Larry Krasner, and Suffolk County DA Rachael Rollins this week joined the community activist group, Black Citizen CA, to discuss progressive policies that have been made to support

[Read More](#)

Five Jurors Now Seated in Trial of Ex-Cop Chauvin, Accused George Floyd Murderer

It's slow slogging, but two more jurors were selected Wednesday here in the second day of jury selection in the trial of former police officer Derek Chauvin, charged with the murder of George Floyd, whose death at

[Read More](#)

Over 700 Complaints About NYPD Officers Abusing Black Lives Matter Protesters, Then Silence

As hundreds of demonstrators were marching peacefully in the Bronx on the evening of June 4, New York Police Department officers blocked their way from in front and then behind, trapping the protesters in an ever-tightening

[Read More](#)

SF District Attorney Chesa Boudin Tells His Childhood Story via The Nation Podcast

Earlier this week, The Nation published a series of articles titled: "Parenting as a Radical Act of Love," and San Francisco District Attorney Chesa Boudin authored the leading piece – "Across Prison Walls, I Felt My

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COVID CDCR and Jail Dashboards

Cases Plummet Across CDCR, Only Two New Cases Reported in 24-Hours

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Testing at Sacramento County Jails Decreased by 60 Percent, Casting Doubt on "Resolved" Outbreak

Our daily run down on the COVID cases in selective County Jails

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San Francisco Court Watch

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Federal Judge Grants Writ of Habeas Corpus, Ordering Hearing For Immigrant Detainee

A judge here in Alameda County Superior Court has dismissed a defendant's charge of an alleged rape in 2012 after finding "the record riddled with meaningful inconsistencies" and "changes in the story."

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Yolo County Court Watch

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Defendant Worried He'd 'Sign Away Rights' When Court Document Printing Error Left Blank Side

Apparently, at least one defendant here took heed of the old adage, "Don't sign a blank document." After quickly running through several arraignments here in Yolo County Superior Court last Thursday, Judge Tom Dyer

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Sacramento Court Watch

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Man Alleged to Have Spit on, Threatened to Bite Officer – Declared Incompetent Again

Despite the defense argument that defendant Richard Moore suffered from mental illness, a Sacramento County Superior Court found Monday there was sufficient evidence to support multiple counts, including felony

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Judge Tosses Drug Case, Finds Officers Engaged in Illegal Search and Seizure

A Sacramento County Superior Court judge here has tossed out drug-related charges after officers followed, and illegally stopped and searched a vehicle—allegedly because of unlawfully tinted windows.

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Court Holds Defendant to Answer for Violently Resisting Arrest and Hospitalizing Officer

A defendant accused of causing a wild melee at a Golden 1 Center concert in 2019—and sending a police officer to the hospital—was held to answer at trial after a Sacramento County Superior Court preliminary hearing Monday.

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Alameda Court Watch

Despite Remarkable Success, Court Denies Formerly Convicted Man's Application for Dismissal

Formerly incarcerated people often have difficulty in re-entry into society because of barriers on essential services and inadequate preparation, assistance and resources for life after conviction— ex-convicts are

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Los Angeles Court Watch

Man Stabbed in Thousand Oaks – Witness Testimony Ruled Not 'Credible'

A witness was called in to testify at the Superior Court of Ventura County regarding the stabbing of a male in Thousand Oaks, though her jitteriness and moments of anger led to the court to discredit her testimony.

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Contra Costa Court Watch

Defendant Fearing Deportation Allegedly Caused Accident, Lied that He Was Carjacked

Trial counsel and the judge here last week may have been sympathetic to a defendant seeking asylum in the U.S., but the defendant allegedly caused a vehicle collision and then told police he was carjacked – the

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Fresno Court Watch

Judge Denies Motion to Suppress Evidence in Questionable CHP Stop

A motion to suppress evidence in the questionable stop of an alleged reckless driver thought to be under the influence of alcohol was denied by Judge Samuel Dalesandro here in Fresno County Superior Court this week.

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Riverside Court Watch

Riverside Police Track Up to 23 Illegal Indoor Marijuana Grows All Belonging to One Single Group

Law enforcement officers testified in Riverside County Superior Court last week they uncovered two illegal indoor residential marijuana grows in the county of Riverside, which they believe are a part of an organized

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Valerie,

You are invited to join this months free webinar!

Join us on March 14, at 1 pm to discuss LGBTQ+ Life and Activism in Davis.

Our Host

Jordan Varney - Received her master's from UC Davis in Psychology and a B.S. in Computer Science from Harvey Mudd.

Lauren Smith - A recent graduate from UC Davis. She received a B.A. in Political Science and Psychology.

Featured Speaker

Kait Murrar - A graduate student researcher for the LGBTQIA resource center.

MORE GUESTS TO BE ANNOUNCED.

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The Vanguard will be hosting its first ever ALUMNI MIXER.

Join us MARCH 12 at 7 pm over zoom!

All past interns or volunteers are welcomed for this FREE opportunity! Connect with alumni working for social justice and political reform.

FEATURED SPEAKER:

**Jacque Wilson, Deputy Public Defender,
San Francisco**

No need to register, simply type in the ZOOM ID and Pass Code on March 12 to join:
ID: 825 1630 7840, PASS CODE: 992228

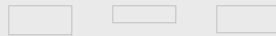
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Have you heard the latest episode of Everyday Injustice?

This week listen as Justin Brooks talk about the state of wrongful convictions and cases like Brian Banks and JoAnn Parks.

Watch the preview here: <https://bit.ly/3qxLfEL>

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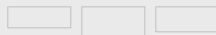
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Subject: Everyday Injustice - Vanguard Study Finds SF Courts Inaccessible During COVID; Jury Selection in Chauvin Trial

Date: Wednesday, March 10, 2021 at 7:00:52 PM Greenwich Mean Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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Vanguard reporters: "Since the outset of COVID-19, San Francisco Superior Court has failed to allow proper courtroom access to the public – unlike superior courts throughout state. It needs to come out of the shadows."

Everyday Injustice Newsletter - March 10, 2021

Concerns About the Death Penalty in Pervis Payne Case

By Miriam Krinsky

(The following is a letter to the Tennessee Governor Arising in the Context of Clemency Petition for Pervis Payne)

I am writing to you as the Executive Director of [Fair and Just Prosecution](#) (FJP), an organization that brings together a network of elected prosecutors from around the country committed to promoting a justice system grounded in fairness, equity, compassion, and fiscal responsibility. I am writing to express deep-seated concerns our organization has with the death penalty, as set forth below, and, in particular,

concerns with the use of this sanction in the context of individuals with intellectual disabilities. We know that these issues have come up in the context of your consideration of requests to commute the death sentence of Pervis Payne, a Black man currently facing execution on Tennessee's death row.

Our nation has failed to address serious concerns around application and use of the death penalty and now **growing numbers** of prosecutors and law enforcement leaders are standing together in urging a movement away from this sanction. Time and again, we have executed individuals with long histories of debilitating mental illness, childhoods marred by unspeakable physical and mental abuse, and trial lawyers so derelict in their duties and obligations that they never bothered to uncover long histories of illness and trauma. We have also likely executed the innocent.¹ Studies tell us that the death penalty is unequally and arbitrarily applied, ineffective at improving public safety, and a huge drain of taxpayer resources.²

Race also plays a deeply unjust role in the application of the death penalty. Researchers have documented that defendants of color are disproportionately likely to be sentenced to die – this is particularly and uniquely true when the victim is white. People of color have accounted for a disproportionate 43% of executions in the United States since 1976, and 55% of defendants currently awaiting execution are people of color. Strikingly, while 80% of all death penalty cases involve white victims, only one-half of all murder victims are white.

These problems with the administration of the death penalty are amplified in the context of individuals with intellectual disabilities. Individuals with intellectual disabilities may be more likely to confess to a crime they did not commit⁶ and they are less capable of collaborating with their attorneys to present a strong defense. Moreover, courts and juries may perceive their testimony to be less credible. In recognition of these dynamics, the United States Supreme Court in *Atkins v. Virginia*, 536 U.S. 304 (2002), found that executing intellectually disabled individuals is unconstitutional and in violation of the Eighth Amendment prohibition on cruel and unusual punishment. The Supreme Court also stressed that executing intellectually disabled people will not “measurably advance the deterrent or the retributive purpose of the death penalty.”

Prosecutors and law enforcement leaders across the country recognize that the death penalty does not advance public safety and can instead undermine vital community trust in law enforcement. In December of 2020, nearly 100 current and former elected prosecutors, Attorneys General, and law enforcement leaders, as well as former United States Attorneys and Department of Justice officials, [brought their voices](#) together in opposition to the application of the death penalty.¹⁰ They explained,

“Our tasks become increasingly difficult when people do not believe that the legal system is operating fairly. Public safety is inextricably tied to the community's trust in the fairness and moral authority of our justice system. When people believe the state is executing a person, or applying the death penalty, unjustly – as do many in our nation who oppose the death penalty in increasing numbers – their trust in our system of government and law enforcement is undermined. Our jobs get harder, as do the jobs of others who seek to keep our communities safe.”

We hope you will take these views into account as you consider the pending clemency petition from Pervis Payne, an intellectually disabled Black man facing execution. Please let us know if we can be of any further assistance in regard to this case.

Vanguard on Facebook: <https://www.facebook.com/davisvanguard/>

Yolo County Court Watch: <https://www.facebook.com/groups/yolojudicialwatch/>

Sacramento Court Watch: <https://www.facebook.com/Sacramento-Court-Watch-1432660796849531/>

San Francisco Court Watch: <https://www.facebook.com/SF-Court-Watch-577413429452441/>

Twitter: <https://twitter.com/DavisVanguard>

YouTube: <http://www.youtube.com/davisvanguard>

Criminal Justice News/ Commentary

VANGUARD STUDY: SF Superior Court Needs to Come Out of the Shadows, Provide Court Access to Press, Public

Since the outset of COVID-19, San Francisco Superior Court has failed to allow proper courtroom access to the public – unlike superior courts throughout state. It needs to come out of the shadows.

[Read More](#)

Jury Selection in Ex-Cop Chauvin's Trial Commences – Just Three Jurors Selected So Far

Jury selection began for the trial of former Minneapolis Police Officer Derek Chauvin, who was charged with the death of George Floyd, this Tuesday – of nine individuals chosen from a pool of potential candidates,

[Read More](#)

SF District Attorney Boudin Charges 'Lives at Risk' in Contractor Fraud Case Involving Unsanctioned Fire Alarm Installations

District Attorney Chesa Boudin investigated and filed charges against defendant Tommy Jue after he allegedly committed contractor fraud that "erodes public trust and puts lives at risk."

[Read More](#)

Key CA Committee OK's Measure to End 'War on Drugs' Era Law Now Requiring Mandatory Prison, Jail for Nonviolent Drug Offenses

Mandatory prison and jail sentences for nonviolent drug offenses would end under legislation that has just been OK'd by Senate Public Safety Committee by a unanimous 3-0 vote here at the State Capitol.

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COVID CDCR and Jail Dashboards

Cases Plummet Across CDCR, Only Two New Cases Reported in 24-Hours

Our daily run down on the COVID cases in the California Prison System (CDCR)

[Read More](#)

Testing at Sacramento County Jails Decreased by 60 Percent, Casting Doubt on “Resolved” Outbreak

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Man Alleged to Have Spit on, Threatened to Bite Officer – Declared Incompetent Again

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Man Stabbed in Thousand Oaks – Witness Testimony Ruled Not 'Credible'

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Defendant Fearing Deportation Allegedly Caused Accident, Lied that He Was Carjacked

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Everyday Injustice - Podcast

[see our podcasts](#)

Everyday Injustice Podcast 96: Justin Brooks and Wrongful Convictions

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Subject: Re: Checking In

Date: Wednesday, March 10, 2021 at 12:00:32 AM Greenwich Mean Time

From: Ibarra, Valerie (PDR)

To: David M. Greenwald

CC: Alana Bleimann

I can ask the attorney, but it's a pretty devastating blow.

From: David M. Greenwald <info@davisvanguard.org>

Sent: Tuesday, March 9, 2021 3:52 PM

To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Cc: Alana Bleimann <acbleimann@dons.usfca.edu>

Subject: Re: Checking In

Maybe we should do a story on them anyway?

On Tue, Mar 9, 2021 at 3:51 PM Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org> wrote:

Hi Alana and David -- I wanted to give you an update.

1) I'm working with attorney Martina Avalos who is gearing up for trial in D16, with opening arguments likely to start on 3/15 - TBA. She's pushing the judge/court to set up a live-stream, as this court so far has been very strict about not allowing people not directly involved in the case to join by zoom. I've asked Martina for an update and will let you know when I have one. Once that's established, or if folks are able to join by other means, I'd be happy to give you some background basics about the case.

2) On a sad note, the person whom I was trying to set you up to interview, suddenly passed away this weekend. I just talked to his attorney this morning who received the tragic news over the weekend. At least he lived the last year of his life free.

I'm still actively pursuing other clients and will connect you with folks as soon as I can.

Talk soon,
Valerie

From: Alana Bleimann <acbleimann@dons.usfca.edu>
Sent: Wednesday, March 3, 2021 2:25 PM
To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>; David Greenwald <info@davisvanguard.org>
Subject: Re: Checking In

Hello Valerie,

This sounds great! Thank you for the update. Looking forward to listening in on the trial and talking with possible clients.

Talk soon,
Alana Bleimann

On Wed, Mar 3, 2021 at 12:06 PM Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org> wrote:

Hi Alana -- I finally have a line on an attorney who would welcome you to cover her case that's going to trial. I still need to talk to her and get some basic info, but I know that they're doing jury selection, etc. for the next several days and will likely do opening between the 15th-18th.

Cc'ing David on this one since we talked yesterday and wanted to give him an update, too.

I'm also gathering some info on clients who are doing well out of custody thanks to progressive reforms. More on that soon.

Talk soon & thank you,
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From: Alana Bleimann <acbleimann@dons.usfca.edu>
Sent: Monday, March 1, 2021 12:41 PM
To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: Checking In

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello Valerie,

Hope all is well. I wanted to thank you again for speaking with me last week and your willingness to help the Vanguard with the new SF Project! I also wanted to check in about the Tuesday meeting you had - any updates for the SF courts? Any update on how to proceed with defendant/public defender interviews? Thank you so much!

Talk soon,
Alana Bleimann
SF Lead Vanguard of Davis

--

Alana C. Bleimann

Sent from Gmail Mobile

Subject: Re: Checking In

Date: Tuesday, March 9, 2021 at 11:52:53 PM Greenwich Mean Time

From: David M. Greenwald

To: Ibarra, Valerie (PDR)

CC: Alana Bleimann

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To: Alana Bleimann, David Greenwald

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SF Lead Vanguard of Davis

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Alana C. Bleimann

Subject: (none)

Date: Tuesday, March 9, 2021 at 9:20:16 PM Greenwich Mean Time

From: Layla Mustafa

To: Wilson, Jacque (PDR), Ibarra, Valerie (PDR), David Greenwald

CC: abuitrago392@gmail.com

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Hello All,

Attached is the statement on SF Court accessibility. Please let me know if you have any questions or issues accessing the document.

All the best,
Layla

<https://docs.google.com/document/d/1mA7ld-4Xyad8cB7em782pwL4xifj3NweIxGKz7idfyo/edit?usp=sharing>

Subject: Everyday Injustice - Chauvin Goes to Trial in Floyd's Death; Man Beaten and Intimidated By Deputies, But Use of Force Records Might Be Non-Disclosable
Date: Tuesday, March 9, 2021 at 7:02:06 PM Greenwich Mean Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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Scott Sanders, OC Public Defender: "Devitt was cleared without even an internal investigation, despite a video that contradicted his description of events, and the fact that Devitt changed his description of what occurred over time to present a false picture of an enhanced threat."

Everyday Injustice Newsletter - March 9, 2021

Can the Governor of California Halt Executions?

By David Greenwald

In 2019, Governor Gavin Newsom put a moratorium on future executions. But at least three District Attorneys - San Mateo County District Attorney Stephen Wagstaffe, San Bernardino County District Attorney Jason Anderson, and Riverside County District Attorney Michael Hestrin have now accused Governor Newsom and AG Xavier Becerra of undermining the state's death penalty law and have intervened in a federal case hoping to restart future executions.

Last week, the ACLU, calling the move "rogue" and "bloodthirsty" filed a motion to stop them.

The filing asks the court to "stop three district attorneys from acting outside of their authority to illegally intervene in a federal lawsuit. The prosecutors seek to undo an agreement between the state and people on death row that followed from Governor Newsom's moratorium on executions," according to the American Civil Liberties Union Foundation of Northern California and four local community organizations.

According to the pleading, "The DAs seek to intervene for the specific purpose of undoing and renegotiating this dismissal with the aim of expediting death judgments and limiting time for judicial review of the constitutionality of the methods of execution.

"If the DAs are not enjoined, they would improperly use their three local offices—which, even collectively, represent a small minority of the People of California—under the guise of representing 'the People' to undermine the careful bargain reached by the parties in the Lethal Injection Litigation."

Describing the actions of the DAs as "brazen overreach," Emi MacLean, a senior attorney with the ACLU of Northern California, said the DAs are "rogue actors who seek to ignore the constitution and create their own rules. Their lawlessness cannot stand."

But the DA's believe that Newsom is the one flouting the law. While they have not directly challenged his executive order halting executions, they believe that both he and the AG have abandoned their duty to defend the voter-approved death penalty law.

As the Chronicle reports, 25 of the state's 706 people on death row have exhausted their appeals and could face execution should the death penalty resume. Five of them are from the counties represented by the three DAs involved here.

The issue is interesting. [The Chronicle](#) notes that in a hearing last fall, Ninth Circuit Judge Laurence VanDyke expressed some sympathy for the position of the petitioners.

"It seems like Prop. 66 gave you the ability to prod them if you don't think they're moving," VanDyke told a lawyer for the three district attorneys. He said there "seems to be a disconnect between what the administration wants and what the district attorneys want."

But they have not ruled yet on whether they will allow the prosecutors to intervene in the case.

The ACLU however believes otherwise. They put forth arguments that California law bars the district attorneys from any role in this, citing a 1975 state Supreme Court ruling.

"The Legislature has not authorized the DAs' intervention in statewide civil rights litigation concerning the constitutionality of the manner of execution," attorneys for the ACLU and civil rights groups told the court. "Only the attorney general is authorized to represent the interests of the state."

Thanks for reading.

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Twitter: <https://twitter.com/DavisVanguard>
YouTube: <http://www.youtube.com/davisvanguard>

Criminal Justice News/ Commentary

Man Beaten and Intimidated By Deputies, But Use of Force Records Might Be Non-Disclosable Per Judge's Tentative Ruling

An Orange County Judge last week issued a tentative ruling that a police agency may not have to turn over police personnel records under Pitchess if there is no actual complaint or sustained finding.

[Read More](#)

Jury Selection In Chauvin Trial Delayed Over Defense's Murder Charge Appeal

Judge Peter Cahill postponed the start of Derek Chauvin's trial in the killing of George Floyd Monday following the prosecution's petition to delay jury selection pending an appeal by the defense to the Minnesota

[Read More](#)

Petition to Recall Chesa Boudin filed to San Francisco Department of Elections

Richie Greenberg, the organizer of the effort to recall San Francisco District Attorney Chesa Boudin, has filed the official petition for the recall, which is currently under review by the San Francisco Department of Elections.

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10 Weekly Highlights from CDCR's COVID Crisis: Decrease in GTL Costs to Save Families \$17m per Year & More

As of Mar. 5, there have been a total of 49,150 confirmed COVID-19 cases in the CDCR system – 175 of them emerged in the last two weeks. 197 cases are active in custody while 614 have been released while active. A total of

[Read More](#)

Abuse & Neglect at CDCR's Mule Creek Prison During December's COVID-19 Outbreak Surfaces

James** is currently incarcerated at Mule Creek State Prison (MCSP), one of CDCR's 35 facilities. He is a lead reporter for MCSP's newspaper – Mule Creek Post. He reached out to the Vanguard in a letter to share detailed

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Everyday Injustice - Podcast

[see our podcasts](#)

Everyday Injustice Podcast 96: Justin

Brooks and Wrongful Convictions

Justin Brooks has headed the California Innocence Project since 1999. Over that time, the US has learned a lot about wrongful convictions and while it remains exceedingly difficult to free people wrongly convicted, the existence of

[Read More](#)

Everyday Injustice Podcast Episode 95: Alec Karakatsanis on Bail Reform and Humphrey Case

In January Alec Karakatsanis argued before the Supreme Court of California on the need to end cash bail in the Humphrey case. The civil rights lawyer, social justice advocate founder and Executive Director of Civil Rights Corps,

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Subject: Everyday Injustice - Anti-Death Penalty in Trump Country, Conversation with Justin Brooks of the California Innocence Project

Date: Monday, March 8, 2021 at 7:01:11 PM Greenwich Mean Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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"No one is more angry and disappointed than the Board and myself that these actions occurred. A satisfactory resolution is our highest priority, and we are committed to restoring these funds," CDAA's Chief Executive Officer, Gregory Totten

Everyday Injustice Newsletter - March 8, 2021

Joplin Editorial Comes Out Against the Death Penalty

By David Greenwald

Had a great conversation last week with Maurice Chammah of the Marshall Project on the death penalty and one of the points he made that I hadn't really thought of - the Michael Dukakis gaff in the 1988 Presidential Debate where he responded academically to a question about his wife being brutally killed largely scared liberals off death penalty opposition for about 12 years.

Then during the 2000 election, George W. Bush, brazenly put people to death that really seemed to have legitimate reasons not to be executed. His seeming indifference relaunched the death penalty debate - although clearly the Innocence Project and the large numbers of people exonerated from death row was also a huge catalyst.

How far have we come? In the 1990s, Bill Clinton had to rush back to Arkansas to oversee the execution of a man so mentally compromised that he saved his last meal to eat later and liberals would not touch the issue.

This weekend, the [Joplin Missouri paper](#) came out in favor of ending the death penalty. Why is this significant? Joplin is a city of 50,000 in the southwest portion of Missouri. It's 150 miles south of Kansas City and just over 100 miles northeast of Tulsa, Oklahoma.

Joplin is in Jasper and Newton Counties in Missouri - they were about Trump +50 in the election. Missouri, used to be a swing state, but this past election it continued its sharp red trend, ending up Trump +15.

I set this stage because the paper this weekend is arguing against the death penalty.

"It's time Missouri considers joining the ranks of those states that have ended the death penalty," they write, attempting to situate their concerns in conservatism.

"Let's begin the conversation by challenging the view that the death penalty is a conservative position," they write. "Many conservatives abhor it — and for conservative reasons — including budget hawks, pro-life conservatives and those wary of giving government too much power."

"The death penalty is so problematic, it's so broken, there is something there for everyone," Hannah Cox told us recently. She is the senior national manager for Conservatives Concerned About the Death Penalty.

The paper cites DPIC noting that capital wrongful convictions have happened in 29 states, four of the cases were in Missouri.

"Cox told us that one person has been exonerated for every eight who have been executed in recent years. Questions of race, mental illness and poverty raise other serious doubts about the fairness of its use," the paper writes.

The paper continues: "Opposing the death penalty should not be seen as being anti-justice or soft on crime. Locking up the worst criminals for life without parole is still a strong penalty — one that can be done much more expediently at much less cost to taxpayers with less of a toll on victims' families.

"As an editorial board, we don't pretend to have all the answers. But what we do have is a forum to launch the conversation in our community, a conversation we believe is overdue."

I see this as a strong sign for just how far we have come on the issue of death penalty. Here we have an editorial board in the heart of middle America, in the middle of Trump country, arguing the need to end the death penalty from a conservative perspective.

Thanks for reading

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Criminal Justice News/ Commentary

Everyday Injustice Podcast 96: Justin Brooks and Wrongful Convictions

Justin Brooks has headed the California Innocence Project since 1999. Over that time, the US has learned a lot about wrongful convictions and while it remains exceedingly difficult to free people wrongly convicted, the existence of

[Read More](#)

Guest Commentary: Why It's Time to Abandon Drug Courts

Overdoses claimed the lives of 81,000 Americans in the 12 months up to May 2020. In San Francisco, for example, fatal overdoses killed three times as many people as the coronavirus. The overdose crisis is an epidemic, and we must

[Read More](#)

Where There Is No Coverage, There Can Be No Accountability of the DA

This was not a good week for either the CDAA or Jeff Reisig, but you would never know it reading the Davis paper—because all they had was a cheerleading editorial last week on AB 1542 and no coverage at all on the CDAA scandal,

[Read More](#)

California DA's Association Admits in Letter to AG to Even More Misused Money

Under pressure to come clean to the Attorney General or face the loss of state funding, the California District Attorneys Association (CDAA) acknowledged in a letter Friday that they had misused even more funds than originally

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COVID CDCR and Jail Dashboards

Fourteen CDCR Facilities Report No Active Cases in Custody

Our daily run down on the COVID cases in the California Prison System (CDCR)

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116 Patients at Santa Rita Jail Accepted First Dose of Moderna Vaccine

Our daily run down on the COVID cases in selective County Jails

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San Francisco Court Watch

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Federal Judge Grants Writ of Habeas Corpus, Ordering Hearing For Immigrant Detainee

A judge here in Alameda County Superior Court has dismissed a defendant's charge of an alleged rape in 2012 after finding "the record riddled with meaningful inconsistencies" and "changes in the story."

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Yolo County Court Watch

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Defendant Worried He'd 'Sign Away Rights' When Court Document Printing Error Left Blank Side

Apparently, at least one defendant here took heed of the old adage, "Don't sign a blank document." After quickly running through several arraignments here in Yolo County Superior Court last Thursday, Judge Tom Dyer

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Sacramento Court Watch

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Machete Attack Survivor Requests Maximum Sentence in Heartbreaking Victim Impact Statement; Judge Obliges

And one read by Deputy District Attorney Danny Lee to a Sacramento County Superior Court last week describing the daily physical and psychological pain the victim endured following a violent machete attack was particularly so.

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Former Radio ‘Personality,’ Coach Re-Sentenced for Child Molestation After New Victims Come Forward

A 58-year-old former Sacramento radio personality and former park and recreation assistant youth basketball coach, Gregory Kosanke, was resentenced to prison here in Sacramento County Superior Court Friday.

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Alameda Court Watch

Despite Remarkable Success, Court Denies Formerly Convicted Man’s Application for Dismissal

Formerly incarcerated people often have difficulty in re-entry into society because of barriers on essential services and inadequate preparation, assistance and resources for life after conviction— ex-convicts are

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Los Angeles Court Watch

Man Stabbed in Thousand Oaks – Witness Testimony Ruled Not ‘Credible’

A witness was called in to testify at the Superior Court of Ventura County regarding the stabbing of a male in Thousand Oaks, though her jitteriness and moments of anger led to the court to discredit her testimony.

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Contra Costa Court Watch

Defendant Fearing Deportation Allegedly Caused Accident, Lied that He Was Carjacked

Trial counsel and the judge here last week may have been sympathetic to a defendant seeking asylum in the U.S., but the defendant allegedly caused a vehicle collision and then told police he was carjacked – the

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Fresno Court Watch

Judge Denies Motion to Suppress

Evidence in Questionable CHP Stop

A motion to suppress evidence in the questionable stop of an alleged reckless driver thought to be under the influence of alcohol was denied by Judge Samuel Dalesandro here in Fresno County Superior Court this week.

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Riverside Court Watch

Riverside Police Track Up to 23 Illegal Indoor Marijuana Grows All Belonging to One Single Group

Law enforcement officers testified in Riverside County Superior Court last week they uncovered two illegal indoor residential marijuana grows in the county of Riverside, which they believe are a part of an organized

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Merced Court Watch

Family Survives in the Face of Father's Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

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Everyday Injustice - Podcast

[see our podcasts](#)

Everyday Injustice Podcast 96: Justin Brooks and Wrongful Convictions

Justin Brooks has headed the California Innocence Project since 1999. Over that time, the US has learned a lot about wrongful convictions and while it remains exceedingly difficult to free people wrongly convicted, the existence of

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Everyday Injustice Podcast Episode 95: Alec Karakatsanis on Bail Reform and Humphrey Case

In January Alec Karakatsanis argued before the Supreme Court of California on the need to end cash bail in the Humphrey case. The civil rights lawyer, social justice advocate founder and Executive Director of Civil Rights Corps,

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Subject: RE: SF Police Officer Who Beat Black Man Set for Trial in March after Being Charged by District Attorney Chesa Boudin's Office | Davis Vanguard
Date: Monday, March 8, 2021 at 5:30:16 PM Greenwich Mean Time
From: Cox, Brian (PDR)
To: Dillon, Zachary (PDR), Ibarra, Valerie (PDR)

I supposed if/when he gets convicted then they will have to fire him.

From: Dillon, Zachary (PDR) <zachary.dillon@sfgov.org>
Sent: Monday, March 8, 2021 9:26 AM
To: Cox, Brian (PDR) <brian.cox@sfgov.org>; Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: RE: SF Police Officer Who Beat Black Man Set for Trial in March after Being Charged by District Attorney Chesa Boudin's Office | Davis Vanguard

Yes, this is in CopMonitor – as far as I know he's still a cop. The chief issued a statement of support when the charges were filed.

From: Cox, Brian (PDR) <brian.cox@sfgov.org>
Sent: Monday, March 8, 2021 9:15 AM
To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Cc: Dillon, Zachary (PDR) <zachary.dillon@sfgov.org>
Subject: RE: SF Police Officer Who Beat Black Man Set for Trial in March after Being Charged by District Attorney Chesa Boudin's Office | Davis Vanguard

Thanks for this Val.

Zac – I assume we've added this and the files on Spiers to our records. Is he still even a cop anymore?

From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Sent: Friday, March 5, 2021 10:17 AM
To: PUBDEF-Integrity <PUBDEF-Integrity@sfgov.org>

Subject: SF Police Officer Who Beat Black Man Set for Trial in March after Being Charged by District Attorney Chesa Boudin's Office | Davis Vanguard

FYI ---

Side note: this article was written by one of our current interns.

From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Sent: Friday, March 5, 2021 10:12 AM

To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: SF Police Officer Who Beat Black Man Set for Trial in March after Being Charged by District Attorney Chesa Boudin's Office | Davis Vanguard

<https://www.davisvanguard.org/2021/03/sf-police-officer-who-beat-black-man-set-for-trial-in-march-after-being-charged-by-district-attorney-chesa-boudins-office/>

Sent from my iPhone

Subject: RE: SF Police Officer Who Beat Black Man Set for Trial in March after Being Charged by District Attorney Chesa Boudin's Office | Davis Vanguard
Date: Monday, March 8, 2021 at 5:26:09 PM Greenwich Mean Time
From: Dillon, Zachary (PDR)
To: Cox, Brian (PDR), Ibarra, Valerie (PDR)

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Cc: Dillon, Zachary (PDR) <zachary.dillon@sfgov.org>
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Sent from my iPhone

Subject: RE: SF Police Officer Who Beat Black Man Set for Trial in March after Being Charged by District Attorney Chesa Boudin's Office | Davis Vanguard
Date: Monday, March 8, 2021 at 5:15:13 PM Greenwich Mean Time
From: Cox, Brian (PDR)
To: Ibarra, Valerie (PDR)
CC: Dillon, Zachary (PDR)

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Sent from my iPhone

Subject: Everyday Injustice - Polling Shows Victim Families Support Rehabilitation Not Incarceration

Date: Friday, March 5, 2021 at 7:01:02 PM Greenwich Mean Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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George Gascon: "It is exploitative and disingenuous for proponents of the policies of mass incarceration to justify the expense, troubling racial disparities and non-existent safety benefit in the name of a survivor community that overwhelmingly does not agree with them."

Everyday Injustice Newsletter - March 4, 2021

**Polling Continues to Show
Support For New Approaches to Law Enforcement**

By David Greenwald

A New poll from Californians for Safety and Justice found that victims of violent crime in Los Angeles County “feel the criminal justice system failed them in their time of need and that justice system resources should be invested in crime prevention, not incarceration.”

The poll found: “fewer than three in 10 victims of violent crime receive victim support services. Most said they were not even aware of the existence of such services, despite a majority reporting they would have wanted services such as counseling, medical care and financial support. The polling also shows that most victims of violent crime want changes to the criminal justice system that emphasize rehabilitation and crime prevention, rather than more incarceration.”

The polling comes at a time when traditional supporters of tough on crime policies are pushing back against reformers arguing that crime victims are being left out - but such polling continues to demonstrate that in fact it is the tough on crime advocates that are out of step with public opinion.

“This data aligns with what we’ve known for many years, that the majority of survivors of violent crime believe that a justice system that simply responds to crime after it’s already occurred does nothing to prevent harm from occurring again in the future,” said Tinisch Hollins, executive director of Californians for Safety and Justice, herself a survivor of crime who has lost two brothers to gun violence.

Hollins added, “The communities most affected by violence want increased investments in public health resources, violence prevention and rehabilitation that stop cycles of crime. Yet, public dialogue often excludes the voices of Black and Brown survivors, many of whom are most harmed by the failures of our public safety system and least helped by that same system. It’s critical that decision-makers hear our voices now. Because more than anything else, most crime survivors want what happened to them to never happen to anyone else again. Mass incarceration and more excessive spending on the criminal justice system won’t accomplish that.”

“This poll of LA survivors confirms what similar national surveys have shown: The vast majority of victims are seeking healing, restoration and rehabilitation rather than retribution,” Los Angeles District Attorney Gascón said.

The DA continued: “It is exploitative and disingenuous for proponents of the policies of mass incarceration to justify the expense, troubling racial disparities and non-existent safety benefit in the name of a survivor community that overwhelmingly does not agree with them.

“What is most illuminating from this poll is how much we must do to advance the needs of victims. In response to the troubling findings of this survey, namely how few received help in spite of how many wish they had access to support, we will be working to bolster the services provided by my office as quickly as possible. We can and must do better to support victims on their journey to survivor.”

But in the meantime, we see a recall effort in both Los Angeles and San Francisco, even though the policies of the DA’s seem better aligned with the public than their critics.

Thanks for reading.

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YouTube: <http://www.youtube.com/davisvanguard>

Criminal Justice News/ Commentary

Guest Commentary: The Carceral Force of Prosecutor Associations, Explained

The California District Attorneys Association (CDAA), a statewide advocacy group, misappropriated almost \$3 million that was earmarked to support public interest advocacy, and instead used it for general expenses including lobbying,

[Read More](#)

SF Police Officer Who Beat Black Man Set for Trial in March After Being Charged by District Attorney Chesa Boudin's Office

San Francisco Police Officer Terrance Stangel, who beat up an African American male with a baton near Fisherman's Wharf in October 2019, will finally stand trial later this month.

[Read More](#)

Philly Proud Boys Member Arrested for Tweeting 'Terroristic Threats' to Woman

A self-identified member of the Proud Boys, a far-right hate group, was arrested and charged in Philadelphia this week after allegedly harassing and threatening a woman online.

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Devastating Snow Storm Hits Incarcerated Texans Hard

As a violent winter storm ripped through Texas in mid-February, widespread disruptions to power grids and water systems left incarcerated individuals across the state without access to heat and running water for days on end.

[Read More](#)

Biden's New Executive Order Addressing Private Prisons And Immigration Detention Centers Evokes Concern From Prison Reform Leaders

Signaling a first step in executing his criminal justice agenda, President Biden signed an executive order last month calling for an end to new Department of Justice contracts with private prisons.

[Read More](#)

COVID CDCR and Jail Dashboards

Twelve Facilities Report No Cases in Custody

Our daily run down on the COVID cases in the California Prison System (CDCR)

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89 Medically Vulnerable Patients Vaccinated at Santa Rita Jail

Our daily run down on the COVID cases in selective County Jails

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San Francisco Court Watch

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Federal Judge Grants Writ of Habeas Corpus, Ordering Hearing For Immigrant Detainee

A judge here in Alameda County Superior Court has dismissed a defendant's charge of an alleged rape in 2012 after finding "the record riddled with meaningful inconsistencies" and "changes in the story."

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Yolo County Court Watch

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Good Thing Happened to Remorseful Defendant in Court, Even If She's Not Sure of Details

Sometimes in court, good things can happen to defendants, even if they're not so sure exactly what they those good things may be. "I'm so sorry, I'm just so sorry," said defendant Trina Ruiz,

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Sacramento Court Watch

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Man Who Made Remarks About Police May Not be Allowed in Jail Alternative Program Run by Sheriff's Dept.

Christopher Jackson's sentence will be determined by an unfortunate circumstance: whether or not remarks he made to a police officer will preclude him from serving in the Sacramento County Sheriff's Work Project Program.

[Read More](#)

Father-Son Duo in a Joint Trial Against Charges of Armed Pot Robbery

It was a long, long preliminary hearing this past Wednesday in Sacramento County Superior Court, and Judge Ernest W. Sawtelle was in mood, facing the prospect of six testimonies from different eyewitnesses

[Read More](#)

Judge Vows to Change Stalking Sentence for Defendant with 13 Charges

Judge Michael Savage didn't like a sentence he was supposed to hand down to a defendant expected to be sent to jail for two years, eight months for stalking and 12 other charges.

[Read More](#)

Alameda Court Watch

Almost \$1 Million Difference in Bail Requests – Court Decides Gang Member Should Not be Released for Any Amount of Bail.

There is a lot of room to negotiate between no bail release that the defense requested and bail of \$9.37 million the prosecution wanted here in Alameda County Superior Court. In the end, gang-affiliated Anthony Denis – even with

[Read More](#)

Los Angeles Court Watch

Man Stabbed in Thousand Oaks – Witness Testimony Ruled Not 'Credible'

A witness was called in to testify at the Superior Court of Ventura County regarding the stabbing of a male in Thousand Oaks, though her jitteriness and moments of anger led to the court to discredit her testimony.

[Read More](#)

Contra Costa Court Watch

Domestic Violence Victim Claims to Reconcile, but Judge Still Issues Protective Order on Defendant

Contra Costa County Superior Court Judge Christopher Brown here was delicate and thorough as he assessed the safety and well-being of a victim who had just recently been allegedly assaulted by her partner,

[Read More](#)

Fresno Court Watch

Judge Denies Motion to Suppress Evidence in Questionable CHP Stop

A motion to suppress evidence in the questionable stop of an alleged reckless driver thought to be under the influence of alcohol was denied by Judge Samuel Dalesandro here in Fresno County Superior Court this week.

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Riverside Court Watch

Riverside Police Track Up to 23 Illegal Indoor Marijuana Grows All Belonging to One Single Group

Law enforcement officers testified in Riverside County Superior Court last week they uncovered two illegal indoor residential marijuana grows in the county of Riverside, which they believe are a part of an organized

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Merced Court Watch

Family Survives in the Face of Father's Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

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Everyday Injustice - Podcast

[see our podcasts](#)

Everyday Injustice Podcast Episode 95: Alec Karakatsanis on Bail Reform and Humphrey Case

In January Alec Karakatsanis argued before the Supreme Court of California on the need to end cash bail in the Humphrey case. The civil rights lawyer, social justice advocate founder and Executive Director of Civil Rights Corps,

[Read More](#)

Everyday Injustice Podcast Episode 94: Tianna Arata and Black Lives Matter Prosecution

July protests in San Luis Obispo where protesters blocked a local freeway turned into an arrest of Tianna Arata and several co-defendants who face criminal charges in San Luis Obispo. After a local judge recused the DA's office and

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Date: Friday, March 5, 2021 at 6:17:15 PM Greenwich Mean Time
From: Ibarra, Valerie (PDR)
To: PUBDEF-Integrity

FYI ---

Side note: this article was written by one of our current interns.

From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Sent: Friday, March 5, 2021 10:12 AM
To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Subject: SF Police Officer Who Beat Black Man Set for Trial in March after Being Charged by District Attorney Chesa Boudin's Office | Davis Vanguard

<https://www.davisvanguard.org/2021/03/sf-police-officer-who-beat-black-man-set-for-trial-in-march-after-being-charged-by-district-attorney-chesa-boudins-office/>

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Subject: SF Police Officer Who Beat Black Man Set for Trial in March after Being Charged by District Attorney Chesa Boudin's Office | Davis Vanguard
Date: Friday, March 5, 2021 at 6:12:14 PM Greenwich Mean Time
From: Ibarra, Valerie (PDR)
To: Ibarra, Valerie (PDR)

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From: valerie.ibarra@sfgov.org
To: Valerie Ibarra

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Subject: Everyday Injustice - Podcast Features Bail Reform Case; AB 1542: Are The Bad Old Days Are Here Again?

Date: Thursday, March 4, 2021 at 7:01:14 PM Greenwich Mean Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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Robert Canning: "AB1542 is an end-run around Propositions 47 and 36 (from 2000) which decriminalized many drug-related crimes and changed the dynamics of arrest and sentencing for these crimes."

Everyday Injustice Newsletter - March 4, 2021

30 Years Later - Has Anything Changed?

By David Greenwald

You could well make the argument that without Rodney King there would be no Vanguard. I still

remember 1991, a Senior in High School, in the white upper middle class town of San Luis Obispo, well-shielded from issues of race and policing at the time (I say still laughing at the irony of the BLM case we are currently following down there). I was in study hall and I picked up the LA Times and read the article of Rodney King. Like many I was outraged but I assumed that with the beating caught on video that the police officers would be prosecuted and properly punished.

I was a freshman at Cal Poly when the trial happened. Living in the LA Media area, I remember the daily updates. At some point I got the feeling that they might not convict the cops but quickly pushed that thought down. And then it happened - acquitted. I remember talking on the phone when I heard the news and I said, there will be riots. The person I spoke to said, there already are.

That was the moment I realized quite clearly that we do not live in a just system. No justice, no peace. I watched, transfixed over the next few days at the riots. I was angry and outraged. That moment laid the groundwork for how I would respond to a police incident nearly a decade later in Davis.

The lessons of Rodney King are still with us. I remember the haunting lyric in Ben Harper's "Like a King," "Be sure that it's filmed, shown on national TV..."

The accidental video that George Holiday gave us as he captured the image on his camcorder was an insight into the past and the future.

The Black community knew this stuff was real - police officers beat people like Rodney King all the time. But the white community was naive... or perhaps worse. As I experienced a decade later, the white community might be better described as willfully ignorant. They didn't want to know.

But what Rodney King pushed onto the radar, Michael Brown, Eric Garner, LaQuan McDonald, Freddy Gray, and George Floyd busted down the door. Police officers and Black men. Police brutality. Officer involved shootings.

And yet nothing changes overnight. The police officers in front of a conservative Simi Valley jury were able to convince the white jurors that they were justified in their ridiculous use of force. 30 years later and we still have all too many juries allowing officers to walk or slapping them on the wrist believing that they legitimately feared for their lives.

And so here we are. Last summer in 2020, people marched and protested and rioted across the country just as they did in 1991 and 1992 for the same elusive justice.

We have come a long way from those days. We have the technology to be always carrying our cameras. We have the ability to upload those videos to YouTube, Twitter, Facebook and get the word out and yet, here we are still largely unable to hold police accountable for their actions.

We have come a long way and yet we have so far still to come.

Thanks for reading.

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Criminal Justice News/ Commentary

Commentary: Are The Bad Old Days Are Here Again?

Yolo District Attorney Reisig and West Sacramento Assemblyman Kevin McCarty want to take us back to the “bad old days.” Remember the 1980s when the police were given free rein to charge those who use drugs with heavy fines

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Everyday Injustice Podcast Episode 95: Alec Karakatsanis on Bail Reform and Humphrey Case

In January Alec Karakatsanis argued before the Supreme Court of California on the need to end cash bail in the Humphrey case. The civil rights lawyer, social justice advocate founder and Executive Director of Civil Rights Corps,

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SFDA Chesa Boudin Seeks \$2.3 Million Fentanyl Task Force; SFPD Mano Raju ‘Firmly Opposed’ to Proposal

San Francisco District Attorney Chesa Boudin’s office is implementing a new task force to address the city’s pressing fentanyl epidemic, calling for a \$2.3 million budget to fight the drug epidemic that has increased dramatically over t

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Mississippi Man Who Served 23 Years for a Crime He Did Not Commit Awarded \$500,000

After serving 23 years in prison for a crime he didn’t commit, the Circuit Court of Montgomery County, Mississippi this week awarded Curtis Flowers \$500,000 as compensation for his wrongful imprisonment.

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COVID CDCR and Jail Dashboards

Nearly Half of CDCR’s Facilities Report No Cases in Custody

Our daily run down on the COVID cases in the California Prison System (CDCR)

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89 Medically Vulnerable Patients Vaccinated at Santa Rita Jail

Our daily run down on the COVID cases in selective County Jails

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San Francisco Court Watch

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Federal Judge Grants Writ of Habeas Corpus, Ordering Hearing For Immigrant Detainee

A judge here in Alameda County Superior Court has dismissed a defendant's charge of an alleged rape in 2012 after finding "the record riddled with meaningful inconsistencies" and "changes in the story."

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Yolo County Court Watch

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Good Thing Happened to Remorseful Defendant in Court, Even If She's Not Sure of Details

Sometimes in court, good things can happen to defendants, even if they're not so sure exactly what those good things may be. "I'm so sorry, I'm just so sorry," said defendant Trina Ruiz,

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Sacramento Court Watch

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Judge Makes Deal Defendant Can't Refuse – Cuts Fees, Guaranteeing No Jail Time

In sentencing defendant Todd Riesland to 90 days in jail, Sacramento County Superior Court Judge Scott Tedmon had two possibilities for the defendant – he could do his time on Sheriff's Work Project, but it's

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Judge Does DA's Job; OR Request Denied After Additional Facts Revealed

Sacramento County Superior Court Judge Michael Savage called out Assistant Public Defender Naomi Coady here this week for omitting key facts regarding her client's case in her request for his release on his own

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Alameda Court Watch

Almost \$1 Million Difference in Bail Requests – Court Decides Gang Member Should Not be Released for Any Amount of Bail.

There is a lot of room to negotiate between no bail release that the defense requested and bail of \$9.37 million the prosecution wanted here in Alameda County Superior Court. In the end, gang-affiliated Anthony Denis – even with

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Los Angeles Court Watch

Ventura Truck Driver Claims “I just got pulled over because I was Black”

sterday, Defendant Jason Maddox appeared in Ventura Superior Court to confront charges he believed to be wrongly filed—claiming that it was his identity as a Black man that aggrandized these charges.

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Contra Costa Court Watch

Domestic Violence Victim Claims to Reconcile, but Judge Still Issues Protective Order on Defendant

Contra Costa County Superior Court Judge Christopher Brown here was delicate and thorough as he assessed the safety and well-being of a victim who had just recently been allegedly assaulted by her partner,

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Fresno Court Watch

Judge Denies Motion to Suppress Evidence in Questionable CHP Stop

A motion to suppress evidence in the questionable stop of an alleged reckless driver thought to be under the influence of alcohol was denied by Judge Samuel Dalesandro here in Fresno County Superior Court this week.

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Riverside Court Watch

Riverside Police Track Up to 23 Illegal Indoor Marijuana Grows All Belonging to One Single Group

Law enforcement officers testified in Riverside County Superior Court last week they uncovered two illegal indoor residential marijuana grows in the county of Riverside, which they believe are a part of an organized

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Merced Court Watch

Family Survives in the Face of Father's Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

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Everyday Injustice - Podcast

[see our podcasts](#)

Everyday Injustice Podcast Episode 95: Alec Karakatsanis on Bail Reform and Humphrey Case

In January Alec Karakatsanis argued before the Supreme Court of California on the need to end cash bail in the Humphrey case. The civil rights lawyer, social justice advocate founder and Executive Director of Civil Rights Corps,

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Everyday Injustice Podcast Episode 94: Tianna Arata and Black Lives Matter Prosecution

July protests in San Luis Obispo where protesters blocked a local freeway turned into an arrest of Tianna Arata and several co-defendants who face criminal charges in San Luis Obispo. After a local judge recused the DA's office and

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Subject: Re: Checking In

Date: Wednesday, March 3, 2021 at 10:25:35 PM Greenwich Mean Time

From: Alana Bleimann

To: Ibarra, Valerie (PDR), David Greenwald

Hello Valerie,

This sounds great! Thank you for the update. Looking forward to listening in on the trial and talking with possible clients.

Talk soon,
Alana Bleimann

On Wed, Mar 3, 2021 at 12:06 PM Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org> wrote:

Hi Alana -- I finally have a line on an attorney who would welcome you to cover her case that's going to trial. I still need to talk to her and get some basic info, but I know that they're doing jury selection, etc. for the next several days and will likely do opening between the 15th-18th.

Cc'ing David on this one since we talked yesterday and wanted to give him an update, too.

I'm also gathering some info on clients who are doing well out of custody thanks to progressive reforms. More on that soon.

Talk soon & thank you,
Valerie

From: Alana Bleimann <acbleimann@dons.usfca.edu>

Sent: Monday, March 1, 2021 12:41 PM

To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: Checking In

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Hello Valerie,

Hope all is well. I wanted to thank you again for speaking with me last week and your willingness to help the Vanguard with the new SF Project! I also wanted to check in about the Tuesday meeting you had - any updates for the SF courts? Any update on how to proceed with defendant/public defender interviews? Thank you so much!

Talk soon,
Alana Bleimann
SF Lead Vanguard of Davis

--

Alana C. Bleimann

Subject: Valerie, Have you heard the latest episode of EVERYDAY INJUSTICE?

Date: Wednesday, March 3, 2021 at 9:00:29 PM Greenwich Mean Time

From: David Greenwald

To: valerie.ibarra@sfgov.org

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Image

Tianna Arata and Black Lives Matter Prosecution



Have you heard the latest episode of **EVERYDAY INJUSTICE**?

This week, we talk with Curtis Briggs, Brian Ford, and Vince Barrientos of Pier 5 Law Offices about the George Floyd protests in the San Luis Obispo, which led to the arrest of Tianna Arata and several others.

Tianna Arata, a college student and activist, and several co-defendants face criminal charges for blocking a local freeway during these protests.

After a local judge recused the DA's office and local prosecutor Dan Dow for bias, the AG's office has continued the prosecution.

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Subject: Everyday Injustice - Missouri SC Denies Wrongfully Convicted Appeal on Technical Grounds, HRW Opposes AB 1542
Date: Wednesday, March 3, 2021 at 7:01:39 PM Greenwich Mean Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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Human Rights Watch: "this bill proposes forcing people involuntarily into "secured" or locked treatment, regulated by the courts, thus blurring the lines between medical care and punishment, and undermining the goal of helping those in need."

Everyday Injustice Newsletter - March 3, 2021

**"By allowing for a
'time limit' on justice, the Court is setting a deeply dangerous
precedent"**

By Miriam Krinsky

(This was written in response to Tuesday's today's ruling by the Missouri Supreme Court denying Lamar Johnson's appeal of the lower court's order dismissing the motion for new trial by Mr. Johnson and Circuit Attorney Kim Gardner in the case of *Missouri v. Lamar Johnson* – a request based on serious concerns that misconduct resulted in Mr. Johnson's wrongful conviction).

Today's decision from the Missouri Supreme Court is a disappointing result that perpetuates the grave injustices carried out against Lamar Johnson, a man with a credible claim of innocence who has already spent 26 years behind bars. By ruling that Mr. Johnson cannot appeal the lower court's order dismissing the motion for new trial, the Court is keeping an innocent man in prison and preventing CA Gardner – in her filing of the motion for new trial – from fulfilling her duty to pursue justice.

A prosecutor has a responsibility to ensure convictions are sound, not to defend them at all costs. That's why elected prosecutors from across the country repeatedly filed [amicus curiae briefs](#) supporting relief for Mr. Johnson – in the trial court, on appeal and in the Missouri State Supreme Court – urging Missouri courts to not only grant Mr. Johnson a new trial, but, more broadly, to respect the power and obligation of prosecutors to investigate and correct cases where wrongful convictions have occurred.

Conservatively, [one percent](#) of the US prison population – around 20,000 people – are falsely convicted. When uncovered, these tragic injustices should be corrected immediately, regardless of how long it has been since someone was convicted. By allowing for a 'time limit' on justice, the Court is setting a deeply dangerous precedent.

Three of the Court's seven justices agreed that there must be alternative mechanisms for revisiting and addressing a past injustice. As Chief Justice George W. Draper III wrote in his concurring opinion, 'One's sense of justice and belief that innocent people should not be imprisoned for crimes they did not commit requires there to be some mechanism for the state to redress an error it helped create.'

We applaud CA Gardner for her continued efforts to correct this injustice and hope that as she, the Midwest Innocence Project and others continue to address this wrong, the courts similarly concur that this conviction should no longer stand. Similarly, we hope that the Attorney General takes to heart the view of the Missouri Supreme Court justices that his

role is to 'see that justice is done – not necessary to obtain or to sustain a conviction' and that he will, as the concurring justices urged, 'apply these principles when called upon to consider whether to oppose a petition for writ of habeas corpus or other pleading filed by Mr. Johnson or others.' Only then will we start to rebuild and restore trust in our system of justice and chart a path that lives up to the North Star of 'justice for all.'

Miriam Krinsky is Executive Director of [Fair and Just Prosecution](#)

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Criminal Justice News/ Commentary

Missouri Supreme Court Rejects Appeal of Johnson on Technical Grounds Despite Strong Evidence of Innocence

The Missouri Supreme Court rejected an appeal of Lamar Johnson's 1995 murder conviction, despite the fact that St. Louis Circuit Attorney Kim Gardner, filed a motion for a new trial claiming newly discovered evidence demonstrating

[Read More](#)

Letter: Human Rights Watch's Opposition to AB 1542

Human Rights Watch opposes the AB 1542 Yolo County pilot program that authorizes judges to sentence people to confinement in a locked treatment facility instead of prison or jail if the judge determines that their crime was motivated

[Read More](#)

Former Maryland Gov Changes Stance on Parole, Supports Prison Reform Measures

Former Maryland Governor Parris N. Glendening has declared that his 1995 decision to deny parole to any individual serving a life sentence in the state's prison system was "completely wrong."

[Read More](#)

Staff Violations of Masking and Testing Protocol at CDCR's Youth Prisons, CSP Solano Surfaces

Incarcerated testimonies continue to pour in decrying administrative practices at CDCR's CSP Solano (SLO). In a recent submission to the *San Francisco Bay View*, an incarcerated person— choosing to speak anonymously out

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COVID CDCR and Jail Dashboards

Nearly Half of CDCR's Facilities Report No Cases in Custody

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Cases Increase by 129 Percent At Rio Cosumnes Correctional Center, Sac County

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Federal Judge Grants Writ of Habeas Corpus, Ordering Hearing For Immigrant Detainee

A judge here in Alameda County Superior Court has dismissed a defendant's charge of an alleged rape in 2012 after finding "the record riddled with meaningful inconsistencies" and "changes in the story."

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Yolo County Court Watch

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Prosecution Claims Ex-Construction Worker Turned Bank Robber in Davis Bank Heist

After reading an article online about how to make money, former construction worker Myron Smith took its advice and decided to rob a bank in Downtown Davis while driving a rental car. Or so the prosecution claimed here in Yolo County

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Sacramento Court Watch

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Just Another Day in Courts 60, 61, 63 (But) There's Always Cases that Stand Out

Sacramento Courts 60, 61, and 63 worked on setting preliminary hearings for defendants Monday, and as usual, most court cases were dismissed quickly with the scheduling of a next hearing. However, there

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Unfamiliarity with Charges Leads to Court Confusion in Catalytic Converter Case

There was much confusion about what defendant Matthew Hamilton was to do regarding the next steps of his court case here in Sacramento County Superior Court Monday.

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Alameda Court Watch

Defendant Tells Judge He Has Doubts About Defense – Judge Convinces Him to Continue Proceedings

The judge in Alameda County Superior Court stopped proceedings here last week when he saw some reluctance from the defendant when his defense attorney asked for a three-week continuance because of the severity of charges.

[Read More](#)

Despite COVID-19, Alameda County Judge Threatens Jail Time for Minor Miscues by Defendants

Judge Jason Clay here in Alameda County Superior Court last week was noticeably upset when multiple defendants stated that they did not book themselves or contact the public defender's office for representation since their l

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Los Angeles Court Watch

Ventura Truck Driver Claims “I just got pulled over because I was Black”

sterday, Defendant Jason Maddox appeared in Ventura Superior Court to confront charges he believed to be wrongly filed—claiming that it was his identity as a Black man that aggrandized these charges.

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Contra Costa Court Watch

Domestic Violence Victim Claims to Reconcile, but Judge Still Issues Protective Order on Defendant

Contra Costa County Superior Court Judge Christopher Brown here was delicate and thorough as he assessed the safety and well-being of a victim who had just recently been allegedly assaulted by her partner,

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Fresno Court Watch

Judge Denies Motion to Suppress Evidence in Questionable CHP Stop

A motion to suppress evidence in the questionable stop of an alleged reckless driver thought to be under the influence of

alcohol was denied by Judge Samuel Dalesandro here in Fresno County Superior Court this week.

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Riverside Court Watch

Riverside Police Track Up to 23 Illegal Indoor Marijuana Grows All Belonging to One Single Group

Law enforcement officers testified in Riverside County Superior Court last week they uncovered two illegal indoor residential marijuana grows in the county of Riverside, which they believe are a part of an organized

[Read More](#)

Merced Court Watch

Family Survives in the Face of Father's Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

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Everyday Injustice - Podcast

[see our podcasts](#)

Everyday Injustice Podcast Episode 94: Tianna Arata and Black Lives Matter Prosecution

July protests in San Luis Obispo where protesters blocked a local freeway turned into an arrest of Tianna Arata and several co-defendants who face criminal charges in San Luis Obispo. After a local judge recused the DA's office and

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Everyday Injustice Podcast Episode 93: Mike Schmidt Talks Portland Protests

Mike Schmidt won the Willamot District Attorney position last summer, preparing to take over in January, when the outgoing incumbent resigned and he was appointed to start immediately. Right after his win, Portland was hit with

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Subject: PRESS STATEMENT: Statement from Public Defender Mano Raju Opposing the Call for More Prosecutors to Address the Fentanyl Health Crisis

Date: Wednesday, March 3, 2021 at 1:24:17 AM Greenwich Mean Time

From: Ibarra, Valerie (PDR)

To: Ibarra, Valerie (PDR)

FOR IMMEDIATE RELEASE: March 2, 2021

CONTACT: SF Public Defender's Office, Valerie.Ibarra@sfgov.org; (628)249-7946

****PRESS STATEMENT****

Statement from Public Defender Mano Raju Opposing the Call for More Prosecutors to Address the Fentanyl Health Crisis

“At a time when our communities are fighting for their very survival in the midst of the worst economic and public health crisis of this century, the proposal from Supervisor Haney and District Attorney Boudin for San Francisco to spend \$2.3 million for more prosecutors to staff a fentanyl task force will do little, if anything, to address the needs of the community, but in fact will exacerbate the current public health crisis.

More policing and surveillance of our community is not a solution to the opioid crisis in our country, and more drug prosecutions do not result in a reduction in drug supply and demand, an increase in drug prices, nor the prevention of drug use. The proposal to fund more prosecutions is an affront to the millions of families who have been torn apart by the ongoing war on drugs responsible for producing the largest carceral state in the world.

As public defenders, we represent people who routinely wait weeks or months to gain access to detox beds, substance abuse clinics, and mental health treatment programs in one of the wealthiest cities in the world. We need to shrink the market for drugs – through treatment, overdose prevention, housing, and economic relief. Public health and safety cannot come from arresting, incarcerating, and caging our community members.

At a time when the movement has powerfully and persuasively called for reallocating resources away from law enforcement and into communities in need, we firmly stand against this proposal to expand the carceral state. Based on SFPD's historic and ongoing enforcement techniques, street-level drug sales will continue to represent the overwhelming majority of individuals arrested for drug sales, and the Black and Brown working poor of this City will continue to be the focal point of these prosecutions.

We do not need another task force linked with a proposal for expanding prosecutions to address our most urgent public health and safety needs. We need housing, food, treatment, and healthcare for all people, to build a sustainable and better future for our communities. We call on the Board of Supervisors to reject this proposal and to join the Mayor in diverting City funds to pay for harm reduction, safe injection sites, and direct aid that is not tied to an expansion of the carceral state.”

###

Valerie Ibarra
Public Information Officer
San Francisco Public Defender's Office
Valerie.Ibarra@sfgov.org
(628)249-7946
[SFPublicDefender.org/Media](https://sfpublicdefender.org/Media)

Subject: Everyday Injustice - AB 1542 Called "Wolf in Sheep's Clothing"; Decarcerate Sac Opposes Jail Expansion
Date: Tuesday, March 2, 2021 at 7:02:44 PM Greenwich Mean Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"The pilot program tries to sell punishment as treatment," JusticeLA. "Our communities call for supportive services for people with mental health conditions, including those related to substance abuse – not a new mode of incarceration."

Everyday Injustice Newsletter - March 2, 2021

Private Prison Giant GEO Neglects COVID-19 Outbreaks at San Francisco Halfway House

Need to highlight the great work of Alana Bleimann and Layla Mustafa.

While the COVID-19 pandemic has continued to devastate the country and claim the lives of many, it has also exposed appalling shortcomings in the penitentiary system. It is apparent that jails and prisons

cannot handle the combination of mass incarceration and a deadly virus.

However, while many have paid close attention to the countless failures at prisons and jails, there is an additional offshoot of the criminal justice system that has garnered far less attention. Halfway houses— reentry facilities for those exiting prisons or jails and integrating into society— have put residents and surrounding community members at a dangerously high risk of exposure to COVID-19.

Residents of halfway houses are living under a strict set of rules and surveillance. They are typically responsible for their personal finances, healthcare, maintaining employment with outside entities, etc.

GEO Group is one of many private prison organizations that operates halfway houses across the country. They advertise their programs as “leading, evidence-based rehabilitation” that individuals receive “while in-custody and post-release.”

Since GEO is a private entity they do not have the same pressure to make statistics on infection rates and outbreaks in custody publicly accessible. The public is essentially left in the dark regarding halfway-house safety.

GEO has also circumvented and violated Department of Public Health guidelines at Mesa Verde Detention Center which recently experienced a massive outbreak over the summer. The company’s failure to address safety concerns at Mesa Verde was exacerbated by their refusal to answer questions during court proceedings as well as providing false testimony.

Including Mesa Verde, GEO maintains 14 facilities in California alone. These 14 centers are a part of the 123 secure facilities the company manages in the U.S.

For those coming from prison under parole or probation, GEO “provides...temporary housing, employment assistance, rehabilitation, and substance abuse counseling, and vocational and education programs,” according to their website.

By itself, the continued movement and transfer of individuals from federal prisons, state prisons and jails into these facilities poses a high risk for the spread of COVID-19. It also puts the oftentimes low-income communities surrounding these halfway-homes at serious risk.

Former GEO residents— Mr. Johnny Talyor and Mr. Michael Doe can attest to this. In an interview with the Vanguard, they revealed what life was like inside San Francisco’s GEO operated halfway-house— 111 Taylor.

[Full story is here.](#)

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Criminal Justice News/ Commentary

**Despite Enterprise Editorial, Reformers
Oppose AB 1542 and Involuntary Drug
Treatment**

A Davis Enterprise editorial on Sunday raised eyebrows throughout the state. Proclaiming, “Yolo County has an opportunity to be a leader in criminal-justice reform,” the paper apparently never talked to the other side – public

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Guest Commentary: ‘Not Without A Fight’: An Open Letter to Sacramento County Residents

Imagine a county government service that cages people 40,000 times per year and costs over \$200 million to operate. Each of the hundreds of jail operators, County Board of Supervisors and administrators, essential to the jail system’s

[Read More](#)

San Francisco DA’s Office Addresses Rampant Shoplifting at Walgreens

As the San Francisco District Attorney’s Office addresses rampant shoplifting at the city’s Walgreens, assistant district attorney Matthew Donahue notes the upward trend as a reflection of “a lot of the issues we’re facing as a city:

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House Passage of Equal Rights Act Expansion Causes Further Rifts and Political Party Infighting

Two Houses – both different in their beliefs – brawled over the expansion of LGBTQ rights after the Democratic-led House passed a bill amending the Civil Rights Act of 1974.

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CA Lawmakers Set Aside \$1.4 million to Track Anti-Asian Hate; SF DA Boudin Calls SF Attack ‘Horrific, Senseless’

In the wake of continuous resurgence of anti-Asian hate crimes, CA state legislators allocated \$1.4 million towards tracking such crimes. In the Bay Area especially, there has been an extreme increase

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COVID CDCR and Jail Dashboards

Only 300 Cases Reported Across CDCR After Devastating Outbreaks Last Year

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Yolo County Court Watch

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Defendant Set for Trial, But Missing Video Could Show He was Victim in Warehouse Spat

The defendant at his preliminary trial here in Yolo County Superior Court Friday could actually be the original victim, according to testimony retracing what happened on July 1, 2020 when Arthur Rico allegedly beat and mugged a

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Sacramento Court Watch

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Man Caught, Charged in Online Predator Sting Operation

You've seen this before on TV shows such as To Catch a Predator with Chris Hanson from Dateline NBC—adult online predators, most often men, caught attempting to meet with a minor and take part in sexual acts.

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Jealous Boyfriend Causes ‘Misfire’ at Sacramento Gas Station Altercation

A jealous rage led Joshua Cross to Sacramento County Superior Court last week, accused of willful and unlawful assault with a firearm that could have resulted in the death of his year-long romantic partner.

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Alameda Court Watch

Alameda Judge Pushes Back Court Hearings in Response to Rising COVID-19 Cases

Judge Yolanda Northridge decided, alongside her defense and prosecution attorneys, that the steady rise of positive COVID-19 cases at Santa Rita Jail provides grounds for pushing back certain pretrials here in Alameda

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Los Angeles Court Watch

Ventura Truck Driver Claims “I just got pulled over because I was Black”

sterday, Defendant Jason Maddox appeared in Ventura Superior Court to confront charges he believed to be wrongly filed—claiming that it was his identity as a Black man that aggrandized these charges.

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Domestic Violence Victim Claims to Reconcile, but Judge Still Issues Protective Order on Defendant

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Riverside Court Watch

Riverside Police Track Up to 23 Illegal Indoor Marijuana Grows All Belonging to One Single Group

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Subject: Everyday Injustice - Interview with Attorneys Representing BLM Protesters in SLO; Private Prison Giant GEO Neglects COVID-19 Outbreaks at San Francisco Halfway House

Date: Monday, March 1, 2021 at 7:01:32 PM Greenwich Mean Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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Alana Bleimann and Layla Mustafa: " It is apparent that jails and prisons cannot handle the combination of mass incarceration and a deadly virus."

Everyday Injustice Newsletter - March 1, 2021

Why is the Supposedly Liberal AG Doubling Down on a Right Wing DA's Agenda?

by David Greenwald

I just interviewed three of the lawyers representing Tianna Arata and several of the codefendants in a case from San Luis Obispo where the local DA had been prosecuting young activists for engaging in Black Lives Matter protests.

The remarkable thing about this prosecution is how much of nothing there really was to the protests themselves. CHP officers gave the activists permission to go out on the highway for just under 9 minutes to mark the time that George Floyd was held down with a knee on his neck. Vehicles were blocked. But there was no real unrest or riots. There was an incident where a skateboard was smashed into the back

of a window – but video clearly shows that a defensive response to someone getting hit by that vehicle. That's it. No other property damage.

Remarkably Curtis Briggs and his attorneys filed a motion to recuse the District Attorney's office. Judge Matthew Guerrero granted that motion. In my 15 years of doing this, this is only the second time, I have seen a judge grant a motion to recuse a DA's office, the first time was in Orange County during the informant scandal, one of the worst DA and Sheriff scandals in recent California history.

The judge granted this motion primarily because of a September 4, 2020 fundraising appeal written by DA Dan Dow's wife that sought to take advantage of his prosecution of this case in order to raise campaign funding.

This email sought financial campaign contributions and stated, "Dan needs to know more than ever that you support him, and he really needs your financial support so he can keep leading the fight in SLO County against the wacky defund the police movement and anarchist groups that are trying to undermine the rule of law and public safety in our community."

Later it says: "Your support will help to ensure that Dan will continue in spite of the 'defund police' and George Soros type of opposition happening against DA's all over the state and nation."

The judge rules: "The September 4, 2020 email establishes a clear conflict of interest. First, by delivering this fundraising email to potentially tens of thousands of people immediately after the filing of charges, Mr. Dow sought political and professional benefit and campaign contributions in conjunction with the prosecution of the above-entitled cases. This creates bias towards charging and the particular outcome, which makes it unlikely that the defendant will receive fair treatment during all portions of the criminal proceedings. Second, the statement used inflammatory terms such as "anarchist", "crazy" and "wacky", which is an extrajudicial statement made to potential jurors in an attempt to sway them and get them to make a financial contribution. This interferes with the Defendants right to a fair trial.

All over the country cases against protesters were dropped unless there was serious property damage or injuries to individuals. In this case, the judge made the highly unusual decision actually recuse the DA's office the remarkable thing is that the AG's office – as they did with Orange County – is actually fighting this.

When listen or watch the interview, you will hear how incredulous the attorneys are. First, that the AG's office would want to continue such a weak case and second that they seem to be doubling down on the right wing agenda of this DA. It's pretty mindboggling, but increasingly apparent that it is par for the course.

Here is a three-minute clip of highlights from the interview: [watch here](#)

Here is the full interview: [listen here](#)

Thanks for reading.

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Criminal Justice News/ Commentary

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Private Prison Giant GEO Neglects COVID-19 Outbreaks at San Francisco Halfway House

While the COVID-19 pandemic has continued to devastate the country and claim the lives of many, it has also exposed appalling shortcomings in the penitentiary system. It is apparent that jails and prisons cannot handle the combination

[Read More](#)

USF Law Prof, Alameda County Public Defender Talk Public Defenders, Jail Reform and Black Lives Matter

University of San Francisco law professor, Lara Bazelon, and Alameda County Public Defender Brendon Woods met virtually last week to have a conversation around the work of a public defender and how Woods works within that role to

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NAACP Virtual Town Hall Panel Shares Updates on COVID-19 Vaccines, and Protecting Black Community

The NAACP held a live streamed meeting late last week, part of its "COVID-19 Virtual Town Hall Series", during which a handful of experts came together to discuss and share valuable information about COVID-19,

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Yolo County Court Watch

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Defendant Set for Trial, But Missing Video Could Show He was Victim in Warehouse Spat

The defendant at his preliminary trial here in Yolo County Superior Court Friday could actually be the original victim, according to testimony retracing what happened on July 1, 2020 when Arthur Rico allegedly beat and mugged a

[Read More](#)

Sacramento Court Watch

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Paying for the Past: Defendants' Rap Sheets Appear to Play Bigger Role in Bail Determinations Than Alleged Actions

Two accused domestic violence defendants here hoped to be released on no bail – neither got their wish, and it appeared that Judge Curtis Fiorini may have given a little bit of a break

to the defendant without a serious criminal history,

[Read More](#)

‘You are a Murderer, and That is Your Legacy’ Declares Mother to Her Son’s Killer

Judge Michael A. Savage of Sacramento County Superior Court sentenced Damien Todd to 16 years in state prison for voluntary manslaughter after the mother of the victim declared to Todd, “You are a murderer, and

[Read More](#)

No Bail for Year for Defendant Charged With Attempted Murder – Judge Sets \$600,000 Bail

Is \$600,000 bail for attempted murder a reasonable amount for a defendant not convicted of the crime? Sacramento County Superior Court Judge Michael Sweet decided I

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Alameda Court Watch

Do Rising COVID-19 Cases Justify Lenience to Those Awaiting Trial?

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Subject: Private Prison Giant GEO Neglects COVID-19 Outbreaks at San Francisco Halfway House | Davis Vanguard

Date: Saturday, February 27, 2021 at 1:46:29 AM Greenwich Mean Time

From: Ibarra, Valerie (PDR)

To: Ibarra, Valerie (PDR)

<https://www.davisvanguard.org/2021/02/geo-group-neglects-covid-outbreaks-at-san-francisco-halfway-house/>

Sent from my iPhone

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Date: Saturday, February 27, 2021 at 1:46:28 AM Greenwich Mean Time

From: valerie.ibarra@sfgov.org

To: Valerie Ibarra

<https://www.davisvanguard.org/2021/02/geo-group-neglects-covid-outbreaks-at-san-francisco-halfway-house/>

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Subject: FOR IMMEDIATE RELEASE: SF Public Defender Client Deemed Not Guilty; Jury is Hung 10-2 due to Evidence of a False Accusation
Date: Saturday, February 27, 2021 at 12:06:18 AM Greenwich Mean Time
From: Ibarra, Valerie (PDR)
To: Ibarra, Valerie (PDR)
Attachments: PR - 2.26.2021 - SF Public Defender Client Deemed Not Guilty; Jury is Hung 10-2 due to Evidence of a False Accusation.pdf

FOR IMMEDIATE RELEASE: February 26, 2021

CONTACT: SF Public Defender's Office - pubdef-mediarelations@sfgov.org - Valerie Ibarra: (628)249-7946

****PRESS RELEASE****

SF Public Defender Client Deemed Not Guilty; Jury is Hung 10-2 due to Evidence of a False Accusation

SAN FRANCISCO - On February 24, 2021, a San Francisco jury returned a split decision weighing heavily in favor of "not guilty" in a case alleging rape where physical and circumstantial evidence pointed to a false accusation.

Deputy Public Defender Kwixuan Maloof, who represented the accused man, raised concerns through extensive witness testimony and physical evidence that the prosecution's case was compromised by inconsistencies.

"These are very difficult cases and we appreciate that the jury largely understood that there were serious credibility issues with this accusation. The prosecution and our defense team presented extensive evidence during the trial which lasted over a month, and ten of the twelve jurors voted not guilty," said Maloof. "This indicates to us that nothing would substantially change in a re-trial and we urge the District Attorney's office to dismiss these charges to let our client get back to his life and family."

Due to the pandemic, there is a large backlog of trials waiting to take place in San Francisco Superior Court.

“It was a robust trial, and I am proud of Mr. Maloof and the entire defense team for presenting clear and convincing evidence that pointed to our client’s innocence. There are many other serious cases waiting for a chance to be heard in court, and it is our collective responsibility to keep moving justice forward,” said San Francisco Public Defender Mano Raju.

###

To view this press release online, please visit SFPublicDefender.org/media.

Valerie Ibarra
Public Information Officer
San Francisco Public Defender's Office
Valerie.Ibarra@sfgov.org
(628)249-7946
SFPublicDefender.org/Media

Subject: Everyday Injustice - Big Victory for Reform in California with SC's Unanimous Ruling on Juvenile Transfers

Date: Friday, February 26, 2021 at 7:02:09 PM Greenwich Mean Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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"I applaud today's Supreme Court ruling. Children should not be treated as adults because they possess unique tendencies, such as impulsiveness, susceptibility to peer influence and inability to foresee the long-term consequences of their actions," Los Angeles County District Attorney George Gascón said.

Everyday Injustice Newsletter - February 26, 2021

A Big Victory For Criminal Justice Reform

SB 1391 took effect January 1, 2019, and ensures that 14- and 15-year-olds who commit crimes are held accountable through the juvenile justice system, where the focus is more rehabilitative than punitive, and that they have greater access to supports and programming that will put them on a positive future trajectory.

Fair and Just Prosecution Executive Director Miriam Krinsky writes the following:

"I applaud the California Supreme Court's unanimous decision to uphold Senate Bill 1391. This vitally important law raises the minimum age of adult prosecution to 16 and recognizes both the capacity for change in every young person and the importance of keeping kids out of the adult criminal legal system. SB 1391 is rooted in science and evidence on what works best for rehabilitation of young people; it promotes sensible approaches that reduce crime and promote accountability.

Sadly, some District Attorneys in California refused to follow SB 1391 and sought, instead, to challenge this sensible enactment. Ignoring evidence and science, these challenges sought to revive the fear-based policymaking of past decades that caused significant damage to youth as well as the broader public. DAs are responsible for promoting safer and healthier communities, and SB 1391 does just that.

Raising the age of adult prosecution not only protects vulnerable youth from the violence and abuse that are endemic to adult prisons, but it also ensures that they receive developmentally-appropriate treatment and services. That leaves young people better equipped to become successful members of our communities upon release and thus advances public safety. Ultimately, we all benefit when we give young people second chances and the support they need to change – and today's decision will continue to make that pathway possible."

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Criminal Justice News/ Commentary

California Supreme Court Rules SB 1391 Constitutional, Paving Way for Prohibiting the Transfer of 14- and 15-Year-Olds to Adult Court

The California Supreme Court on Thursday upheld the constitutionality of Senate Bill 1391, which amends Proposition 57 to eliminate the transfer of 14- and 15-year-old juveniles to criminal court. The Court ruled that

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Reaction Comes in Supreme Court's Unanimous Ruling Upholding SB 1391

Today the California Supreme Court unanimously upheld SB 1391, which prevents prosecutors from charging and trying 14- and 15-year-olds as adults and ruling it furthers voter intentions of keeping kids out of adult prisons.

[Read More](#)

Guest Commentary: It's Time for DA Associations to Stop Standing in the Way of Reform

Last week, Los Angeles District Attorney George Gascón — the head of the largest DA's office in the nation — resigned from the California District Attorneys Association (CDDA), the association of prosecutors in the state, noting

[Read More](#)

Prosecutors Like SF's Boudin Talk About Credibility – SFPD Officer Returns to Patrol After Judge Tosses Case, Suggesting Officer Lied

San Francisco Police Department reassigned officer Nicholas M. Buckley to patrol duty despite a federal judge throwing out a criminal case because of his false testimony. Officer Buckley previously worked a "non-public contact"

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California Innocence Project, Northern California Innocence Project Webinar: Panel Discusses Progressive Prosecution

What are progressive prosecutors and what policies should they be advocating was the topic of a live webinar, sponsored by the California Innocence Project (CIP). The panel was moderated by Allison Temnick, one of the board members in

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Recent Report on LAPD Covers the Department's Troubling History with Deputy Gangs

Since last June, when a whistleblower leaked accusations of a supposed "deputy gang" within Compton's police station, a report by Loyola Marymount Universities' Center for Juvenile Law and Policy has released

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COVID CDCR and Jail Dashboards

Nine CDCR Facilities Report Zero Cases in Custody After Devastating Outbreaks Last Year

Our daily run down on the COVID cases in the California Prison System (CDCR)

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COVID-19 Cases Decline at Alameda, San Francisco, Santa Clara County Jails

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Yolo County Court Watch

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Man Faces Domestic Abuse Charges After Allegedly Threatening Wife with Knife

—A 60-year-old man was charged with two felonies, including corporal injury to a spouse/cohabitant and an attempted threat to terrorize, in an arraignment here in Yolo County Superior Court this past week.

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Sacramento Court Watch

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Testimonies of Victim and Witness Vastly Differ in Assault Case

A Sacramento man's jury trial was set after Sacramento County Superior Court Judge Geoffrey Goodman this week heard details surrounding his charges—the alleged use of lead pipes, machete and axe, and the presence of multiple

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Everyday Injustice Podcast Episode 92: Diana Becton Looks For California AG Appointment

Diana Becton is a former judge, appointed as DA in Contra Costa County and then won in her own right. With the appointment of AG Xavier Becerra by Biden to a federal post, the AG has become one of the most coveted posts with

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Subject: Everyday Injustice - Alameda Sheriff's Ties to the Oath Keepers; Boudin and SF Leaders Implement Changes To Address Crime Concerns
Date: Thursday, February 25, 2021 at 7:01:57 PM Greenwich Mean Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"I am so pleased that we have all come together to commit to this collaborative approach to promoting public safety," Boudin said

Everyday Injustice Newsletter - February 25, 2021

LAPD's Offensive George Floyd "Valentine's" Card Is Not Out of Character

Note: today we are highlighting some of the work out of the new People's Vanguard of Los Angeles - a student publication out of UCLA and USC.

Ivana Ramirez is a gap-year first year at Yale University. She is originally from Greenville, SC and Santo Domingo, Dominican Republic.

By Ivana Ramirez

Militaristic. Racist. Cruel. These are just a few of the words used to describe the Los Angeles Police Department's tendencies. Now, cementing their reputation, the LAPD launched an internal investigation after officers allegedly circulated an offensive image of George Floyd on Valentine's Day.

Although the LAPD did not release an official statement regarding the contents of the photo, the Los Angeles Times **reported** that the image included a photo of Floyd with the words "You take my breath away." Floyd was killed by Minneapolis police officer Derek Chauvin last May after Chauvin pressed a knee to his neck despite pleas that he could not breathe. Chauvin faces charges of second-degree murder and manslaughter.

In a series of **tweets**, the LAPD stated that they were informed of the allegations by department personnel and are investigating the incident in the following weeks.

Despite several reports from insider sources, the Department tweeted, "At this point the Department has not identified any actual postings in the workplace or identified that it was in fact our department employee who created the image. We have raised the apparent existence of the image and directed commands to survey the worksites for it."

While the Department wants to put on an air of nonchalance and disassociation, the emergence of such an offensive image is the product of years of injustice that rewards inappropriate behavior.

The murders of several Black individuals in the summer of 2020 sparked a resurgence of movements to defund the police, and for good reason: on average, in the United States, **a police officer takes the life of a citizen every 7 hours**.

The LAPD isn't much better—between the 1965 Watts Riots, where a white policeman unfairly pulling over a black driver incited massive protests, and a reported **82 percent of murders since 2000 being black or brown**, their background is questionable and disgraceful.

So, what does the most recent LAPD horror mean for the organization and its police institution as a whole?

The offensive image was reportedly linked to two Instagram accounts—one called "Blue Line Mafia"—that are related to the Department. The simple existence of such an Instagram account at one of the most problematic police departments in the country corroborates the fact that the police as an institution are already on thin ice. The catch, however, is that the LAPD has claimed to be reformed.

Connie Rice, a civil rights lawyer who sued the LAPD in the 1990s, **told The Independent** in 2013 that the LAPD has changed substantially. "You no longer have a command staff that openly embraces racist jokes and epithets, or racial hostility to minority officers," she said.

[Read the rest here](#)

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Criminal Justice News/ Commentary

Guest Commentary: Oath Keepers In

Alameda County

On January 6, 2021, everyday white citizens tried to overthrow the government. They were led by white supremacist organizations well-known to our government. One of those groups is the Oath Keepers, a right-wing extremist group

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SFDA Chesa Boudin, SFPD, City and Sheriff Implement Reforms to Address Crime Concerns

Mayor London Breed, District Attorney Chesa Boudin, Police Chief Bill Scott, Sheriff Paul Miyamoto, and Adult Probation Chief Karen Fletches are implementing new funding, programs, and reform to address some of resident's

[Read More](#)

Virginia Democratic Leaders Lead Anti-Death Penalty Effort – Law Expects to End Racial Disparity

Virginia Governor Ralph Northam, House Speaker Eileen Filler-Corn, and Senate Majority Leader Dick Saslaw issued a joint statement this week that they will prohibit capital punishment in the Commonwealth. And end

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SFDA Chesa Boudin Joins San Francisco Profs, Students in Virtual Webinar on Police Accountability

Professors and students from The University of San Francisco gathered virtually here to lead a discussion with SF District Attorney Chesa Boudin about how to properly hold police on and off-campus accountable for historically

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COVID CDCR and Jail Dashboards

CA Medical Facility Reports Eleventh COVID-Related Death; CDCR Death Toll Reaches 211

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Eight Housing Units Quarantined at Santa

Rita Jail, Two Are Undergoing Serial Testing

Our daily run down on the COVID cases in selective County Jails

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San Francisco Court Watch

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Federal Judge Grants Writ of Habeas Corpus, Ordering Hearing For Immigrant Detainee

A judge here in Alameda County Superior Court has dismissed a defendant's charge of an alleged rape in 2012 after finding "the record riddled with meaningful inconsistencies" and "changes in the story."

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Yolo County Court Watch

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Man Faces Domestic Abuse Charges After Allegedly Threatening Wife with Knife

—A 60-year-old man was charged with two felonies, including corporal injury to a spouse/cohabitant and an attempted threat to terrorize, in an arraignment here in Yolo County Superior Court this past week.

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Sacramento Court Watch

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Two Cases Consolidated, Defendant Leaves Court with 7 Charges Set for Trial

Defendant Cory Nickolas Satnowski came to his preliminary trial here Tuesday in Sacramento County Superior Court with five charges – he left with seven after Deputy District Attorney Stephanie Maroun successfully argued

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Court Session Had It All – Unhoused and Grandmother Defendants Topped the Docket

Throughout Tuesday's Dept. 60 session in Sacramento County Superior Court, Judge David De Alba had to deal with totally different cases, from one about a young man experiencing homelessness to another about a grandmother

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How Much Is Too Much? Prosecution Convinces Judge Defendant Not Only Used Meth, But Sold It

How much meth is too much? That was the question here Tuesday in Sacramento County Superior Court in defendant Jason Frazelle's case where the prosecution claimed his large meth possession indicated it was for personal

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Alameda Court Watch

Acting as Own Attorney, Defendant Frustrates Judge, Claims He'll 'Blow This Case Up,' Attempts to File Dismissal Motion

Defendant Zachary Running Wolf Brown, acting as his own attorney here, appeared to try the patience of Alameda County Superior Court Judge Delia Trevino this week.

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Los Angeles Court Watch

Ventura Truck Driver Claims "I just got pulled over because I was Black"

sterday, Defendant Jason Maddox appeared in Ventura Superior Court to confront charges he believed to be wrongly filed—claiming that it was his identity as a Black man that aggrandized these charges.

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Contra Costa Court Watch

Domestic Violence Victim Claims to Reconcile, but Judge Still Issues Protective Order on Defendant

Contra Costa County Superior Court Judge Christopher Brown here was delicate and thorough as he assessed the safety and well-being of a victim who had just recently been allegedly assaulted by her partner,

[Read More](#)

Fresno Court Watch

Judge Denies Motion to Suppress Evidence in Questionable CHP Stop

A motion to suppress evidence in the questionable stop of an alleged reckless driver thought to be under the influence of alcohol was denied by Judge Samuel Dalesandro here in Fresno County Superior Court this week.

[Read More](#)

Riverside Court Watch

Riverside Police Track Up to 23 Illegal Indoor Marijuana Grows All Belonging to One Single Group

Law enforcement officers testified in Riverside County Superior Court last week they uncovered two illegal indoor residential marijuana grows in the county of Riverside, which they believe are a part of an organized

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Merced Court Watch

Family Survives in the Face of Father's Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

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Everyday Injustice - Podcast

[see our podcasts](#)

Everyday Injustice Podcast Episode 93: Mike Schmidt Talks Portland Protests

Mike Schmidt won the Willamot District Attorney position last summer, preparing to take over in January, when the outgoing incumbent resigned and he was appointed to start immediately. Right after his win, Portland was hit with

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Everyday Injustice Podcast Episode 92: Diana Becton Looks For California AG Appointment

Diana Becton is a former judge, appointed as DA in Contra Costa County and then won in her own right. With the appointment of AG Xavier Becerra by Biden to a federal post, the AG has become one of the most coveted posts with

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Subject: Valerie, Who Says You Can't Go Home Again

Date: Wednesday, February 24, 2021 at 9:00:16 PM Greenwich Mean Time

From: David Greenwald

To: valerie.ibarra@sfgov.org

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Last summer I watched as a series of BLM protests rocked my former home town of San Luis Obispo. The arrest and prosecution of 20 year old activist Tianna Arata and five others was stunning at the time. But has gotten worse and worse over the last six months.

In December, a Superior Court Judge recused the SLO DA Dan Dow and his office for bias. In one fundraising letter during the prosecution of the case, it exhorted would-be supporters, "Dan needs to know more than ever that you support him, and he really needs your nancial support so he can keep leading the ght in SLO County against the wacky defund the police movement and anarchist groups that are trying to undermine the rule of law and public safety in our community."

Then last week came the release of video showing the DA and CHIP had lied to the public for six months about an incident where a protester was struck by an irate and out of control motorist and he was the one prosecuted.

As defense attorney Vince Barrientos wrote in his motion to the court, "You lied and misrepresented the facts of the case...The video evidence shows that my client did not jump on the hood of (redacted) car. On the contrary, it shows (redacted) intentionally ran his car into my client's person intending to cause serious bodily injury to my client."

Incredibly this case has not gotten attention of the media outside of the excellent local coverage by the local newspaper. But our expanding coverage will be focusing on this and many other cases of incredible everyday injustice in our system.

**To fund these efforts, we need your help.
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To: valerie.ibarra@sfgov.org

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"He is keeping true to his promise in a sense but I think that this has gone way overboard that there are destructive...consequences that are being now born out over this past year that we see. and it's time for him to go. The city cannot continue on the path that it's going right now," said Richie Greenberg.

Everyday Injustice Newsletter - February 24, 2021

Great Discussion on Conviction Integrity Units

by David Greenwald

One of the biggest problems with Wrongful Convictions is it is hard to exonerate someone once they have been convicted. That is doubly the case when the prosecutor's office opposes the possibility that a mistake has been made and so Conviction Integrity Units, when they operate correctly can help break down those barriers.

Yesterday, there was a great discussion of Conviction Integrity Units from the Institute for Innovation in Prosecution at John Jay College.

Cynthia Garza, who heads the Dallas County DA's Conviction Integrity Unit, considered one of the best in the country, explained that you have to have independence.

"First and foremost you have to have independence," she said. "The unit has to be independent."

"Second, I would suggest that the CIU chief report directly to your elected," she continued. "Those two things have been very very important in our office and for the success of our unit because you minimize the disruptions when you have internal fighting."

Valerie Newman, Director of the Wayne County Conviction Integrity Unit, said that "you need an elected that's going to embrace (a CIU). It doesn't make any sense to have a Conviction Integrity Unit if you have an elected prosecutor who is never going to be willing to agree."

She noted that sometimes a small county with a small prosecutor's office, you may not be able to allocate a lot of resources to have an individualized unit.

Newman said, "This is about justice. If you work in a prosecutor's office, you don't have a duty to convict people, you have a duty to do justice."

"We have just as much of an obligation to undo something that has been done wrong as we do to move forward on a case that needs to be prosecuted," she said. "I will say there can be a lot of hostility in a prosecutor's office when these units are created."

She likened her position as an internal affairs unit where people are looking over their shoulder with some suspicion.

But she explained, "This is about justice, mistakes get made, it's not about shaming or blaming. It's about acknowledging we're human beings, we've all made mistakes, I've yet to meet the perfect person. We have to acknowledge that mistakes get made, corners get cut – doesn't mean it's purposeful – it might be purposeful but it probably isn't.

"We have to be willing to take an honest look at the practices of the past," she said. She noted that Barry Scheck talked about a case where they used six jailhouse informants. "I can't imagine any jurisdiction in 2021 trying a case with six jailhouse informants. Maybe they do. It's a practice that's become much more well known how often it was abused and contribute to wrongful convictions."

As one of the panelists put it there are two outcomes – either they got the case right in which case the right person is in prison or they got it wrong, in which case, they have an obligation to get the person out of prison.

"In Conviction Integrity, we're looking for the truth," Risa Gerson from the Bronx, one of the panelists explained. "We are looking to see if there was a breakdown in the process such that we have no confidence in the conviction."

In their department they have vacated convictions where they are not certain that the person was actually innocent, but there was such a breakdown of the process that we couldn't trust the result.

Thanks for reading.

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Criminal Justice News/ Commentary

Former GOP SF Mayoral Candidate Richie Greenberg Behind SF District Attorney Recall Effort

A petition – “Recalling Chesa Boudin with Richie Greenberg” – has been circulating since February and now has over 32,000 signatures. It’s now spawned an actual recall campaign, which started about two weeks ago and is expected to begin

[Read More](#)

Discussing Grassroots, Activism, and Politics with Co-creator of BLM Hashtag, Alicia Garza

Associated Students of UC San Diego (ASUCSD) held a webinar last week in which Black Student Union panelists discussed civil engagement, the Black Lives Matter movement, and more with the co-creator of the

[Read More](#)

Book Release: Jeff Adachi’s The Case of San Francisco Public Defender Frank Egan: Murder and Scandal in the 1930s (Video Added)

The San Francisco Public Defender’s Office was founded in 1921 with one attorney- former police officer Frank Egan, but his popular reputation as a celebrated public official took a turn after he became the principal suspect

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SF District Attorney Boudin Supports Chan and Unhoused SF Reforms

Progressive San Francisco District Attorney Chesa Boudin said he supports Supervisor Connie Chan and the structural reforms towards increasing availability of resources for unhoused individuals in San Francisco.

[Read More](#)

Incarcerated Artist, Orlando Smith,

Illustrates Life at San Quentin During Pandemic

Orlando Smith is a talented illustrated journalist, graphic artist and comic book creator. He has been incarcerated for 23 years under the draconian Three Strikes Law for each of the eight counts of robbery against him. Smith's sentence is

[Read More](#)

CDCR Staff Fail to Comply With Mandatory Testing; Intake From County Jails Resumes

As of Feb. 19, there have been a total of 48,917 confirmed COVID-19 cases in the CDCR system – 819 of them emerged in the last two weeks. 936 cases are active in custody while 698 have been released while active. A total of

[Read More](#)

Student Opinion: LAPD's Offensive George Floyd "Valentine's" Card Is Not Out of Character

Militaristic. Racist. Cruel. These are just a few of the words used to describe the Los Angeles Police Department's tendencies. Now, cementing their reputation, the LAPD launched an internal investigation after officers

[Read More](#)

"Putting People in Cages Isn't Going to Make Us Safer" Vanguard talks to Yolo County Deputy Public Defenders

On Feb. 22, the Vanguard hosted a webinar with two Yolo County deputy public defenders, Emily Fisher and Martha Sequeira. The deputy public defenders gave a presentation about how the narratives and priorities of the

[Read More](#)

COVID CDCR and Jail Dashboards

Eight Housing Units Quarantined at Santa Rita Jail, Two Are Undergoing Serial Testing

Our daily run down on the COVID cases in the California Prison System (CDCR)

[Read More](#)

CDCR Reports Only 760 Active Cases in

Custody – Lowest Count in Over Four Months

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San Francisco Court Watch

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Federal Judge Grants Writ of Habeas Corpus, Ordering Hearing For Immigrant Detainee

A judge here in Alameda County Superior Court has dismissed a defendant's charge of an alleged rape in 2012 after finding "the record riddled with meaningful inconsistencies" and "changes in the story."

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Yolo County Court Watch

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Man Faces Domestic Abuse Charges After Allegedly Threatening Wife with Knife

—A 60-year-old man was charged with two felonies, including corporal injury to a spouse/cohabitant and an attempted threat to terrorize, in an arraignment here in Yolo County Superior Court this past week.

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Sacramento Court Watch

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Judge 'Limits' Bail to 'Only' \$500,000; Prosecutor Wanted \$1 Million for 19-Year-Old 'Danger' to Community

Deputy District Attorney Casey Newton argued in a settlement conference Monday here in Sacramento County Superior Court that bail of up to \$1 million should be set for 19-year-old defendant Adam

[Read More](#)

'But I Don't Want to Be Guilty' – Pregnant Defendant Coaxed to Take Plea to be Released from Custody

Defendant Mya Montgomery struggled to understand the

terms and implication of her plea, turning to her interpreter and Judge Michael A. Savage repeatedly for help before accepting a plea deal on her record

[Read More](#)

Slow Court Day Turns Into Bad Court Day for Man Charged Firing Gun Near Father, Daughter

Sacramento County Superior Court Dept. 60 was very slow Monday afternoon – the majority of cases heard resulted in the matters being scheduled for further proceedings. But Jordan Lee's case did stand out.

[Read More](#)

Alameda Court Watch

Acting as Own Attorney, Defendant Frustrates Judge, Claims He'll 'Blow This Case Up,' Attempts to File Dismissal Motion

Defendant Zachary Running Wolf Brown, acting as his own attorney here, appeared to try the patience of Alameda County Superior Court Judge Delia Trevino this week.

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Ventura Truck Driver Claims "I just got pulled over because I was Black"

sterday, Defendant Jason Maddox appeared in Ventura Superior Court to confront charges he believed to be wrongly filed—claiming that it was his identity as a Black man that aggrandized these charges.

[Read More](#)

Contra Costa Court Watch

Domestic Violence Victim Claims to Reconcile, but Judge Still Issues Protective Order on Defendant

Contra Costa County Superior Court Judge Christopher Brown here was delicate and thorough as he assessed the safety and well-being of a victim who had just recently been allegedly assaulted by her partner,

[Read More](#)

Fresno Court Watch

Judge Denies Motion to Suppress Evidence in Questionable CHP Stop

A motion to suppress evidence in the questionable stop of an alleged reckless driver thought to be under the influence of alcohol was denied by Judge Samuel Dalesandro here in Fresno County Superior Court this week.

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Riverside Police Track Up to 23 Illegal Indoor Marijuana Grows All Belonging to One Single Group

Law enforcement officers testified in Riverside County Superior Court last week they uncovered two illegal indoor residential marijuana grows in the county of Riverside, which they believe are a part of an organized

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Family Survives in the Face of Father's Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

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Everyday Injustice - Podcast

[see our podcasts](#)

Everyday Injustice Podcast Episode 93: Mike Schmidt Talks Portland Protests

Mike Schmidt won the Willamot District Attorney position last summer, preparing to take over in January, when the outgoing incumbent resigned and he was appointed to start immediately. Right after his win, Portland was hit with

[Read More](#)

Everyday Injustice Podcast Episode 92: Diana Becton Looks For California AG Appointment

Diana Becton is a former judge, appointed as DA in Contra Costa County and then won in her own right. With the appointment of AG Xavier Becerra by Biden to a federal post, the AG has become one of the most coveted posts with

[Read More](#)

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Subject: Great write-up (a couple quick corrections)

Date: Wednesday, February 24, 2021 at 7:11:34 AM Greenwich Mean Time

From: Ibarra, Valerie (PDR)

To: David M. Greenwald

Thanks so much to Lovepreet Dhinsa & Layla Mustafa for covering the Frank Egan book release event.

[Book Release: Jeff Adachi's The Case of San Francisco Public Defender Frank Egan: Murder and Scandal in the 1930s | Davis Vanguard](#)

Quick corrections:

- Lyslynn Lacoste is the Executive Director of "B'MAGIC" (not "Be Magic")
- Tamara Aparton had edited some of his previous work, but not this book specifically.
- Frederick D. Smith was the *first African American* public defender in the office (I think Jacque misspoke, so it wasn't the reporter's mistake) and the *first African American female* attorney in the office was Estella Dooley

Here's the YouTube archive:

[Jeff Adachi - Book Release: The Case of San Francisco Public Defender Frank Egan - February 22, 2021 - YouTube](#)

Thank you!

Val

Valerie Ibarra
Public Information Officer
San Francisco Public Defender's Office
Valerie.Ibarra@sfgov.org
(628)249-7946
SFPublicDefender.org/Media

Subject: Everyday Injustice - Why Does the AG Continue to Defend Bad Conduct by Prosecutors?

Date: Tuesday, February 23, 2021 at 7:01:00 PM Greenwich Mean Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Judge: , "by delivering this fundraising email to potentially tens of thousands of people immediately after the filing of charges, Mr. Dow sought political and professional benefit and campaign contributions in conjunction with the prosecution of the above-entitled cases."

Everyday Injustice Newsletter - February 23, 2021

The Future of Criminal Justice Reform Could Hinge on What Happens in SF and LA

By David Greenwald

We have seen a national sea change as many voters have recognized that the "tough-on-crime" policies of the past have not made us safer, have increased the size of our carceral system to unsustainable

levels that punish people well past the point where they pose any kind of threat.

Over the last five years we have seen traditional prosecutors challenged like never before and over the last few we have seen places like LA, San Francisco, Philadelphia, Ann Arbor, Austin, New Orleans, Portland and many many others elect reformers who have vowed to shrink our carceral system and enact new policies of reform.

During that time we have seen pushback against DAs like Aramis Ayala who had her power to decide to charge the death penalty stripped from her, attempts in Virginia, St. Louis and Philadelphia to curtail prosecutorial discretion.

But perhaps the biggest threat is the threat of recall we are seeing in Los Angeles and San Francisco.

As Patrisse Cullors wrote in a recent op-ed in the [LA Times](#): “Those most committed to failed approaches of the past are fighting the movement at every turn, with vehemence and unyielding passion. Small contingents of reactionary advocates have launched recall campaigns against newly elected L.A. County Dist. Atty. George Gascón and Chesa Boudin, the San Francisco district attorney who has been in office for about a year.”

The irony is both men got elected to do precisely what they are doing. They didn’t hide their agenda’s. They vowed “to bring an end to the practices that produced our racist system of mass incarceration; to stop prosecuting minor offenses that are manifestations of poverty, mental illness and addiction; and to approach violence in a holistic way that heals communities.”

As Cullors points out: “The backlash in California runs deeper than any particular policy or criminal justice outcome. For decades, tough-on-crime proponents occupied the high ground in public discourse.”

Is this the dying battle of a failed era or a threat to the politics of change?

Hard to know at this moment. However, I firmly believe that the future of reform is at stake right here and right now with these efforts to recall Boudin and Gascón. Do we want to go back to the old system of mass incarceration and fear, or do we want to find new ways to deal with crime and help to restore people to our communities rather than lock them in a cage?

As we have seen, there have been challenges before, but SF and LA could determine the future of this movement and whether we go back or go forward.

Thanks for reading.

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Sacramento Court Watch: <https://www.facebook.com/Sacramento-Court-Watch-1432660796849531/>

San Francisco Court Watch: <https://www.facebook.com/SF-Court-Watch-577413429452441/>

Twitter: <https://twitter.com/DavisVanguard>

YouTube: <http://www.youtube.com/davisvanguard>

Criminal Justice News/ Commentary

Commentary: Why Does the AG Continue to Defend Bad Conduct by Prosecutors?

Last week when I interviewed Contra Costa DA Diana Becton, one of the people that has put their hat in the race for an appointment to the Attorney General post in California, I asked about current AG Becerra's weak record in holding

[Read More](#)

Vanguard Webinar: Yolo County Public Defenders Office – Reshaping Criminal Justice System Narrative (Video)

Deputy Public Defenders Martha Sequeira and Emily Fisher talk about the challenges of representing their clients and changing the narrative of the criminal justice system during the Vanguard Monthly Webinar.

[Read More](#)

California Correctional Crisis: Mass Incarceration, Healthcare, and the COVID-19 Outbreak

UC Hastings College of the Law held its third and final day last week of a webinar series entitled California Correctional Crisis: Mass Incarceration, Healthcare, and the COVID-19 Outbreak, featuring panel

[Read More](#)

SF District Attorney Monitoring SFPD Arrest of Attempted Market Street Robbery Suspect

San Francisco Police announced the arrest of 26-year-old Necho Goins on charges of attempted robbery, brandishing a deadly weapon other than a firearm, possession of a burglary tool, unlawful possession of a

[Read More](#)

ICE 'Illegal' Practice of Using De Facto Bounty Hunters to Hunt Down Immigrants Focus of Lawsuit Filed Today by ACLU, Asian Law Caucus

Private contractors, acting as de facto bounty hunters for the U.S. Immigration and Customs Enforcement (ICE) to arrest people at jails and prison, are the focus of a federal civil rights lawsuit announced today to end the practice.

[Read More](#)

La práctica 'ilegal' de ICE de utilizar cazarrecompensas, de facto, para cazar inmigrantes es el foco de la demanda presentada

Los contratistas privados, que actúan como cazarrecompensas de facto para el Servicio de Inmigración y Control de Aduanas (ICE) de los EE. UU. para arrestar a personas en cárceles y prisiones, son el foco

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COVID CDCR and Jail Dashboards

Hundred Plus New Cases Emerge Across CDCR Over Weekend; Death Toll Reaches 210

Our daily run down on the COVID cases in the California Prison System (CDCR)

[Read More](#)

January Outbreaks At Sacramento and Santa Clara County Jails Appear to Resolve

Our daily run down on the COVID cases in selective County Jails

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San Francisco Court Watch

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Federal Judge Grants Writ of Habeas Corpus, Ordering Hearing For Immigrant Detainee

A judge here in Alameda County Superior Court has dismissed a defendant's charge of an alleged rape in 2012 after finding "the record riddled with meaningful inconsistencies" and "changes in the story."

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[Read More](#)

Sacramento Court Watch

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Judge Finds Defendant ‘Barely Guilty’ in Prelim Hearing, Doubts Probable Cause – Still Sets Trial

Judge Steven Acquisto had his doubts after a preliminary hearing last Thursday about how guilty defendant Nikolay Svistun might be, but he ruled “barely guilty” enough to bring the accused burglar to trial here in Sacramento County

[Read More](#)

With History of Failures to Appear, Defendant Asks Judge to Release Her to Attend Funeral – Judge Sets Bail Instead

Judge Kara K. Ueda of Sacramento County Superior Court denied Assistant Public Defender Ariana Hernandez Alejandre’s argument last Friday to not have her client held on possession of methamphetamine with the intent to sell,

[Read More](#)

Mega ‘345 Doses’ of Meth Leaves Judge Convinced of Defendant’s Intent to Sell

A total of seven cases of corporal injury to a spouse or cohabitant occurred on Feb. 19 in Sacramento court under Judge Scott Tedmon—and some allegedly involved some very violent and potentially quite violent activity.

[Read More](#)

After Repeated Attacks, Domestic Violence Victim Claims ‘He Will Kill Me’ – Judge Sets \$1 Million+ Bail

The victim of three incidents of domestic violence told police officers she was terrified to seek prosecution against the defendant because he would get angry and kill her.

[Read More](#)

Alameda Court Watch

Acting as Own Attorney, Defendant Frustrates Judge, Claims He’ll ‘Blow This Case Up,’ Attempts to File Dismissal Motion

Defendant Zachary Running Wolf Brown, acting as his own attorney here, appeared to try the patience of Alameda County Superior Court Judge Delia Trevino this week.

[Read More](#)

Los Angeles Court Watch

Ventura Truck Driver Claims “I just got pulled over because I was Black”

sterday, Defendant Jason Maddox appeared in Ventura Superior Court to confront charges he believed to be wrongly filed—claiming that it was his identity as a Black man that aggrandized these charges.

[Read More](#)

Contra Costa Court Watch

Judge Makes Tough Decision to Keep Defendant in Jail Despite Detriment to Mental Health

After hearing about the traumatic life events which preceded the stabbing of a man, Contra Costa County Superior Court Judge John Cope came to the tough decision to keep defendant Lazhaun Young in custody –

[Read More](#)

Fresno Court Watch

Judge Denies Motion to Suppress Evidence in Questionable CHP Stop

A motion to suppress evidence in the questionable stop of an alleged reckless driver thought to be under the influence of alcohol was denied by Judge Samuel Dalesandro here in Fresno County Superior Court this week.

[Read More](#)

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Law enforcement officers testified in Riverside County Superior Court last week they uncovered two illegal indoor residential marijuana grows in the county of Riverside, which they believe are a part of an organized

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Family Survives in the Face of Father's Gun Attack

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Everyday Injustice Podcast Episode 93: Mike Schmidt Talks Portland Protests

Mike Schmidt won the Willamot District Attorney position last summer, preparing to take over in January, when the outgoing incumbent resigned and he was appointed to start immediately. Right after his win, Portland was hit with

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Everyday Injustice Podcast Episode 92: Diana Becton Looks For California AG Appointment

Diana Becton is a former judge, appointed as DA in Contra Costa County and then won in her own right. With the appointment of AG Xavier Becerra by Biden to a federal post, the AG has become one of the most coveted posts with

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Subject: Everyday Injustice - On the Two Year Anniversary of Adachi's Death; DA talks about Portland Protests on Latest Podcast
Date: Monday, February 22, 2021 at 7:01:56 PM Greenwich Mean Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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Editorial: "Finally, we get to see police drone footage of a silver BMW heading into a knot of protesters blocking the freeway during a July 21 Black Live Matter march in San Luis Obispo. Yet it's the belligerent driver — who reportedly regretted not having his Glock with him — who is labeled the victim by law enforcement."

Everyday Injustice Newsletter - February 22, 2021

**Two Years Ago Today
Jeff Adachi Passed Away**

By David M. Greenwald

It was two years ago today that I got the shocking news - Jeff Adachi, the San Francisco Public Defender, a friend and a hero of mine, died at the all-too-young age of 59. The legacy that Jeff left for his fellow public defenders and the criminal justice reform movement is immense. Today I am going to talk about what he meant to me personally.

It was 2011, we had just started the Vanguard Court Watch the year before in Yolo County. A group of us saw that San Francisco was having a "justice summit" and decided to make the trek and come. There were probably about eight of us.

The reform movement at that time is not what it was today. A group of us was critical of the Yolo County DA for his policies on things like gangs and his prosecution of people we believed were innocent of the crimes they were charged - but at this point, we really didn't understand that we weren't just radicals who opposed the local DA, that there was a whole movement afoot.

Watching Jeff Adachi and his passion for justice was an inspiration and it was an eye opener.

I realized that what he was doing in San Francisco, I wanted to bring to Yolo County. I was awed by the experience but it also made me realize the possibilities if we could just mobilize people by showing them the truth.

A few years later, we invited Jeff Adachi to Yolo County and gave him our Justice Award. I was always humbled that in his accomplishments he listed that award from us so proudly. He saw what we were doing in Yolo County and it inspired him to start doing his own version of court watch.

In 2015, I was reading the book, Just Mercy, by Bryan Stevenson. As I read the story of Walter McMillen, wrongly accused, convicted and sentenced to death and so many others, the light turned on. The criminal justice system has failed everyone and in part because there is no transparency or anyone to expose these cases of injustice as they happen.

I realized that day, that we needed to bring the court watch everywhere. So of course, I ran home and made an appointment with Jeff Adachi - he was supportive, but it wasn't the right time for either of us. It would take another four years, and his untimely death, for me to realize my dream of bringing the court watch to San Francisco.

I think it is only appropriate that I am working with Jacque Wilson - a man who embodies the spirit of Jeff Adachi - in attempting to bring justice to San Francisco. Getting to work with people like Mano Raju, the Public Defender and Chesa Boudin, the District Attorney, two men who worked under Jeff and also embody his spirit.

Without Jeff Adachi, so many people in San Francisco and elsewhere would have not received the justice that they deserved. Jeff Adachi was a man who transcended his profession, and inspired those of us who are not even attorneys to help to bringing justice to our communities.

Two years later, the spirit of Jeff Adachi lives on, but we will all continue to miss him.

Thanks for reading.

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YouTube: <http://www.youtube.com/davisvanguard>

Criminal Justice News/ Commentary

Sunday Commentary: Another CDAA Board Member, SLO DA Dow Under Fire After Evidence Emerges That he Withheld Critical Exculpatory Evidence in Protest Case

San Luis Obispo District Attorney Dan Dow was already under fire for his handling of the Tianna Arata case last summer, but that heat could be turned way up as video was presented in court in another case, that shows the driver

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Homeless Union Serves Recall Papers, Calls Steinberg 'Not Suitable' to be Sacramento Mayor

The Sacramento Homeless Union and the Committee to Recall Darrell Steinberg attempted to serve the Sacramento Mayor in person here last Friday with a "Notice of Intention to Recall," but the crowd was thwarted by security at City Hall.

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Mike Schmidt won the Willamot District Attorney position last summer, preparing to take over in January, when the outgoing incumbent resigned and he was appointed to start immediately. Right after his win, Portland was hit with

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U.S. Court Reverses Itself, 1st Hispanic Woman in Texas Sentenced to Be Executed Now Back on Death Row

Melissa Lucio, the first Hispanic woman sentenced to death in Texas, seemed to have hope for a new trial in July of 2019 when the U.S. Court of Appeals for the Fifth Circuit overturned a Texas court ruling and found Lucio's right

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Court Watch Los Angeles Panel Warns About the Power of the LA City Attorney's Office

Many people have underestimated the power of the Los Angeles City Attorney's Office for years, allowing it to run rampant with litigation which disproportionately affects underrepresented groups such as houseless

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Vanguard Webinar: Yolo County Public Defender's Office – Reshaping the Criminal Justice System Narrative

Join us on Monday, February 22, at noon for the Vanguard's webinar: Yolo County Public Defender's Office: Reshaping the Criminal Justice System Narrative

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COVID CDCR and Jail Dashboards

COVID-19 Cases in CDCR Decline After October-January Outbreaks

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Alameda, Santa Clara, Sacramento County Jails Report Huge Decline in COVID-19 Cases

Our daily run down on the COVID cases in selective County Jails

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San Francisco Court Watch

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Federal Judge Grants Writ of Habeas Corpus, Ordering Hearing For Immigrant Detainee

A judge here in Alameda County Superior Court has dismissed a defendant's charge of an alleged rape in 2012 after finding "the record riddled with meaningful inconsistencies" and "changes in the story."

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Yolo County Court Watch

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Man Faces Domestic Abuse Charges After Allegedly Threatening Wife with Knife

—A 60-year-old man was charged with two felonies, including corporal injury to a spouse/cohabitant and an attempted threat to terrorize, in an arraignment here in Yolo County Superior Court this past week.

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Sacramento Court Watch

[Like our Facebook Page](#)

Caregiver Accused of Elder Abuse, Death of Senior, Set to Be Released on Property Bond Bail

A 59-year-old caregiver arrested last August after an elderly woman died at a board and care home in Rancho Cordova, will be released soon on a \$200,000 property bond over the opposition of the victim's family and

[Read More](#)

Domestic Violence Cases Abound, but Some Much More Threatening, Violent

A total of seven cases of corporal injury to a spouse or cohabitant occurred on Feb. 19 in Sacramento court under Judge Scott Tedmon—and some allegedly involved some very violent and potentially quite violent activity.

[Read More](#)

Attempted Murder Trial Set for Co-Defendants Accused of Sports Bar Shooting – One Confesses to Detective

A preliminary hearing here in Sacramento County Superior Court last Friday led to the court setting an attempted murder trial for defendants Brian Chavez and Ramiro Ramirez—who told a detective he is guilty

[Read More](#)

Alameda Court Watch

Acting as Own Attorney, Defendant Frustrates Judge, Claims He'll 'Blow This Case Up,' Attempts to File Dismissal Motion

Defendant Zachary Running Wolf Brown, acting as his own attorney here, appeared to try the patience of Alameda County Superior Court Judge Delia Trevino this week.

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Los Angeles Court Watch

Ventura Truck Driver Claims “I just got pulled over because I was Black”

sterday, Defendant Jason Maddox appeared in Ventura Superior Court to confront charges he believed to be wrongly filed—claiming that it was his identity as a Black man that aggrandized these charges.

[Read More](#)

Contra Costa Court Watch

Judge Makes Tough Decision to Keep Defendant in Jail Despite Detriment to Mental Health

After hearing about the traumatic life events which preceded the stabbing of a man, Contra Costa County Superior Court Judge John Cope came to the tough decision to keep defendant Lazhaun Young in custody –

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Fresno Court Watch

Judge Denies Motion to Suppress Evidence in Questionable CHP Stop

A motion to suppress evidence in the questionable stop of an alleged reckless driver thought to be under the influence of alcohol was denied by Judge Samuel Dalesandro here in Fresno County Superior Court this week.

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Riverside Court Watch

Judge Baffled After Hearing Officer Detained Man Who Looked Untruthful

Judge Dean Benjamini was left baffled after hearing a peace officer’s reason for detaining a defendant—that the man appeared untruthful.

[Read More](#)

Merced Court Watch

Family Survives in the Face of Father’s Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

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Everyday Injustice Podcast Episode 93: Mike Schmidt Talks Portland Protests

Mike Schmidt won the Willamot District Attorney position last summer, preparing to take over in January, when the outgoing incumbent resigned and he was appointed to start immediately. Right after his win, Portland was hit with

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Everyday Injustice Podcast Episode 92: Diana Becton Looks For California AG Appointment

Diana Becton is a former judge, appointed as DA in Contra Costa County and then won in her own right. With the appointment of AG Xavier Becerra by Biden to a federal post, the AG has become one of the most coveted posts with

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Subject: Re: Jeff Adachi's Book Release Event - Monday 2/22 at 12pm

Date: Monday, February 22, 2021 at 6:24:51 PM Greenwich Mean Time

From: Ibarra, Valerie (PDR)

To: David M. Greenwald

Actually -- TODAY is the 2nd anniversary of Jeff's passing. So, it's a celebration of his life & contributions, a celebration of 100 years of the office, and a celebration of Black History Month.

From: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Sent: Monday, February 22, 2021 9:54 AM

To: David M. Greenwald <info@davisvanguard.org>

Subject: Jeff Adachi's Book Release Event - Monday 2/22 at 12pm

Monday 2/22 -- The event runs 12-2pm (with Q&A from 1:00-1:30pm). Folks can register to attend the webinar here: [Book Release](#) | [SF Public Defender](#)

Tomorrow is the 2nd anniversary of Jeff Adachi's passing, so we'll be commemorating him with a celebration of his recently-published book and acknowledging some of his other contributions to SF history. We're having a panel discussion of the book with folks connected to Jeff and/or to the case he wrote about, and we're wrapping it into a 100th celebration of the SF Public Defender's Office itself.

Welcome remarks:

Mano Raju - SF Public Defender

Mutsuko Adachi - Wife of Jeff Adachi

Panelists include:

Matt Gonzalez - Chief Attorney of the SF Public Defender's Office

Undersheriff Joe Engler - Great Nephew of Inspector George Engler

Brendan Hallinan - Grandson of Egan's defense attorney Vincent Hallinan

Tamara Aparton - Jeff Adachi's former Director of Communications

Megan Cassidy - SF Chronicle Crime Reporter

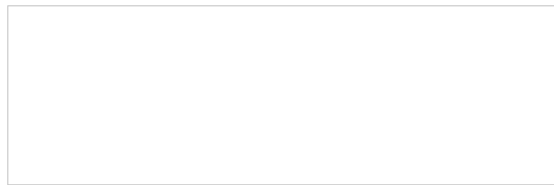
and more!

There's more info below, and if you have any questions, please let me know.

Thank you,

Valerie

(628)249-7946



Please Join Us for A Special Event on February 22nd!

As we celebrate the 100th Anniversary of the San Francisco Public Defender's Office, we're kicking off our centennial with an only-in-San-Francisco book release & panel discussion of Jeff Adachi's new book published posthumously by [Grizzly Peak Press](#).

The Case of San Francisco Public Defender Frank Egan

Murder and Scandal in the 1930s

In his newly released non-fiction book, Jeff Adachi dives into the newspaper archives of 1932 to tell the tale of San Francisco's first Public Defender, Frank Egan, who after a long career in civic life found himself accused of murder and conspiracy. Adachi traces the trial that held San Franciscans rapt by the drama captured by a throng of reporters hungry to break the daily news.

Dive into history with us! Register for the webinar at the link below.



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Subject: Jeff Adachi's Book Release Event - Monday 2/22 at 12pm
Date: Monday, February 22, 2021 at 5:54:00 PM Greenwich Mean Time
From: Ibarra, Valerie (PDR)
To: David M. Greenwald

Monday 2/22 -- The event runs 12-2pm (with Q&A from 1:00-1:30pm). Folks can register to attend the webinar here: [Book Release | SF Public Defender](#)

Tomorrow is the 2nd anniversary of Jeff Adachi's passing, so we'll be commemorating him with a celebration of his recently-published book and acknowledging some of his other contributions to SF history. We're having a panel discussion of the book with folks connected to Jeff and/or to the case he wrote about, and we're wrapping it into a 100th celebration of the SF Public Defender's Office itself.

Welcome remarks:

Mano Raju - SF Public Defender

Mutsuko Adachi - Wife of Jeff Adachi

Panelists include:

Matt Gonzalez - Chief Attorney of the SF Public Defender's Office

Undersheriff Joe Engler - Great Nephew of Inspector George Engler

Brendan Hallinan - Grandson of Egan's defense attorney Vincent Hallinan

Tamara Aparton - Jeff Adachi's former Director of Communications

Megan Cassidy - SF Chronicle Crime Reporter

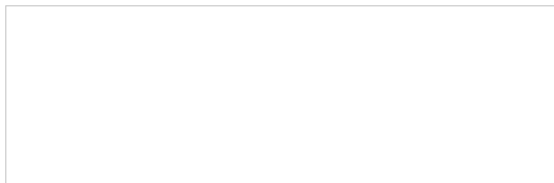
and more!

There's more info below, and if you have any questions, please let me know.

Thank you,

Valerie

(628)249-7946



Please Join Us for A Special Event on February 22nd!

As we celebrate the 100th Anniversary of the San Francisco Public Defender's Office, we're kicking off our centennial with an only-in-San-Francisco book release & panel discussion of Jeff Adachi's new book published posthumously by [Grizzly Peak Press](#).

The Case of San Francisco Public Defender Frank Egan

Murder and Scandal in the 1930s

In his newly released non-fiction book, Jeff Adachi dives into the newspaper archives of 1932 to tell the tale of San Francisco's first Public Defender, Frank Egan, who after a long career in civic life found himself accused of murder and conspiracy. Adachi traces the trial that held San Franciscans rapt by the drama captured by a throng of reporters hungry to break the daily news.

Dive into history with us! Register for the webinar at the link below.



FEBRUARY

22

MONDAY 2/22 AT 12:00-2:00PM

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Subject: Everyday Injustice - Ninth Circuit Reaffirms Lower Court Decision to Free 130 Immigrant Detainees

Date: Friday, February 19, 2021 at 7:01:08 PM Greenwich Mean Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

Tom Elias: "It's a fundamental question these days among California's leading district attorneys: Should the justice system serve criminals or their victims?"

Everyday Injustice Newsletter - February 19, 2021

Columnist Doesn't Even Get the Issue

By David Greenwald

I read yesterday in my local paper a column from Tom Elias, "District attorneys turn left." I figured I would not agree - it turns out shockingly I didn't.

At the core is a false premise which illustrates a fundamentally false understanding of the issues involved.

Elias writes: "It's a fundamental question these days among California's leading district attorneys: Should the justice system serve criminals or their victims?"

No. No. No. I'm pounding my head against the wall because Elias does not get it. It is interesting because right now I am reading George Ryan's book on why he went from from a strong death penalty advocate to ending the death penalty in Illinois - and it basically came down to understanding the flaws of the system.

Yesterday I interviewed Justin Brooks from the California Innocence Project for an upcoming podcast, and one of the points he made is that our criminal legal system has gotten so big that it exposes all of the flaws. The stakes are so high for many defendants like Brian Banks, that they are forced to take a plea rather than risk life in prison because we have created such a huge gap between a plea and taking a case to trial.

A new report from the Sentencing Project this week shows that the number of inmates serving life in prison, or sentences of 50 years or more, makes up 15 percent of today's national prison population - many of these are people of color.

The increase in life sentences, according to the report, is a result of changes in the law that toughened sentencing and limited parole, starting with the so-called war on drugs in the 1980s.

But this isn't about criminals versus victims. You can argue that the current system punishes most people caught in the system well past the point they are actually a threat. That's because we know that while

young people commit crimes at higher rates, over time people drop out of that lifestyle and yet the criminal system doesn't address this very well. We start with light punishments and work our way toward longer and longer and so by the time we put someone away for life they are likely near the end of their crime capacity.

Moreover, by focusing on punishment, we fail to note that the vast majority - about 85 percent of those in prison will be released at some point. But we don't give them the tools to succeed. We spend \$85,000 a year to "incapacitate" them but very little to prevent them from committing a new offense - job training, education, mental health services - if we transferred the system, we could greatly reduce the recidivism rate.

We also fail to protect victims because a huge number of cases are unsolved - and so you can't punish or stop those who you don't catch, and we don't catch most of the people who commit crimes.

Elias is critical of both George Gascon and Chesa Boudin.

He writes: "For decades, appearances by deputy district attorneys — especially those who originally prosecuted the lifers — helped keep major offenders imprisoned, where they could do no further harm to people whose lives their misdeeds already wrecked."

He continues: "Gascón did this to fulfill a campaign promise to relieve crowding in jails and prisons. Essentially, he placed convicts' comfort above victims' well-being. Almost all of his actions so far have been more in the interest of criminals than their victims, much the same as Boudin's, which have not been quite as extreme."

Like most tough on crime advocates, Elias never talks about whether these policies actually help the victims and keep us safer. The data suggests no - and by increasing the size of the system, if anything these policies have made us less safe.

Thanks for reading.

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Criminal Justice News/ Commentary

Immigrants Unconstitutionally Held at ICE Detention Facilities During Pandemic – Ninth Circuit Reaffirms Lower Court Decision to Free 130 Detainees

A nearly year-long battle to free immigrant detainees from inhumane, COVID-19 infested U.S. Immigration and Customs Enforcement (ICE) facilities in California came nearer to an end Thursday when the U.S.

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Adachi Project Releases 'One Eleven Taylor' Documentary Depicting Dangerous Conditions at SF Private For-Profit Halfway

House

The Adachi Project, an initiative started by the late San Francisco Public Defender to reveal unseen perspectives of the U.S. criminal legal system, released its first documentary short: "One Eleven Taylor(During a Pandemic)."

[Read More](#)

Lawmakers, Watchdogs Criticize CDCR's Inability to Explain Multi-Billion Dollar Prison Infrastructure Plan

California Department of Corrections and Rehabilitation (CDCR) official Chris Lief (Deputy Director of Facility Planning) left questions unanswered when confronted about CDCR's proposed multi-billion dollar budget for prison infrastructure.

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Sacramento Court Watch

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Peace Officers Describe in Bloody Detail Shooting Victim Injuries

Peace officers here in a Sacramento County Superior Court preliminary hearing Wednesday described in sometimes graphic, bloody detail the injuries of a motorcyclist allegedly shot by a motorist, who then fled the scene last

[Read More](#)

Officers Shoot, Release Dog on Unarmed, Naked Suspect Streaming Action After Handgun Incident

Defendant Keith Kelly allegedly fired a handgun nearly a dozen times inside and around a Sacramento home – fully naked, surrounded by Sacramento police and streaming the “action” on his cellphone, according to

[Read More](#)

Alameda Court Watch

Acting as Own Attorney, Defendant Frustrates Judge, Claims He’ll ‘Blow This Case Up,’ Attempts to File Dismissal Motion

Defendant Zachary Running Wolf Brown, acting as his own attorney here, appeared to try the patience of Alameda County Superior Court Judge Delia Trevino this week.

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Contra Costa Court Watch

Judge Makes Tough Decision to Keep Defendant in Jail Despite Detriment to Mental Health

After hearing about the traumatic life events which preceded the stabbing of a man, Contra Costa County Superior Court Judge John Cope came to the tough decision to keep defendant Lazhaun Young in custody –

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Subject: Everyday Injustice - Becton Talks About AG Appointment; Film Portrays Forced Sterilization in California Prisons

Date: Thursday, February 18, 2021 at 7:00:41 PM Greenwich Mean Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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George Gascon: "The absence of a single person of color on CDAA's 17 member board is blinding."

Everyday Injustice Newsletter - February 18, 2021

US Federal Appeals Court Judge in a Dissent Calls Solitary Confinement a Horror of Modern Day Penal System

Judge Rosemary Pooler, was appointed to the US Court of Appeals in the Second Circuit in 1998 by President Bill Clinton.

She issued a scathing dissent in the case of Gallina v. US where "Ferdinando Gallina petitions for review of a Board of Immigrations Appeals decision denying him relief under the Convention Against Torture. Gallina argues that he was tortured in Italy when he was subjected for more than six years to solitary confinement and other restrictive conditions in Italy's 41-bis prison regime, a prison regime designed to hold persons convicted of Mafia crimes, acts of terrorism, and the like."

POOLER, Circuit Judge, dissenting:

Prolonged solitary confinement is one of the true horrors of the modern-day penal system. "Years on end of near-total isolation exact a terrible price." *Davis v. Ayala*, 135 S. Ct. 2187, 2210 (2015) (Kennedy, J., concurring). Studies have shown that prolonged solitary confinement can result in paranoia, hallucinations, suicidal ideation, feelings of impending doom, decline in mental functioning, insomnia, nightmares, and many other symptoms related to severe depression and anxiety. See *Porter v. Clarke*, 923 F.3d 348, 355-57 (4th Cir. 2019). Other effects include post-traumatic stress disorder ("PTSD"), self-mutilation, obsessional thinking, dangerous weight loss, and aggravation of preexisting health issues. *Williams v. Sec'y Pa Dep't of Corr.*, 848 F.3d 549, 566 (3d Cir. 2017). "[T]here is not a single study of solitary confinement wherein nonvoluntary confinement that lasted for longer than 10 days failed to result in negative psychological effects." *Id.* at 566 (internal quotation marks, brackets, and citations omitted). That these 14 scars may not be visible makes them no less agonizing.

The Italian 41-bis prison regime, which uses prolonged solitary confinement, is intensely restrictive, due largely to additional measures implemented in 2009. Prisoners are locked alone in their cells for 22 hours each day. They can read, watch television, or listen to the radio, but nothing else, and they are subjected to surveillance while in their cells. They are allowed to socialize for one hour with four other inmates, and the only acceptable activities during this time are playing cards or board games or using an indoor exercise bicycle. Contact, including greetings, with other prisoners are strictly prohibited, even if those inmates had formerly been a member of one's socialization group. Prisoners are allowed one hour of outdoor exercise as well. Prisoners get one 10-minute phone call per month or one one-hour visit per

month, under closed conditions and with audio and video recording. The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment described the regime as “very impoverished.” CAR at 572. The combination of this impoverished regime and the “severe restrictions on contacts . . . may, if applied for prolonged periods, have harmful effects of a psychological and physical nature.” CAR at 572.

Fernando Gallina spent his first month in a 41-bis prison in complete isolation. He was not allowed to leave his cell or telephone his family during the entire month. His next nearly seven years did not allow for significantly more contact. He was confined for twenty-three hours each day. He was allowed one hour each day with a small group of other inmates, who were rotated out frequently to prevent them from forging social bonds. He was frequently denied his one allotted family visit or ten-minute phone call each month. He was denied mental health care.

Unsurprisingly, Gallina developed a number of physical and psychological ailments typical of prolonged solitary confinement. An expert psychologist whose practice focuses on trauma victims, Dr. Charles Edward Robins, testified that Gallina suffers from “severe depression, for which he has been prescribed Zoloft and anti-depressants;” “vivid flashback nightmares of the screams of prisoners at [the prison] and the sounds of prison doors slamming shut;” “severe claustrophobia;” and extreme anxiety. CAR at 90 (internal quotation marks and brackets omitted). Dr. Robins also diagnosed “severe PTSD,” as well as “severe insomnia, spontaneous weeping and traumatic nightmares; and suicidal volition.” CAR at 91 (internal quotation marks omitted). Gallina “lost over 50 pounds; developed severe colonitis; severe hemorrhoidal bleeding; and a hiatal hernia secondary to a stomach ulcer from stress-induced hyperacidity.” CAR at 90 (internal quotation marks omitted). Gallina “also developed migraine headaches.” CAR at 90. Dr. Robins opined that if Gallina is returned to the 41-bis environment, he would commit suicide.

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Criminal Justice News/ Commentary

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‘Belly of the Beat’ Film Highlights Ongoing Issue of Illegal Sterilization in CA State Prisons

“Belly of the Beast,” a groundbreaking film by Ericka Cohn, was virtually screened by “If/When/How: Lawyering for Reproductive Justice” this past week, exposing patterns of illegal sterilizations, modern-day eugenics

[Read More](#)

Too Little Too Late – Sac Sheriff Announces Body Cameras Month After Killing Kershawn Geyger

SACRAMENTO – The Sacramento Sheriff’s Department announced this week through their Facebook account that effective Feb. 15, 2021, the “specialized units of Gangs, Homeless Outreach, and North Problem Oriented Policing

[Read More](#)

SFDA Chesa Boudin: Need for “Intentionally and Explicitly...Anti-Racist” Criminal Justice Reforms – Angela Davis Agrees

During the SF District Attorney African American Employee Association’s (AAEA) Black History Month Celebration, DA Chesa Boudin emphasized the need for a “radical” — meaning “grasping things at the root” —

[Read More](#)

STATE CAPITOL: Skinner’s New Pot Bill to Stimulate Growth of Legal Cannabis Market in State

State senator Nancy Skinner (D-Berkeley) has introduced Senate Bill (SB) 398 at the State Capitol, intended to expand California’s legal cannabis market for cities and counties that have not allowed legal cannabis businesses.

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Sacramento Court Watch

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A 'Sweet' Burglary Plea Leaves Courtroom in High Spirits

Sacramento County Superior Judge Ernest Sawtelle Tuesday joined via Zoom to participate in an unusually lighthearted, polite burglary plea banter – the judge was in good spirits, even joking with the defendant and court counsel

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Alameda Court Watch

Judge Finds Enough to Hold Suspect for Drive-By Shooting Death a Year Ago

The second part of a preliminary hearing didn't turn out well for the defendant here late last week in Alameda County Superior Court in the case of a drive-by shooting that occurred in March 2020 and led to the death of Eric Chavez

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Contra Costa Court Watch

Judge Makes Tough Decision to Keep Defendant in Jail Despite Detriment to Mental Health

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Subject: Valerie, We've Moved into LA and Berkeley!

Date: Wednesday, February 17, 2021 at 9:00:16 PM Greenwich Mean Time

From: David Greenwald

To: valerie.ibarra@sfgov.org

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Image



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The Vanguard at UC Berkeley

- *An online publication run by 20 UC Berkeley students, who are dedicated to reporting on local news in Berkeley, CA. As well as reporting on campus events and monitoring the Alameda Superior Court.*

The People's Vanguard of Los Angeles

- *Established in partnership with UCLA and USC, a group of 30 students from various campuses in the Los Angeles area, will be working to bring you the last news in the Los Angeles Country. From coverage of the Superior Courts to reporting on local news, our interns are working to bring fairness and transparency to the Los Angeles area.*

The Vanguard San Francisco Division

- *A team of 6 reporters and writers will be working to provide fractal and unbiased media coverage to validate the progress of progressive prosecutor San Francisco DA Chesa Boudin.*

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Subject: Everyday Injustice - Gascon Resigns from CDAA; SLO DA Appears to Be Lying About Protest Case
Date: Wednesday, February 17, 2021 at 7:01:46 PM Greenwich Mean Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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George Gascon: "(CDAA has) dug its heels in, rejected science, and willingly turned a blind eye to a two-tiered criminal justice system that places communities of color and poor defendants at a clear disadvantage."

Everyday Injustice Newsletter - February 17, 2021

Video Coverage Appears To Show Police and DA Were Lying in SLO Protest Confrontation

By David Greenwald

Local media in San Luis Obispo reported that the attorney for a BLM activist who is facing criminal charges after he was struck on Highway 101 by a motorist last July released previously unknown police drone footage of the incident that happened on July 21.

That footage casts new light on the incident and appears to show the motorist of the BMW assaulted the

protester with his vehicle.

The **paper reports**: “A letter sent to CHP late last week by San Francisco-based attorney Vincent Barrientos also reveals details about what the motorist told CHP officers following the confrontation, including racist language and threats against protesters.”

In the video, “the BMW is seen attempting to drive around the protesters’ blockade on the shoulder of the southbound lane. Following a verbal exchange, the motorist drives straight into Grocott, who ends up on the hood of the vehicle for about seven seconds as it accelerates past the crowd.

“While Grocott is on the hood, protester Robert Lastra Jr. smashes the back windshield with a skateboard and another demonstrator, Jerad Hill, also strikes the front of the car with a skateboard.

“Grocott is seen jumping off the hood as the BMW speeds away. No one was seriously injured.”

Attorney Barrientos said it “contradicts the CHP’s version of events that is now being used by prosecutors against Grocott and others.”

“Local law enforcement and DA (Dan) Dow are openly lying to the public,” Barrientos wrote in a statement to the paper. “They are misrepresenting the facts of the case to the public. By intentionally choosing not to release the video footage, they were able to provide false statements to the press and control and shape the narrative to fit their personal agenda.”

Later on Tuesday, the DA’s office released a statement: “The District Attorney’s office is confident that the facts and circumstances surrounding Mr. Grocott’s arrest will be fully and fairly revealed in court once the matter is tried to a jury of our community members. The District Attorney will not respond to the non-fact based rhetoric of Mr. Grocott’s counsel.”

DA Dan Dow has been criticized for his uneven handling of the protests including the prosecution of Tatiana Arata, a protester as well as this case involving a motorist striking a protester, but the protester is being charged with the crime.

Last week, Dan Dow, tweeted his agreement of the Judge’s ruling in Los Angeles: “Completely agree with [@LAPPL](#) [@LADAOoffice](#) [@GeorgeGascon](#) leaves victims behind. Seems to have forgotten they deserve justice from the system. It shouldn’t be called the “criminal justice” system, but instead the “criminal & victim justice system” so we don’t forget about them.”

Thanks for reading.

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Criminal Justice News/ Commentary

LA District Attorney George Gascón Resigns from CA District Attorneys Association – Citing Group’s Misappropriation of Funds, Failure to Fight for Justice

County District Attorney George Gascón – feeling immense pressure to maintain the integrity and well-being of those he represents – resigned from the California District Attorneys

Association Tuesday, becoming the

[Read More](#)

SFPD Announce Suspect Arrest in Assault of 83-Year-Old Man

The San Francisco Police Dept. Tuesday announced the arrest of 31-year-old suspect Haskell Allen for an alleged assault on an 83-year-old man.

[Read More](#)

Prosecuting Attorney in Michigan Announces New Interpretation of Discrimination Law

In support of his mantra “Justice, Justice, Shall you Pursue,” Prosecuting Attorney Eli Savit here has requisitioned that all hate crime cases involving Michigan’s Ethnic Intimidation law encompass sexual

[Read More](#)

Everyday Injustice Episode 91: Flint Taylor on the Murder of Fred Hampton and Chicago Torture Cases (Video)

It started with the murder of Fred Hampton in 1969 but tracks the Chicago Police torture cases which started with Andrew Wilson, a death row prisoner who was tortured by officers including the infamous Area 2 Chicago Police

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Vanguard Webinar: Yolo County Public Defender’s Office – Reshaping the Criminal Justice System Narrative

Join us on Monday, February 22, at noon for the Vanguard’s webinar: Yolo County Public Defender’s Office: Reshaping the Criminal Justice System Narrative

[Read More](#)

COVID CDCR and Jail Dashboards

CSP Solano Reports Fifth COVID-related Death; CDCR Death Toll Reaches 207

Our daily run down on the COVID cases in the California Prison System (CDCR)

[Read More](#)

Santa Clara County Jails Appear to Recover from January Outbreak

Our daily run down on the COVID cases in selective County Jails

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San Francisco Court Watch

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Federal Judge Grants Writ of Habeas Corpus, Ordering Hearing For Immigrant Detainee

A judge here in Alameda County Superior Court has dismissed a defendant's charge of an alleged rape in 2012 after finding "the record riddled with meaningful inconsistencies" and "changes in the story."

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Yolo County Court Watch

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Unhoused Defendant, After Attacked and Harassed, to Stand Trial for Murder of Attacker

An unhoused defendant here – despite, by all law enforcement investigative and witness accounts, being the victim of harassment – is now being held for murder of her apparent assailant.

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Sacramento Court Watch

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Videos Provided by Defendant's Girlfriend Purport to Expose His Abuse of Her One-Year-Old Baby

Videos provided by the mother of a baby allegedly abused by the mother's boyfriend – they showed a man grabbing a one-year old child by the neck, and flinging the child into a crib – convinced a Sacramento County

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Alameda Court Watch

Judge Finds Enough to Hold Suspect for

Drive-By Shooting Death a Year Ago

The second part of a preliminary hearing didn't turn out well for the defendant here late last week in Alameda County Superior Court in the case of a drive-by shooting that occurred in March 2020 and led to the death of Eric Chavez

[Read More](#)

Contra Costa Court Watch

Judge Makes Tough Decision to Keep Defendant in Jail Despite Detriment to Mental Health

After hearing about the traumatic life events which preceded the stabbing of a man, Contra Costa County Superior Court Judge John Cope came to the tough decision to keep defendant Lazhaun Young in custody –

[Read More](#)

Fresno Court Watch

Judge Denies Motion to Suppress Evidence in Questionable CHP Stop

A motion to suppress evidence in the questionable stop of an alleged reckless driver thought to be under the influence of alcohol was denied by Judge Samuel Dalesandro here in Fresno County Superior Court this week.

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Riverside Court Watch

Judge Baffled After Hearing Officer Detained Man Who Looked Untruthful

Judge Dean Benjamini was left baffled after hearing a peace officer's reason for detaining a defendant—that the man appeared untruthful.

[Read More](#)

Merced Court Watch

Family Survives in the Face of Father's Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

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Everyday Injustice - Podcast

see our podcasts

Everyday Injustice Episode 91: Flint Taylor on the Murder of Fred Hampton and Chicago Torture Cases

It started with the murder of Fred Hampton in 1969 but tracks the Chicago Police torture cases which started with Andrew Wilson, a death row prisoner who was tortured by officers including the infamous Area 2 Chicago Police

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Everyday Injustice Podcast 90: Cristine Soto DeBerry and the Prosecutors Alliance

Cristine Soto DeBerry is former Chief of Staff under both SF District Attorney George Gascon and Chesa Boudin as well as Deputy Chief of Staff to Gavin Newsom when he was Sacramento Mayor.

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Subject: FOR IMMEDIATE RELEASE: Adachi Project Releases "One Eleven Taylor" -- a Documentary Short Depicting Dangerous Conditions at a GEO Group-run For-Profit Halfway House in San Francisco
Date: Tuesday, February 16, 2021 at 9:00:50 PM Greenwich Mean Time
From: Ibarra, Valerie (PDR)
To: Ibarra, Valerie (PDR)
Attachments: PRESS RELEASE - Adachi Project Releases One Eleven Taylor -- a Documentary Short Depicting Dangerous Conditions at a GEO Group-run For-Profit Halfway House in San Francisco.pdf

FOR IMMEDIATE RELEASE: February 16, 2021

Contact: Valerie Ibarra, SF Public Defender's Office (628)249-7946 Valerie.Ibarra@sfgov.org

****PRESS RELEASE****

Adachi Project Releases "One Eleven Taylor" -- a Documentary Short Depicting Dangerous Conditions at a GEO Group-run For-Profit Halfway

House in San Francisco

San Francisco (CA) -- Today, the [Adachi Project](#) released its first film, [*One Eleven Taylor \(During a Pandemic\)*](#), a powerful documentary short about the re-entry center at 111 Taylor Street run by GEO Group in San Francisco's Tenderloin District . The film reveals how this for-profit company -- which has a legacy of prioritizing profits over the people -- is engaged in a dangerous pattern of neglect which is exposing residents to COVID-19.

The San Francisco Public Defender's Office began documenting conditions at 111 Taylor in May 2020, after a resident notified his attorney about risks to personal safety due to lack of COVID-19 protocols. In response, the Office worked to help relocate their clients who were housed in the Center, where possible. The reporting resident also began to record interviews and capture videos of the crisis and the residents' deepening fear, not only of COVID-19 spreading throughout the facility, but also of the potential retaliation for speaking out. The result is a tense 11-minute immersive documentary seen and experienced through the eyes of residents who are forced to live at 111 Taylor and risk violating parole and being sent back to prison to protect themselves from the virus.

"The conditions at 111 Taylor are extremely troubling, and this film is just a glimpse into what is a larger, ongoing pattern of abusive practices and crises created by private prison corporations like GEO Group," said San Francisco Public Defender Mano Raju. "It also affirms the recent complaint by [Mr. Keith "Malik" Washington](#) about conditions at 111 Taylor and emphasizes our longstanding position that state and federal governments need to stop awarding lucrative contracts to private prison corporations, as time and time again we witness how they fail to protect the safety and wellbeing of the people in their custody and in the community. We have fought to release our clients from this location, but that is only a temporary and partial remedy to a larger solution--which is to put an end to for-profit prisons and reentry centers altogether and invest in community-based programs that understand and prioritize the needs of the people and communities they serve," said Raju.

Watch [*One Eleven Taylor \(During a Pandemic\)*](#) [here](#).

One Eleven Taylor (During a pandemic) is the first installment of [DEFENDER - Vol. 00](#) -- a new film, art, and media project revealing the inequities of the U.S. criminal legal system -- and produced by [The Adachi Project](#), the seminal media and justice initiative of the San Francisco Public Defender's Office, Even/Odd, and Compound. The Adachi Project launched on February 4, 2021, and was created in memory of late-San Francisco Public Defender Jeff Adachi to bring to light unseen perspectives of the criminal legal system. The goal of The Adachi Project is to "reveal truth and demand justice," with the belief that powerful storytelling and elevating all voices can humanize people who have been directly impacted and dehumanized by the carceral system.

###

San Francisco Public Defender
SFPublicDefender.org

For 100 years, the San Francisco Public Defender's Office has provided effective and zealous legal representation to people who are charged with a crime and unable to afford an attorney. Led by elected Public Defender Mano Raju, the office provides legal representation to over 25,000 indigent people charged with crimes each year, while also fighting for systemic change outside of the courtroom. The Adachi Project coordinating team for the office is made up of Deputy Public Defender Hadi Razzaq, SF Policy Director Carolyn Goossen, and Public Information Officer Valerie Ibarra.

The Adachi Project
adachiproject.com

The Adachi Project is a vital first-of-its-kind media program of the Office of the San Francisco Public Defender developed in partnership with Compound, and award-winning San Francisco based cultural creative studio and production company, Even/Odd. Its goal is to illuminate timely stories of the US criminal legal system through seminal documentary film, videos and photojournalism that inform our understanding of the human impact of "justice" on our communities, and influence our vision for an equal and just society.

Santhosh Daniel, Compound
Founding Partner, The Adachi Project
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This press release will be published online at SFPublicDefender.org/media.

Subject: Everyday Injustice - Valentine Comments by LAPD Officers Regarding George Floyd Prompts Investigation

Date: Tuesday, February 16, 2021 at 7:01:43 PM Greenwich Mean Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

Someone in the LAPD posted a photo of George Floyd on social media with the caption, "You take my breath away," in a Valentine format last week—the incident is now under investigation from the Los Angeles Police Department.

Everyday Injustice Newsletter - February 16, 2021

I Interviewed Flint Taylor About the Murder of Fred Hampton, Chicago Torture

by David Greenwald

As a younger man, one of my favorite groups was Rage Against the Machine - they combined searing hard rock, a wicked guitar with urban street hip hop and rap. And to top it off, they had legitimately subversive lyrics.

I was always intrigued by a voice-over that said that MLK should "abandon his supposed obedience of white liberal doctrines of non-violence and embrace black nationalism." And then added, "Through counter-intelligence it should be possible to pinpoint potential troublemakers and neutralize them..."

It wasn't until later that I realized that this was lifted directly from FBI COINTELPRO files that were either stolen from the field offices in Media Pennsylvania or released by the Church Commission who wrote a report in 1976 on the illegal activities of the FBI under J. Edgar Hoover.

On December 4, 1969, the FBI and Chicago police raided the Black Panthers headquarters in Chicago and assassinated their young leader Fred Hampton. When I say assassinate, this was not as they tried to portray a gunfight where Hampton happened to be killed.

No evidence has emerged that the FBI used an informant to sketch the layout of the residence, drug him, and the police shot into his room 90 times with only one badly fired shot returned and two men, Fred Hampton and Mark Clark were killed.

It was Flint Taylor, in 1969, a young man who would go on to get his law degree and make a career exposing this kind of malfeasance who represented the family through years of court proceedings.

Then in 1982, Andrew Wilson, was tortured by officers including the infamous Area 2 Chicago Police Commander Jon Burge. He confessed was convicted, placed on death row, and when allegations came out about the torture, the Illinois Supreme Court overturned the sentence and he was convicted again and got life.

Through the efforts of Flint Taylor and his colleagues, they uncovered a systemic pattern and practice of police torture that went all the way to the Mayor's office.

This is all captured in Taylor's book, "The Torture Machine," which he notes has a double-meaning, first the literal machine used by Burge and his men at Area 2 and second, as a metaphor for the notorious Chicago Political Machine headed by Daleys.

The account is extraordinary and the scope is mindboggling. The Wilson case occurred in 1982 after he was forced to confess to the 1982 murder of two Chicago police officers, and the account ends (but not court matters) in 2015.

In an age of phony conspiracies like QAnon, the notion that Fred Hampton was assassinated by the FBI and Chicago police is amply backed with documents, many of them uncovered during the 1971 burglary of the FBI Field Office in Media Pennsylvania and others turned over by the Church Committee's 1976 report on the illegal activities of the FBI.

Taylor remains an excellent chronicler of these unthinkable events that he personally helped to bring to the surface. The torture scenes are reminiscent of something out of Abu Ghraib. The uncovering of the torture and subsequent false confessions was a key reason that former Governor George Ryan put a moratorium and ultimately commuted all the Illinois death sentences, ending the death penalty.

I got the pleasure of sitting down with Taylor and doing this podcast, it was one of my most extraordinary interviews.

Please listen: [here](#).

Thanks for reading.

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Criminal Justice News/ Commentary

Everyday Injustice Episode 91: Flint Taylor on the Murder of Fred Hampton and Chicago Torture Cases (Video)

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Valentine Comments By LAPD Officers Regarding George Floyd, Prompts Investigation

Someone in the LAPD posted a photo of George Floyd on social media with the caption, “you take my breathe away,” in a Valentine format last week – the incident is now under investigation from the Los Angeles Police Department.

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Three Trans-Rights Activists: Horrific Reality of Healthcare for Transgender People in Prison

A conversation between three trans-rights activists in a webinar hosted by University of California Hastings College of Law this week illustrated the kind of “living hell” transgender people undergo during their stay in the California

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Biden Call for Resignation of Trump-Appointed U.S. Attorneys Applauded

After news reports that the U.S. Department of Justice would ask Trump-appointed U.S. attorneys to resign, Fair and Just Prosecution Executive Director Miriam Krinsky issued a statement on the same day, applauding the move.

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ABA Attorney Panel Discusses Good and Bad of COVID-19 on Future of Court Proceedings

The American Bar Association, in a webinar panel, highlighted the impacts of COVID-19 on defense attorneys and their clients, explaining that those impacts have resulted in defendants having to “pick [their]

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Los Angeles Democratic Party Backs Plans to Limit the Use of Sentencing Enhancements

Los Angeles County has taken steps to limit the use of sentencing enhancements after finding that such enhancements have had devastating and lasting effects on Black, Latino and Indigenous Californians, said the

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Vanguard Webinar: Yolo County Public Defender’s Office – Reshaping the Criminal Justice System Narrative

Join us on Monday, February 22, at noon for the Vanguard's webinar: Yolo County Public Defender's Office: Reshaping the Criminal Justice System Narrative

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Cristine Soto DeBerry is former Chief of Staff under both SF District Attorney George Gascon and Chesa Boudin as well as Deputy Chief of Staff to Gavin Newsom when he was Sacramento Mayor.

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To: valerie.ibarra@sfgov.org

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Letter to legislators: "The corruption exposed in the Captain Whitney lawsuit is not an isolated incident and provides credence to the countless allegations of misconduct against the Vallejo Police Department which have been recurring for decades."

Everyday Injustice Newsletter - February 15, 2021

Billed As An Inmate Taking Advantage of DA Directives, It's Actually Just Bad Journalism

By David Greenwald

CBS News in Los Angeles was leaked an audio clip by an anonymous source - you can only imagine who - purporting to reveal how "a California prisoner with a long criminal history is trying to game the system in an attempt to get his sentenced reduced by Los Angeles County District Attorney George Gascón's office."

"In the voicemail, Daniel Avila threatened to attack a police officer during a prison transfer in an attempt to get back into court to request that his previous sentence enhancements be revoked."

In the audio he offers to "plead guilty" to the new charge "as long as you drop all the strike priors and the enhancements and everything in my other case, and we'll just do it that way,"

Naturally this is serving as a focal point for the critics of Gascon.

Writes CBS News: "Some assistant district attorneys in Gascón's office said the voicemail was an example of how criminals have been emboldened by the D.A.'s reforms, but criminal defense attorney Alexandra Kazarian said that it was important to listen to the voicemail in context."

"This voicemail doesn't come from someone who is representative of, you know, the people who really

have been wronged by the system,” she said. “This voicemail comes from someone who has for years, since 2008 at least, has been making crazy sensational threats against every single person that comes his way.

“There’s so many prisoners that are inside of the jails right now that are desperate to see and kind of light at the end of the tunnel,” she continued.

Unfortunately CBS Los Angeles didn’t reach anyone at Gascon’s office - which is unfortunate since they need to be able to push back forcefully against this.

While Kazarian makes a reasonable point - there are many more that need to be raised.

First, people caught in the system are always going to attempt to game the system. That doesn’t mean there isn’t injustice that needs to be corrected.

Second, Gascon is being criticized here for something that he has never had a chance to respond to - not just in the press, but in the court. What makes anyone think that Gascon’s office would take this kind of deal? More likely they might not even file new charges in this case (it’s not clear a crime was committed) and moreover, it is not clear committing a new crime can or should be a vehicle for reconsideration.

There are lots of look backs in the system everything from 1170D to youthful offender provisions, all of them give new consideration for parole or an early release, but they are all predicated on good behavior.

In the end, this is just bad journalism, CBS in LA allowed themselves to be played by the ADAs in Los Angeles before even getting the full story.

Thanks for reading.

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Families of Police Brutality Victims from California to Ohio Push for Police Accountability Laws at Capitol

Families of police brutality victims held a unity rally at the STATE CAPITOL late last week to push for more police accountability. Impacted families held a rally, in honor of Willie McCoy who was killed

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Lawyers Argue U.S. Fails to Comply with Federal Regulations Protecting ‘Torture’ Victims, Improperly Serving 11-Year Old

A Court of Appeals for the Ninth Circuit case here Friday involved a challenge to a U.S. decision that a notice to appear – served first when a minor was 11 years old – was in violation to rules designed to protect minors under the

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Death Penalty Focus Honors Heroes, Reflects on Progress Achieved and Work to be Done

Death Penalty Focus (DPF), a nonprofit founded in 1988 by California death penalty abolitionists, hosted its 29th annual awards event last Thursday to honor heroic members of the criminal justice defense community,

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100 Detainees Riot Over St. Louis Jail Conditions, Including Safety Against COVID Virus; Probe Promised

Circuit Attorney Kimberly Gardner said last week her office will be investigating alleged poor health and safety conditions at City Justice Center after at estimated 100 detainees left their cells and damaged property,

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[o=http%3A//www.youtube.com/davisvanguard&g=ZWQ2NDBkYTQzMjc0ZTAwNw==&h=NTNhMGE4xNjRmZTIwMDdjZmJkM2NmNDUzMmUzNDBkZmY5M2Q1NGFiY2EzYjg1Y2E5MzY1M2I3N2E3NmI2NDM5NA==&p=YXAzOnNmZHQyOmF2YW5hbJpvZmZpY2UzNjVfZW1haWxzX2VtYWIsOmRkZWl2YzAyNTM3NGRjZTI4MzZiYjhINDY4MzliOGE3OnYx](https://avanan.url-protection.com/v1/url?o=http%3A//www.youtube.com/davisvanguard&g=ZWQ2NDBkYTQzMjc0ZTAwNw==&h=NTNhMGE4xNjRmZTIwMDdjZmJkM2NmNDUzMmUzNDBkZmY5M2Q1NGFiY2EzYjg1Y2E5MzY1M2I3N2E3NmI2NDM5NA==&p=YXAzOnNmZHQyOmF2YW5hbJpvZmZpY2UzNjVfZW1haWxzX2VtYWIsOmRkZWl2YzAyNTM3NGRjZTI4MzZiYjhINDY4MzliOGE3OnYx)

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Subject: Re: Prison releases & AB 2876

Date: Saturday, February 13, 2021 at 6:54:03 PM Greenwich Mean Time

From: Rodarmel, Danica (PDR)

To: David M. Greenwald

CC: Ibarra, Valerie (PDR)

I just looked. I think her point was that she tried to get ahead of the problem with her bill last year.

From: David M. Greenwald <info@davisvanguard.org>

Sent: Saturday, February 13, 2021 7:30:51 AM

To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>

Cc: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: Re: Prison releases & AB 2876

Got it - she just tweeted it last week, so maybe I will follow up with her office next week.

On Fri, Feb 12, 2021 at 9:37 PM Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org> wrote:

<https://avanan.url-protection.com/v1/url?o=https%3A//www.davisvanguard.org/2021/02/republican-leader-pushes-for-prison-release-hammers-san-quentin/&g=OWFIZWM2ZWRhNzJkMGZhZg==&h=NGE5OGVhNmNiYmNmYTk0ZmQxNzkxNGVmNWE3YmUzMGMxNmJkMGY5YWY5YTM0OTJmZjg0MTRkMzI5NGQzYWYxMg==&p=YXAzOnNmZHQyOmF2YW5hbGpvZmZpY2UzNjVfZW1haWxzX2VtYWlsOjQxZDg5OTU2NmM5NzhkMWFhNTNhZWNIOWFhNWw1MTAxOnYx>

From: David M. Greenwald <info@davisvanguard.org>

Sent: Thursday, February 11, 2021 12:27:43 PM

To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>

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Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Subject: Re: Prison releases & AB 2876

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Sent from Gmail Mobile

Subject: Re: Prison releases & AB 2876

Date: Saturday, February 13, 2021 at 3:30:51 PM Greenwich Mean Time

From: David M. Greenwald

To: Rodarmel, Danica (PDR)

CC: Ibarra, Valerie (PDR)

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<https://avanan.url-protection.com/v1/url?o=https%3A//www.davisvanguard.org/2021/02/republican-leader-pushes-for-prison-release-hammers-san-quentin/&g=OWFIZWM2ZWRhNzJkMGZhZg==&h=NGE5OGVkJmNiYmNmYTk0ZmQxNzkxNGVmNWE3YmUzMGMxNmJkMGY5YWY5YTM0OTJmZjg0MTRkMzI5NGQzYWYxMg==&p=YXAzOnNmZHQyOmF2YW5hbGpvZmZpY2UzNjVfZW1haWxzX2VtYWlsOjQxZDg5OTU2NmM5NzhkMWZhNTNhZWNIOWFhNWw1MTAxOnYx>

From: David M. Greenwald <info@davisvanguard.org>

Sent: Thursday, February 11, 2021 12:27:43 PM

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Sent: Thursday, February 11, 2021 12:18 PM
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Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Subject: Re: Prison releases & AB 2876

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Sent from Gmail Mobile

Subject: Thoughts

Date: Saturday, February 13, 2021 at 3:11:04 PM Greenwich Mean Time

From: David M. Greenwald

To: Ibarra, Valerie (PDR)

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I didn't want to text you on a Saturday morning, but wanted to see if you had any updates.

In addition, I don't know what this looks like but it would be helpful if on Fridays you could tip us to important hearings coming down the next week. We find out some of this stuff by accident and late. There used to be the board we could use, but anyway, anything you could do to let us know, that way worst case scenario we could interview the public defender after the fact or something. Just a thought.

--

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Subject: Re: Prison releases & AB 2876

Date: Saturday, February 13, 2021 at 5:36:51 AM Greenwich Mean Time

From: Rodarmel, Danica (PDR)

To: David M. Greenwald

CC: Ibarra, Valerie (PDR)

<https://avanan.url-protection.com/v1/url?o=https%3A//www.davisvanguard.org/2021/02/republican-leader-pushes-for-prison-release-hammers-san-quentin/&g=OWFIZWM2ZWRhNzJkMGZhZg==&h=NGE5OGVKNmNiYmNmYTk0ZmQxNzIxNGVhNWE3YmUzMGMxNmJkMGY5YWY5YTM0OTJmZjg0MTRkMzI5NGQzYWYxMg==&p=YXAzOnNmZHQyOmF2YW5hbGpvZmZpY2UzNjVfZW1haWxzX2VtYWlsOjQxZDg5OTU2NmM5NzhkMWFhNTNhZWNIOWFhNWM1MTAxOnYx>

From: David M. Greenwald <info@davisvanguard.org>

Sent: Thursday, February 11, 2021 12:27:43 PM

To: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>

Cc: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

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Subject: Everyday Injustice - Whistleblower Retaliation Alleged in Firing of Police Captain in Vallejo
Date: Friday, February 12, 2021 at 7:00:26 PM Greenwich Mean Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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Letter to legislators: "The corruption exposed in the Captain Whitney lawsuit is not an isolated incident and provides credence to the countless allegations of misconduct against the Vallejo Police Department which have been recurring for decades."

Everyday Injustice Newsletter - February 12, 2021

Is Adam Schiff Now the Odds On Favorite for the AG Appointment?

By David Greenwald

There have been a lot of names thrown out, but more and more I am hearing from people in the know that it will be Congressman Adam Schiff. Apparently, he covets the Senate spot that should open (presumably) in 2024 when Dianne Feinstein steps down. Holding a statewide office where he will face reelection in 2022 would give him the exposure he needs.

Of course, the justice reform community is not happy. We have presented letters from leaders arguing against it.

USC Law Professor Jody Armour, who will be one of our headline speakers at our October 2021 fundraiser this year, has an op-ed in [the Appeal](#) this week pushing back against this notion.

He supports people like: Contra Costa District Attorney Diana Becton, State Assemblymember Rob Bonta, and California Supreme Court Justice Goodwin Liu but then argues: "There also is one name in the mix who would make a uniquely poor choice for a state that's facing interrelated policing, incarceration, and racial equity crises: U.S. Representative Adam Schiff."

Writes Professor Armour: "Most of the country knows Schiff as a resistance icon who spearheaded Donald Trump's first impeachment trial. In California, though, we know Adam Schiff as a [chief architect of mass incarceration](#) and an instigator of racial injustice."

As a state legislator, "Schiff authored over two dozen bills to directly increase the reach and punitiveness

of the criminal legal system, including bills to allow **children as young as 14** to be tried as adults, expand California's **notoriously racist three-strikes law**, and make **hiring "unauthorized aliens" a crime** that could land a person in prison for four years."

In addition, "More recently, as a member of Congress, Schiff supported the **2017 Thin Blue Line legislation**, siding with the bill's 21 Republican co-sponsors and against most Democrats in the House."

Writes Armour: "Schiff's retrograde record stands in stark contrast to the voice of California voters, as expressed more clearly through the passage of Propositions 36, 47 and 57, all of which rolled back extreme sentences issued as part of the same "tough on crime" style legislation that Schiff championed when he served in the state legislature."

"This reform-minded energy in California does not mean that its criminal legal system operates in a fair and just manner. In fact, quite the opposite," he notes. "Most of the state's prisons are **over maximum capacity**. The Los Angeles County **jail population has risen over its capacity limit** again.

"Police shootings of unarmed people, especially Black men, occur with alarming frequency. And racial inequities define every step of the justice process. Black people make up 6 percent of California's total population, but **27 percent of its prison population. Black residents are stopped** at 2.5 times the rate of white people and searched at three times the rate of white people. In San Francisco, Black residents are stopped at a rate five times higher than **their share of the population**."

Bottom line from Professor Armour: "Schiff's appointment would be viewed, especially by Black and Latinx communities, as a betrayal of the governor's expressed commitment to equal justice."

Unfortunately, I think the writing is on the wall. We shall see.

Thanks for reading.

Check out my conversation with Professor Armour on his recent book on the **Everyday Injustice Podcast**.

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 Sacramento Court Watch: <https://www.facebook.com/Sacramento-Court-Watch-1432660796849531/>
 San Francisco Court Watch: <https://www.facebook.com/SF-Court-Watch-577413429452441/>
 Twitter: <https://twitter.com/DavisVanguard>
 YouTube: <http://www.youtube.com/davisvanguard>

Criminal Justice News/ Commentary

Group Pushes For Justice For Willie McCoy, Killed by Vallejo Police and Alleges Whistleblower Retaliation Against Officer

Earlier this week, a group of supporters of Willie McCoy rallied in Sacramento pushing for a number of changes on the two-year anniversary of the death of the man, shot by Vallejo police, as he slept in his vehicle at a local drive-through.

[Read More](#)

SF D.A. Chesa Boudin Joins Bernal Heights Community Members in Virtual Public Meeting

San Francisco District Attorney Chesa Boudin joined Bernal Heights community members this week to explain and share remorse surrounding the violent incidents that occurred in the neighborhood this year.

[Read More](#)

9th Circuit Appeal of Convicted Man Facing Removal from U.S. Claims Immigration Court Failed to Consider Evidence, Uphold Correct Legal Standards

– Deputy Public Defender Hayley Upshaw appealed here this week for a review of her client’s case after the immigration court – Upshaw charges – failed to properly consider evidence and uphold correct legal standards

[Read More](#)

New Legislation Reforms State Juvenile System, ‘Tailoring Conditions’ to Help Youth

Today, the average length of probation for youth in California is nearly two years, and probation typically includes a list of up to 50 conditions that must be followed.

[Read More](#)

COVID-19 Patients Made to Clean Feces, Vomit, Urine in Quarantine Cells At Santa Clara Main Jail During January Outbreak

Santa Clara County Jails reported a second major COVID-19 outbreak at the beginning of January 2021, yet again highlighting the severity of the pandemic behind bars. To date, the highest number of positive cases on a single

[Read More](#)

COVID CDCR and Jail Dashboards

CSP Solano Reports Fifth COVID-related Death; CDCR Death Toll Reaches 207

Our daily run down on the COVID cases in the California Prison System (CDCR)

[Read More](#)

Santa Clara County Jails Appear to Recover from January Outbreak

Our daily run down on the COVID cases in selective County Jails

[Read More](#)

San Francisco Court Watch

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Federal Judge Grants Writ of Habeas Corpus, Ordering Hearing For Immigrant Detainee

A judge here in Alameda County Superior Court has dismissed a defendant's charge of an alleged rape in 2012 after finding "the record riddled with meaningful inconsistencies" and "changes in the story."

[Read More](#)

Yolo County Court Watch

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Unhoused Defendant, After Attacked and Harassed, to Stand Trial for Murder of Attacker

An unhoused defendant here – despite, by all law enforcement investigative and witness accounts, being the victim of harassment – is now being held for murder of her apparent assailant.

[Read More](#)

Sacramento Court Watch

[Like our Facebook Page](#)

Judge Ordered Defendant's Motion Translated, Served; But It Never Happened, Leading to Court Confusion

Defendant Ramon Mendez's wants to know more about the officers who arrested him, and on his own, filed a "Pitchess Motion" that could require the judge to look into an officer's personnel files.

[Read More](#)

"The People Would Be Happy to Convict You of All These Charges': Judge Pushes Back Against Defendant Questions About

Plea Deal

Defendant Antonio Johnson received several deadpan replies from Judge Michael Savage in Sacramento County Superior Court, Dept. 62 Tuesday as he attempted to ask clarifying questions of the court about

[Read More](#)

Alameda Court Watch

Judge Finds Enough to Hold Suspect for Drive-By Shooting Death a Year Ago

The second part of a preliminary hearing didn't turn out well for the defendant here late last week in Alameda County Superior Court in the case of a drive-by shooting that occurred in March 2020 and led to the death of Eric Chavez

[Read More](#)

Contra Costa Court Watch

Judge Makes Tough Decision to Keep Defendant in Jail Despite Detriment to Mental Health

After hearing about the traumatic life events which preceded the stabbing of a man, Contra Costa County Superior Court Judge John Cope came to the tough decision to keep defendant Lazhaun Young in custody –

[Read More](#)

Fresno Court Watch

Judge Denies Motion to Suppress Evidence in Questionable CHP Stop

A motion to suppress evidence in the questionable stop of an alleged reckless driver thought to be under the influence of alcohol was denied by Judge Samuel Dalesandro here in Fresno County Superior Court this week.

[Read More](#)

Riverside Court Watch

Judge Baffled After Hearing Officer Detained Man Who Looked Untruthful

Judge Dean Benjamini was left baffled after hearing a peace officer's reason for detaining a defendant—that the man appeared untruthful.

[Read More](#)

Merced Court Watch

Family Survives in the Face of Father's Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

[Read More](#)

Everyday Injustice - Podcast

see our podcasts

Everyday Injustice Podcast 90: Cristine Soto DeBerry and the Prosecutors Alliance

Cristine Soto Deberry is former Chief of Staff under both SF District Attorney George Gascon and Chesa Boudin as well as Deputy Chief of Staff to Gavin Newsom when he was Sacramento Mayor.

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Everyday Injustice Podcast 89: Alameda Candidates For Reform – Pamela Price and JoAnn Walker

Taking on the policies of the incumbent DA and Sheriff, JoAnn Walker, a SF Police Officer, and Pamela Price, a Civil Rights Attorney are running for Alameda County Sheriff and DA as a team.

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Yolo County Court Watch: <https://avanan.url-protection.com/v1/url?o=https%3A//www.facebook.com/groups/yolojudicialwatch/%26nbsp%3B&g=NjNiNmYyYmUzMmQ4MTIxOA==&h=MGE4Y2RiNDYyYTcwMmUyZTVjODJmZjNiYjY5ZjhhY2U0OTY3NDM4OWNiNDg4OTcyNDNkYjk0MwY4MTI4NDVjMw==&p=YXAzOnNmZHQyOmF2YW5hbGpvZmZpY2UzNjVfZW1haWxzX2VtYWIsOmNhYzE2M2FjYWU4MTc5ZjE1OTQzMmMxM2FjMTc0ZDM0OnYx>
Sacramento Court Watch: <https://avanan.url-protection.com/v1/url?>

o=https%3A//www.facebook.com/Sacramento-Court-Watch-1432660796849531/%26nbsp%3B&g=OTdIMWUyNTJmYWVIMmE1ZQ==&h=ODA5NmZIZTE4ZTMjYWU3M2QzMTIzMGYxOTRjOTkwNGRmOWNjZDgyODYzNWl4NTNiMDU2NzhIYjQwZTE3MDk5NA=&p=YXAzOnNmZHQyOmF2YW5hbJpvZmZpY2UzNjVfZW1haWxzX2VtYWIsOmNhYzE2M2FjYWU4MTc5ZjE1OTQzMmMxM2FjMTc0ZDM0OnYx

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o=https%3A//twitter.com/DavisVanguard%26nbsp%3B&g=ZjFiNDkzYWM3NmZINWI1YQ==&h=MDcyMjg2Y2VIZDYyYTcwNzBhYWlxYmEzZjcyMjVjM2MwZml2ZWZkM2RINzM4MwYxNGZkYjM4MTVINTljMTQyNg==&p=YXAzOnNmZHQyOmF2YW5hbJpvZmZpY2UzNjVfZW1haWxzX2VtYWIsOmNhYzE2M2FjYWU4MTc5ZjE1OTQzMmMxM2FjMTc0ZDM0OnYx

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o=http%3A//www.youtube.com/davisvanguard&g=NGUwNjRhY2FhMzg3MzExOA==&h=Y2IxMDBIODI4ZTJjNjIzNGI4ZmUwZmJjNTc0YjIzMGU1NzM3OTc5MTc3Y2VhYmE0OWZIMDZhNjVIZGRiMzY2OA==&p=YXAzOnNmZHQyOmF2YW5hbJpvZmZpY2UzNjVfZW1haWxzX2VtYWIsOmNhYzE2M2FjYWU4MTc5ZjE1OTQzMmMxM2FjMTc0ZDM0OnYx

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Subject: Digest for covidhabeas@googlegroups.com - 4 updates in 3 topics
Date: Friday, February 12, 2021 at 6:06:56 AM Greenwich Mean Time
From: covidhabeas@googlegroups.com
To: Digest recipients

covidhabeas@googlegroups.com

Google Groups

Topic digest

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- [CoVid Update; Bounce up](#) - 1 Update
- [Notes from call with Kelli Evans and Jennifer Neill today](#) - 1 Update
- [Fw: Republican Legislator Supportive of Releases](#) - 2 Updates

CoVid Update; Bounce up

Danica Rose <deardanica@gmail.com>: Feb 11 07:11PM -0800

----- Forwarded message -----

From: Life Support Alliance <staff@lifesupportalliance.org>

Date: Thu, Feb 11, 2021 at 7:01 PM

Subject: CoVid Update; Bounce up

To: LSA CoVid Post <covid@lifesupportalliance.org>

Slight bounce up in numbers today, much of a piece with the

pattern that continues to present throughout the CoVid 'experience,'—what goes

down, usually goes up. However, the

fatality total held today, no additions.

Small but important victories.

The overall number of positive cases today was 1,452, up 59

from yesterday, with 13 institutions down and 10 up, almost a wash. And on the upside, one prison has resolved all

its cases and comes in today at 0 cases.

Hope that number holds.

By prison with changes from yesterday, if any, in ():

ISP 289 (+34); WSP 283 (-2); DVI 161 (+30); MCSP 96 (-3);

SCC 94 (+10); SOL 62 (-22); COR 60 (+13); CCC 36 (+4); CCI 35 (+2); NKSP 35

(-2); VSP 34 (-7); CAL 31 (-13); SVSP 28 (+2); CHCF 21 (-1); CMF 21 (-1);
CCWF

20 (+1); CAC 18; HDSP 17 (+1); CEN 16; CTF 15 (-4); CIW 14; LAC 11 (-1);
CMC 9

(-2); SAC 9; KVSP 9; FSP 7; PBSP 6 (+3); CRC 5 (-2); CIM 3; PVSP 2; SQ 2;
ASP, CVSP AND RJD all single cases, no change,

and SATF wins the brass ring, no cases (-1).

Hearing reports of lots of shifting of men (so far the

reports are only from the male institutions) among housing, especially in
those

locations that seem, at last for now, to be managing the CoVid situation.
This is reportedly in preparation for new

transfers from the reception centers to their long-term locations.

Yes, for several weeks now CDCR has been accepting a

limited number of new state wards from county jails, a few jails each week
and

a limited number of intake. Also

precautions required at the county level, quarantine and everyone on the
bus, including

transporting staff, must have N95 masks.

The department reports reception center staff have actually turned away

some busses, because the county-soon-to-be-state inmates were not wearing
the

proper masks.

So far CDCR reports it is monitoring where the new inmates are housed in the reception centers and there have not been untoward outbreaks in those areas or in the reception centers in general, though one, WSP, is the second runner up today in number of cases. But we've inquired and been told that increase is not in the reception quarantine.

It would probably take a schematic like that the OIG produced for the spread of the virus at SQ to be sure, but the numbers haven't shown huge increases at reception centers, so far. And if you haven't checked out the video of the spread of the virus at SQ (the ultimate in viral video), you should.

Here's the link: <https://www.oig.ca.gov/data-explorer/#/covid-19>

Vanessa,
Life Support Alliance

Together we can do this, one step at a time.

--

Life Support Alliance does this post as a service to our membership.

If you find it beneficial please visit our website to support us.

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You received this message because you are subscribed to the Google Groups "LSA CoVid Post" group.

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Notes from call with Kelli Evans and Jennifer Neill today

"Harris, Danielle (PDR)" <danielle.harris@sfgov.org>: Feb 12 12:01AM

Bottom line – Phillips settlement off the table but Kelli Evans says every other category has something they might offer. They will send us something in writing – confidentially - that we can then discuss. She seems very worried that what they offer won't be good enough for all our people, but they are still engaged.

More details of the call here:

<https://docs.google.com/document/d/1HsTyXgbqgg6yfi6zv59bprc5x5JmaZnvVhGC0Bb5A5Q/edit?usp=sharing>

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Fw: Republican Legislator Supportive of Releases

"Rodarmel, Danica (PDR)" <danica.rodarmel@sfgov.org>: Feb 11 08:08PM

From: Rodarmel, Danica (PDR)

Sent: Thursday, February 11, 2021 12:08 PM

To: #StopSanQuentinOutbreak Organizing Group <stopsqoutbreak1@googlegroups.com>

Subject: Republican Legislator Supportive of Releases

ICYMI: <https://www.davisvanguard.org/2021/02/republican-leader-pushes-for-prison-release-hammers-1>
[<https://www.davisvanguard.org/wp-content/uploads/2020/07/San-Quentin-Press-Wide-09-500x333.jpg>]
Republican Leader Pushes for Prison Release, Hammers San Quentin | Davis Vanguard<<https://www.davisvanguard.org>>
The news this week is that San Quentin now faces California's single largest penalty yet over workplace safety.
<https://www.davisvanguard.org>&g=OTRiMzdjZTY1OTM2MTU0Mw==&h=NzFkOTIiMTIjYmNjNTM1YTl1Zm

Danica Rodarmel (She/Her)

State Policy Director

San Francisco Public Defender

Danica.rodarmel@sfgov.org<mailto:Danica.rodarmel@sfgov.org>

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"Rodarmel, Danica (PDR)" <danica.rodarmel@sfgov.org>: Feb 11 08:11PM

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Sent: Thursday, February 11, 2021 12:11 PM
To: #StopSanQuentinOutbreak Organizing Group <stopsqoutbreak1@googlegroups.com>
Subject: Re: Republican Legislator Supportive of Releases

Noting that the bill in the story was from last year and died:
https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB2876

I'll reach out to David Greenwald for clarification.

From: stopsqoutbreak1@googlegroups.com <stopsqoutbreak1@googlegroups.com> on behalf of Rodarmel, Danica (PDR)
Sent: Thursday, February 11, 2021 12:08 PM
To: #StopSanQuentinOutbreak Organizing Group <stopsqoutbreak1@googlegroups.com>
Subject: [StopSQOutbreakOrganizing] Republican Legislator Supportive of Releases

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ICYMI: <https://www.davisvanguard.org/2021/02/republican-leader-pushes-for-prison-release-hammers-1>
[<https://www.davisvanguard.org/wp-content/uploads/2020/07/San-Quentin-Press-Wide-09-500x333.jpg>]
Republican Leader Pushes for Prison Release, Hammers San Quentin | Davis Vanguard<<https://www.davisvanguard.org>>
The news this week is that San Quentin now faces California's single largest penalty yet over workplace safety.
<https://www.davisvanguard.org>&g=ZDE2NjA4OTVIMjJiNzUxNQ==&h=ZjBkMzMzNiYTAxNjJjNTA5ZmFiZDg4N

Danica Rodarmel (She/Her)

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Subject: Re: Prison releases & AB 2876

Date: Thursday, February 11, 2021 at 8:27:43 PM Greenwich Mean Time

From: David M. Greenwald

To: Rodarmel, Danica (PDR)

CC: Ibarra, Valerie (PDR)

My apologies - which article does this refer to?

On Thu, Feb 11, 2021 at 12:21 PM Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org> wrote:

Hey David-

I think that bill was introduced last year and died -- not sure if she's planning to intro another bill, but she definitely hasn't yet. https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB2876

Otherwise thanks for covering this! It's so helpful to have her support AND your reporting!

Best,
Danica

Danica Rodarmel (She/Her)
State Policy Director
San Francisco Public Defender
Danica.rodarmel@sfgov.org

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From: David M. Greenwald <info@davisvanguard.org>

Sent: Thursday, February 11, 2021 12:18 PM

To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>

Subject: Re: Prison releases & AB 2876

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Hi Danica - let me know what is up.

On Thu, Feb 11, 2021 at 12:17 PM Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org> wrote:

Hi David -- I'm connecting you here with our statewide policy director, Danica. I believe it's regarding a 2/7 article from the Vanguard, but I'll let her take it from here.

Thanks,
Valerie

Valerie Ibarra
Public Information Officer
San Francisco Public Defender's Office
Valerie.Ibarra@sfgov.org
(628)249-7946
SFPublicDefender.org/Media

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David M. Greenwald
Executive Director
[The People's Vanguard of Davis](https://www.davisvanguard.com)

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Subject: Re: Prison releases & AB 2876

Date: Thursday, February 11, 2021 at 8:20:53 PM Greenwich Mean Time

From: Rodarmel, Danica (PDR)

To: David M. Greenwald, Ibarra, Valerie (PDR)

Hey David-

I think that bill was introduced last year and died -- not sure if she's planning to intro another bill, but she definitely hasn't yet. https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB2876

Otherwise thanks for covering this! It's so helpful to have her support AND your reporting!

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From: David M. Greenwald <info@davisvanguard.org>
Sent: Thursday, February 11, 2021 12:18 PM
To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Cc: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Subject: Re: Prison releases & AB 2876

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Subject: Re: Prison releases & AB 2876

Date: Thursday, February 11, 2021 at 8:18:29 PM Greenwich Mean Time

From: David M. Greenwald

To: Ibarra, Valerie (PDR)

CC: Rodarmel, Danica (PDR)

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Hi Danica - let me know what is up.

On Thu, Feb 11, 2021 at 12:17 PM Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org> wrote:

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Subject: Prison releases & AB 2876

Date: Thursday, February 11, 2021 at 8:17:14 PM Greenwich Mean Time

From: Ibarra, Valerie (PDR)

To: David M. Greenwald, Rodarmel, Danica (PDR)

Hi David -- I'm connecting you here with our statewide policy director, Danica. I believe it's regarding a 2/7 article from the Vanguard, but I'll let her take it from here.

Thanks,
Valerie

Valerie Ibarra
Public Information Officer
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Valerie.Ibarra@sfgov.org
(628)249-7946
SFPublicDefender.org/Media

Subject: Re: Commenting on the Nectali Romero habeas victory
Date: Thursday, February 11, 2021 at 7:53:09 PM Greenwich Mean Time
From: Upshaw, Hayley (PDR)
To: David M. Greenwald, Ibarra, Valerie (PDR)

Hi David,

Thanks for the email and the continued interest in our work. This case is even closer to home for you all as Mr. Singh was raised and currently resides in Sacramento.

Anyway, I did not change substance but saw a couple of small errors/typos - I put them and clarifications corrections in brackets below.

In case you or your students are interested, another more legally intricate and possibly precedential case was in a case I argued with co-counsel the day before Mr. Singh's - [Watch recording for Brayan Rodriguez v. Robert Wilkinson, No. 19-70386 \(uscourts.gov\)\]](#)

Best wishes,

Hayley

SAN FRANCISCO – Deputy Public Defender Hayley Upshaw appealed here this week for a review of her client’s case after the immigration court – Upshaw charges – failed to properly consider evidence and uphold correct legal standards before the Ninth Circuit Court of Appeals.

Upshaw’s client, Ronald Singh, was brought to the U.S. as an eight-month infant in 1988 after he and his

family fled Fiji because of violent attacks by Fijian Soldiers. In 2005, he was granted asylum and received legal permanent residence [delete].

However, after sustaining an aggravated felony, Singh lost his status and has been placed in removal proceedings.

“[Singh] was eligible for two forms of relief and applied for both and the agency made critical errors in each form which require remand. I’d like to bring your attention to three of the errors in particular,” Upshaw stated before Ninth Circuit’s judges Ronald M. Gould, Kim McLane Wardlaw and James D. Cain Jr.

According to Upshaw, the first error allegedly made was in the failure to uphold [should be "apply"] the Asylee statute that allows for Singh to adjust status through a waiver of inadmissibility under the Adjustment of Status of Refugee 8 USC § 1159.

In this statute, this type of waiver is allowed for humanitarian purposes that secure family unity or are in the public interest. The immigration court denied

Singh’s application on the grounds of insufficient humanitarian factors or family unity.

However, Upshaw argues that there is strong legal ground to uphold Singh’s waiver under this statute based on public interest factor.

“In Mr. Singh’s legal arguments, said [not sure if this is missing something. Did she take this exact quote from the video transcript - [Watch recording for Ronald Singh v. Robert Wilkinson, No. 19-72242 \(uscourts.gov\)](#)] there were strong public interest grounds including his ability to make restitution, his ability to make the victim of his crime whole again through restitution which he will be unable to do if returned to Fiji,” explained Upshaw to the judges.

The second error allegedly made, according to PD Upshaw, was that the immigration court failed to take into consideration the country conditions in the analysis for the waiver of inadmissibility for Singh as it failed to analyze hardship to Singh and its exercise for discretion

“The [immigration court] failed to consider the country conditions and expert evidence for the harms short of torture that Mr. Singh would face if removed to Fiji,” said Upshaw.

Upshaw also highlighted that in the application submitted for this section, Singh provided expert testimonies that would attest to the hardships he would face as an Indo-Fijian, a deportee with little to [delete - he has no family or other connections left in Fiji] no social networks and family connections in Fiji.

It is also explained that the immigration judge [said she] would take these expert affidavits into consideration. However, in the analysis done by this immigration judge, there is no acknowledgment of such expert testimonies/evidence and used [should be "made"] findings that were contrary to evidence provided.

Upshaw further explains the previous matter and additionally **sites [should be "cites"]** multiple prior rules of law that **upholds [uphold]** the claims she is arguing.

“Under the BIA Law (Board of Immigration Appeals) Mendez Morales, the [immigration court] was required to consider hardship to Mr. Singh and to his family if deportation occurs but failed to do so in its analysis...only focusing on his long term residence, his supportive family members, and his work and educational history,” Upshaw said.

Judge Ronald M. Gould asked Upshaw to address the due process argument.

“The due process argument is while Mr. Singh does not have the right to any specific outcome in a discretionary finding, he does have the right to due process which includes [the immigration court] considering all relevant evidence and applying the correct legal standards in its discretionary decision,” replied Upshaw.

The final alleged error made by the immigration court regards the C.A.T. (Convention Against Torture) analysis in which Upshaw argues that the agency ignored the torture Singh endured as an infant.

“Counsel, let me ask you a question about that if Mr. Singh at the time of the military was harming his family was an eight-month-old infant, then how can an infant experience torture from observing that,” questioned Judge Gould.

“Your honor, attempted killing certainly I think is torture...this court has clearly held that and attempted killing, here the evidence shows he was crying while his mother was being raped and his father was being beaten up. The infant Mr. Singh was crying in the next room. The army officials certainly knew he was there and set fire to his home... and I think that attempted killing of a child constitutes torture,” replied Upshaw.

Senior Litigation Counsel Brianne Cohen on behalf of the U.S. Attorney General presented the opposing arguments against Deputy Public Defender Upshaw.

Counsel Cohen expresses to the court that Singh’s case should be dismissed in part and denied in part the petition for review. According to Cohen, the court lacks jurisdiction to review the immigration court’s denial of Singh’s application for adjustment of status and the waiver for inadmissibility.

“The questions that are involved in the denial of the waiver and the ultimate determination to deny adjustment status in the exercise of discretion, do not raise legal questions but instead amount to a disagreement to the [immigration court] weighing of the factors and are **inheritance [inherently?]** discretionary questions for which the court lacks jurisdiction to review,” said Cohen.

Cohen addressed each of the alleged errors argued by Upshaw.

For the first alleged error regarding whether or not the immigration court **errored** in looking at all of the

relevant factors for the hardship waiver, Cohen said the court did analyze correctly the application for the hardship waiver.

Cohen further explained that in cases where the petitioner has been convicted of an aggravated felony, that [a heightened standard] will be applied under the matter of Jean (In re Melanie Beaucejour Jean).

“Ultimately there is nothing on the record that indicates that the [immigration court] failed to consider any of the relevant factors and the ultimate questions here relate to discretionary determinations over which the court lacks jurisdiction,” reaffirmed Cohen.

Cohen then said, regarding the second alleged error argued by Upshaw on whether or not the agency properly considered country conditions evidence that fell short of torture, that the immigration court consider the evidence that was presented on the record, but that it fell short of torture.

“The [Immigration court] considered Mr. Singh’s argument and evidence that showed he would face difficulty perhaps finding employment. This is not something that would normally go to torture but instead was considered by the agency in the context of the hardship to both Mr. Singh and to his family should Mr. Singh be removed to Fiji,” explained Cohen.

Lastly, regarding the C.A.T. (Convention Against Torture) and whether or not the immigration court ignored the prior torture, Cohen said that Singh’s claims related almost completely to the torture endured by his parents and never brought to attention his experience and that of torture at the time of the violent attack.

“[Singh] did not, for example, argue that he has suffered enduring trauma as a result of the violent attack on his parents, but it is clear that the agency considers the violent attack as it related to Mr. Singh’s parents in their consideration” clarified Cohen.

Cohen added that past torture is a factor in a C.A.T. analysis but it does not contain a presumption of future torture regardless of if torture was established in the past. Cohen further amplifies that the immigration did not commit any errors and that the court does not have jurisdiction to review Singh’s case.

Judge Gould asked Cohen to address the arguments for due process.

“Ultimately, these arguments amount to a weighing of the evidence. None of the arguments that were raised truly get to due process violation. The closest argument is the argument about the consideration of the expert testimony but the record shows that the petitioner agreed to move forward on a proffer testimony and the immigration judge considered that at full weight,” Cohen replied.

Cohen followed these statements by asking the court to dismiss and deny the petition for review.

Public Defender Upshaw readdressed the court and addressed the arguments presented by Cohen.

“As to the criminal review bar, this court has found that where the [immigration court] errors in the matter of

law by failing to apply all relevant [and] consider all relevant evidence and by failing to apply correct legal standards. This is a legal issue and still subject to this court's review," Upshaw said.

This court proceeding concluded by Judge Kim McLane Wardlaw stating that this case will be submitted.

Hayley Upshaw
(She/Her/Ella)
Deputy Public Defender
San Francisco Public Defender's Office
Immigration Defense Unit
(415) 734-3002 (office)
(415) 754-3762 (google voice/mobile)

***** Working remotely. Please email or call my mobile.*****

From: David M. Greenwald <info@davisvanguard.org>
Sent: Thursday, February 11, 2021 11:02 AM
To: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>
Cc: Upshaw, Hayley (PDR) <hayley.upshaw@sfgov.org>
Subject: Re: Commenting on the Nectali Romero habeas victory

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Hi Hayley -

This was written by Any - an intern that is part of our collaborative court watch with your office - <https://www.davisvanguard.org/2021/02/9th-circuit-appeal-of-convicted-man-facing-removal-from-u-s-claims-immigration-court-failed-to-consider-evidence-uphold-correct-legal-standards/>

Let me know if there needs to be any modifications.

On Thu, Jan 28, 2021 at 11:53 AM Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org> wrote:

Hello Hayley and David --

I'm connecting you here because David (of the Davis Vanguard) was hoping to get some comments re: the habeas case.

David -- would you please send your question(s)/prompt to Hayley? She is currently working on the bond motion set for tomorrow morning, and thus in a bit of a crunch today. Please mention whether you plan to publish today, or perhaps want to wait for the bond hearing to complete tomorrow -- i.e. just let us know when you need a response.

Thank you both -- here to help if needed,
Valerie

--

Valerie Ibarra
Public Information Officer
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Valerie.Ibarra@sfgov.org
(628)249-7946
SFPublicDefender.org/Media

--

David M. Greenwald
Executive Director
[The People's Vanguard of Davis](http://ThePeople'sVanguardofDavis.com)

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Subject: Re: Commenting on the Nectali Romero habeas victory
Date: Thursday, February 11, 2021 at 7:02:02 PM Greenwich Mean Time
From: David M. Greenwald
To: Ibarra, Valerie (PDR)
CC: Upshaw, Hayley (PDR)

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Hi Hayley -

This was written by Any - an intern that is part of our collaborative court watch with your office - <https://www.davisvanguard.org/2021/02/9th-circuit-appeal-of-convicted-man-facing-removal-from-u-s-claims-immigration-court-failed-to-consider-evidence-uphold-correct-legal-standards/>

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Subject: Everyday Injustice - Why the Push Against Gascon Will Fail; The Corruption of the LA Sheriff's Department on Display

Date: Thursday, February 11, 2021 at 7:00:30 PM Greenwich Mean Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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Senator Nancy Skinner: "SB 81 sends a clear message to our courts: Sentence enhancements should be used judiciously, and only when the enhancement is necessary to protect the public. And SB 82 will help ensure that in the case of theft, the punishment meets the crime."

Everyday Injustice Newsletter - February 11, 2021

The Everyday Injustice Project... Update

Hello everyone, I am the director of the Vanguard. Over the last year, we have expanded from a relatively small non-profit organization to one that has grown tremendously, and I just want to update you on our progress today.

Court Watch - We currently have at least 50 interns across California tracking and monitoring and reporting on cases - counties we are currently working on - Sacramento, Yolo, San Francisco, Alameda, Contra Costa, Fresno, and Los Angeles.

Everyday Injustice Podcast - We will post new episodes every Monday. Last week we featured, Cristine Soto DeBerry of the Prosecutor's Alliance ([link](#)), and new episodes will be on [Spotify](#), [Soundcloud](#), and [Apple Podcasts](#).

San Francisco Project - as some of you saw, we have brought on Alana Bleimann and Mia Machado to head a team of 7 to 8 people covering San Francisco criminal justice - that is in addition to our work in the court watch that we launched in 2019.

COVID Behind Bars Project - Aparna Komarla is heading up a team of as many as 10 to 15 interns who are tracking COVID on a dashboard in jails and prisons as well as doing investigative reporting on the conditions in the jails.

1437 Project - Dani Silva is heading up a team of six interns tracking 1437 cases (which changed the law

on felony murder in California and allowed people in prison for decades a chance to be released), through the state and updating a database. We are hoping to roll out coverage of 1437 cases as we did in 2019 and early 2020 before the pandemic struck.

UCLA/ USC/ Los Angeles Project - Cailin Garcia and Julian Verndon are heading up a team of students who will be monitoring the courts and reporting on social and criminal justice issues in Los Angeles.

Vanguard at UC Berkeley - Koda Slingluff and Özge Terzioğlu will head up a similar team at UC Berkeley that will be among other things, monitoring the courts.

Wrongful Convictions/ Post Conviction Projects - We currently have as many as 20 interns working on at least 10 post-conviction cases that are likely wrongful convictions.

We are currently working on a new website that can more cleanly accommodate the more than 20 articles a day we are generating.

What we need from you: really two things - read and share our stories so we can grow our readership. And consider becoming sustaining members at \$5 to \$10 per month or more so we can fund this.

You can help by going here: <http://davisvanguard.networkforgood.com>

Thanks for reading.

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San Francisco Court Watch: <https://www.facebook.com/SF-Court-Watch-577413429452441/>
Twitter: <https://twitter.com/DavisVanguard>
YouTube: <http://www.youtube.com/davisvanguard>

Criminal Justice News/ Commentary

Commentary: Chesa Is Not A “Pro-Crime Prosecutor” And Here’s Why

Over the past several weeks the fire under Chesa Boudin has intensified and become hotter. Many independent and large newspapers have made claims that attempt to bring Boudin's office down by “exposing” the negative side

[Read More](#)

Commentary: A Recall Against Gascon Will Probably Fail

Recall is in the air again. Some Californians will remember the successful recall of Governor Gray Davis in 2003. While “California has some of the more permissive recall requirements in the country,” according to

[Read More](#)

Guest Commentary: This is Biden's Chance to End ICE's Abuses — For Good

President Biden's 100-day deportation moratorium, announced late last month, was a monumental achievement for immigrant justice activists and immigrant communities. Less visible but potentially groundbreaking: The Department of

[Read More](#)

LA Office of Inspector General Report Reveals Misconduct in Investigations and Disciplinary Process of County Sheriff's Department

The Los Angeles Office of Inspector General, after a review of the disciplinary process of the Los Angeles County Sheriff's Department, has determined there are numerous structural and cultural issues resulting in the Department's

[Read More](#)

Man Sues City of Lancaster and Los Angeles County Sheriff's Department for False Arrest, Violation of Rights

A disabled Black man, Leroy Butts, is suing the Los Angeles County Sheriff's Department (LACSD) and City of Lancaster for violation of his rights to due process, equal protection, excessive fines, and illegal

[Read More](#)

ACLU and UC Irvine Lawsuit Argues Lancaster's Administrative Citation System Targets Those Struggling with Homelessness

In the city of Lancaster, people are fined for sleeping in a vacant lot outdoors and other activities that are unavoidable for people in poverty—but especially people without homes. The administration citation system in

[Read More](#)

Legislature Considers New Criminal Justice Reform Bills to Change Sentencing Enhancements, and Modify 'Petty Theft' Code

In response to a new report from a state “Committee on the Revision of the Penal Code” – which recommended 10 changes to the penal code – state Sen. Nancy Skinner (D-Berkeley) late Tuesday announced two

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COVID CDCR and Jail Dashboards

CA Healthcare Facility, CA Mens Colony, Mule Creek Report New COVID-related Deaths

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Santa Clara County Jails Appear to Recover from January Outbreak

Our daily run down on the COVID cases in selective County Jails

[Read More](#)

San Francisco Court Watch

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Federal Judge Grants Writ of Habeas Corpus, Ordering Hearing For Immigrant Detainee

A judge here in Alameda County Superior Court has dismissed a defendant's charge of an alleged rape in 2012 after finding “the record riddled with meaningful inconsistencies” and “changes in the story.”

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Yolo County Court Watch

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‘I’m Not Going to Make You Look Stupid,’ Promises Defendant after Judge Gives Him Another Chance, Releases Him without Bail

Defendant Michael Glynn pleaded for Yolo County Superior Court Judge Peter M. Williams to release him on his own recognizance, without bail, after being taken into custody for missing multiple court dates—Glynn blamed lack of

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Sacramento Court Watch

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Sacramento DDA Insists on Jail Time Now for Defendant Despite Potential for Early COVID Release

Deputy District Attorney Mai Trieu was adamant about sticking to her plea deal Tuesday morning in Sacramento County Superior Court, even though the court suggested the two months more in jail she wanted now for a defendant

[Read More](#)

Law Student Insists on Representing Herself Despite Judge's Many, Many Warnings

Defendant Tracy Wilson, citing her background as a law student, was adamant that she wanted to represent herself despite Sacramento County Superior Court Judge Scott L. Tedmon's repeated warnings that to do so would be to her

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Alameda Court Watch

Judge Finds Enough to Hold Suspect for Drive-By Shooting Death a Year Ago

The second part of a preliminary hearing didn't turn out well for the defendant here late last week in Alameda County Superior Court in the case of a drive-by shooting that occurred in March 2020 and led to the death of Eric Chavez

[Read More](#)

Contra Costa Court Watch

Judge Makes Tough Decision to Keep Defendant in Jail Despite Detriment to Mental Health

After hearing about the traumatic life events which preceded the stabbing of a man, Contra Costa County Superior Court Judge John Cope came to the tough decision to keep defendant Lazhaun Young in custody –

[Read More](#)

Fresno Court Watch

Judge Denies Motion to Suppress Evidence in Questionable CHP Stop

A motion to suppress evidence in the questionable stop of an alleged reckless driver thought to be under the influence of alcohol was denied by Judge Samuel Dalesandro here in Fresno County Superior Court this week.

[Read More](#)

Riverside Court Watch

Judge Baffled After Hearing Officer Detained Man Who Looked Untruthful

Judge Dean Benjamini was left baffled after hearing a peace officer's reason for detaining a defendant—that the man appeared untruthful.

[Read More](#)

Merced Court Watch

Family Survives in the Face of Father's Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

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Everyday Injustice - Podcast

[see our podcasts](#)

Everyday Injustice Podcast 90: Cristine Soto DeBerry and the Prosecutors Alliance

Cristine Soto Deberry is former Chief of Staff under both SF District Attorney George Gascon and Chesa Boudin as well as Deputy Chief of Staff to Gavin Newsom when he was Sacramento Mayor.

[Read More](#)

Everyday Injustice Podcast 89: Alameda Candidates For Reform – Pamela Price and JoAnn Walker

Taking on the policies of the incumbent DA and Sheriff, JoAnn Walker, a SF Police Officer, and Pamela Price, a Civil Rights Attorney are running for Alameda County Sheriff and DA as a team.

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Subject: Re: Introductions

Date: Thursday, February 11, 2021 at 1:23:58 AM Greenwich Mean Time

From: Ibarra, Valerie (PDR)

To: Alana Bleimann, David M. Greenwald

Hi Alana,

Nice to 'meet' you here. I look forward to finding a time to connect soon -- either this Friday or next week. Please let me know your availability, and we can set it up. You can also text me at the number below.

Best regards,

Valerie
(628)249-7946

From: Alana Bleimann <acbleimann@dons.usfca.edu>

Sent: Wednesday, February 10, 2021 10:57 AM

To: David M. Greenwald <info@davisvanguard.org>

Cc: Ibarra, Valerie (PDR) <valerie.ibarra@sfgov.org>

Subject: Re: Introductions

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Good morning!

Nice to meet you, Valerie! Thank you for your assistance on this project.

Talk to you soon,
Alana Bleimann

On Wed, Feb 10, 2021 at 10:15 AM David M. Greenwald <info@davisvanguard.org> wrote:

Hi Valerie - I wanted to introduce you to Alana Bleimann who we have brought on as our reporter to help anchor our team in San Francisco.

Alana - Valerie is the Media Person for the Public Defender's Office in San Francisco and an excellent resource for that side of the aisle.

Please forgive any typos, my brain is apparently not working at full capacity this morning.

--

David M. Greenwald

Executive Director

[The People's Vanguard of Davis](#)

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Subject: A Push for Progressive Reforms in San Francisco

Date: Wednesday, February 10, 2021 at 9:00:24 PM Greenwich Mean Time

From: David Greenwald

To: valerie.ibarra@sfgov.org

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Image



Introducing:
**The Vanguard's
San Francisco
Division**

Image



Hello Valerie,

Our journey for a more transparent justice system continues into San Francisco, CA!

The San Francisco DA's office requires more expansive media coverage to demonstrate the criminal justice system's reform, which would improve the overall safety and quality of San Francisco.

With a donation today, our team of six reporters and writers will be able to provide fractal and unbiased media coverage to validate the progress of progressive prosecutor San Francisco DA Chesa Boudin!

DONTE TODAY

Meet the lead reports of the Vanguard's SF Division!

Image

Alana Bleimann

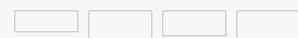
She is originally from Raleigh, North Carolina, and is currently a third-year Sociology and Criminal Justice student at the University of San Francisco. She is interested in creating substantial reform in our criminal justice system at the intersection of art and rehabilitation. She hopes that through her and her team's work, the negative narrative surrounding progressive reform policies will change and readers will look at criminal justice reform through a new lens.

Image

Mia Machado

Mia is a junior at UC Davis studying political science- public service. She looks forward to restructuring the narrative around Chesa Boudin's progressive reforms and elevating the positive effects they have had on the lives of other individuals not discussed in the media.

The Peoples Vanguard of Davis Inc
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Davis, CA 95616
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Subject: Everyday Injustice - Major Legislative Effort At Reform in Cal as DAs Boudin and Gascon Are Under Fire

Date: Wednesday, February 10, 2021 at 7:01:44 PM Greenwich Mean Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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Senator Nancy Skinner: "SB 81 sends a clear message to our courts: Sentence enhancements should be used judiciously, and only when the enhancement is necessary to protect the public. And SB 82 will help ensure that in the case of theft, the punishment meets the crime."

Everyday Injustice Newsletter - February 10, 2021

Senator Skinner Introduces Two More Reform Bills in California

On Tuesday, Senator Nancy Skinner who among the recent champions of criminal justice reform, introduced two criminal justice reform bills in response to [a new report](#) from the state's Committee on the Revision of the Penal Code.

The committee's report outlines ten recommended areas for revising the penal code. The first, [SB 81](#), would reform the state's use of sentencing enhancements, which add years to prison sentences but, based on widespread research, fail to improve public safety. SB 81 would create a set of guidelines for courts so that sentence enhancements would no longer be applied to nonviolent offenses and certain other cases unless a judge determines that the enhancements are necessary to protect public safety.

This is the heart of the battle in Los Angeles where a judge struck down DA George Gascon's ability to prevent his deputies from charging Three Strikes and other enhancements.

The other bill, **SB 82**, would update a 150-year-old statute that has allowed prosecutors to elevate a petty theft charge into felony robbery. SB 82 would establish a clear distinction between theft and robbery for cases when no deadly weapon was used and no one was seriously injured.

“Serving on the Committee on the Revision of the Penal Code gave me the opportunity to engage with experts and advocates to identify commonsense proposals for criminal justice reform.” Sen. Skinner said. “SB 81 sends a clear message to our courts: Sentence enhancements should be used judiciously, and only when the enhancement is necessary to protect the public. And SB 82 will help ensure that in the case of theft, the punishment meets the crime.”

The report found that a majority of people in prisons - upwards of 80 percent - are are serving a sentence term that includes extra time added on by a sentencing enhancement. In some cases, the amount of prison time added due to sentencing enhancements is five to 10 years or more — longer than the term for the underlying conviction.

As we know these sentencing enhancements penalize people of color and also put people in custody well past the point where they represent a threat.

The committee's report also noted that “enhancements are applied disproportionately against people of color and people suffering from mental illness.” Research reviewed by the Penal Code Revision Committee showed no evidence that the proliferation of sentencing enhancements in California has made the state safer.

SB 81 addresses this lack of clarity on the use of enhancements by establishing a presumption that directs judges to not use sentencing enhancements — unless there is clear and convincing evidence that not applying the enhancement would result in endangerment to the public — in the following circumstances:

The underlying conviction involves a nonviolent offense or did not include a loaded firearm

Enforcing the sentencing enhancement would result in a disparate racial impact

The enhancement is based on a prior conviction that is more than five years old

The underlying conviction is connected to mental health issues or to prior victimization or childhood trauma

The defendant was a juvenile when they committed the underlying offense or prior offenses

Multiple enhancements are alleged in a single case or the total sentence is more than 20 years

SB 82 would:

Create a new category of “petty theft in the first degree” for thefts under \$950 that may involve force or fear but do not result in serious injury or involve the use of a deadly weapon. This new category would be punishable by up to one year in jail and/or a \$1,000 fine

Categorize petty theft that does not involve force or fear as “petty theft in the second degree,” which remains punishable by jail time of up to six months and/or \$1,000 fine

Prohibit either category of petty theft from being charged as robbery or burglary

Apply this change retroactively, allowing those convicted of robbery to apply for resentencing if they meet the criteria.

Thanks for reading

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San Francisco Court Watch: <https://www.facebook.com/SF-Court-Watch-577413429452441/>
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YouTube: <http://www.youtube.com/davisvanguard>

Criminal Justice News/ Commentary

CA Legislation Introduced to Reform 'Felony Murder Circumstances Law' – Could Save Hundreds in Prison for Death or Awaiting Execution

Legislation was introduced here Tuesday to reform California's existing "felony murder special circumstances law," and would provide an avenue for individuals currently incarcerated to petition for resentencing,

[Read More](#)

Commentary: California's Leading Reformer DA's Find Themselves Under Fire

Yesterday in Los Angeles, Judge James Chalfant handed down a decision that dealt a massive blow, potentially, not just to the reform agenda of George Gascon, but every reform District Attorney in the state.

[Read More](#)

Guest Commentary: To End Systemic Racism, Ensure Systemic Equality

Over the past four years, we grew accustomed to a regular barrage of blatant, segregationist-style racism from the White House. Donald Trump tweeted that "the Squad," four Democratic Congresswomen who are Black, Latinx, and

[Read More](#)

Philly DA's 'Treat Children as Children' Initiative Showing Potential for Significant Impact

The Philadelphia District Attorney's office released a statement this week highlighting new innovative programs intended to "treat children as children" in the criminal justice system and to focus on rehabilitation of system-involved

[Read More](#)

UCLA Center for the Study of Women Discusses CA's Booming Incarceration Rates: "It's not Something CA Should be

Proud of”

California has become the epicenter of a statewide increase in the rate of life and virtual life sentences, skyrocketing at a 1 in 3 prison population. The inequalities present amongst race, gender and age are fatally imposed in

[Read More](#)

Los Angeles Court CEO Blames Court Employees for Recent COVID-19 Deaths

Ignoring the unsafe working conditions of LA courthouses and court interpreters unions' requests for emergency paid sick leave and remote court hearings, LA Courts CEO Sheri R. Carter attributed the recent COVID-19

[Read More](#)

San Quentin, Avenal State Prison Fined Over Medical Negligence; Office of Inspector General Releases Scathing Report of CDCR Transfers

As of Feb. 6, there have been a total of 48,104 confirmed COVID-19 cases in the CDCR system – 1,606 of them emerged in the last two weeks. 1,784 cases are active in custody while 694 were released while active. Roughly 94

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COVID CDCR and Jail Dashboards

CA Healthcare Facility Reports Twelfth COVID-related Death; CDCR Death Toll Reaches 200

Our daily run down on the COVID cases in the California Prison System (CDCR)

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A judge here in Alameda County Superior Court has dismissed a defendant's charge of an alleged rape in 2012 after finding "the record riddled with meaningful inconsistencies" and "changes in the story."

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Yolo County Court Watch

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'I'm Not Going to Make You Look Stupid,' Promises Defendant after Judge Gives Him Another Chance, Releases Him without Bail

Defendant Michael Glynn pleaded for Yolo County Superior Court Judge Peter M. Williams to release him on his own recognizance, without bail, after being taken into custody for missing multiple court dates—Glynn blamed lack of

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Sacramento Court Watch

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\$40 Liquor Store Theft with Gun Alleged; March Trial Now Upcoming

Not a big "score" by any means, but a man who allegedly stole \$40 in merchandise from a liquor store and then used a firearm to convince employees to not intervene, is now set for trial in March after his preliminary hearing here

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Defendant Pleads Guilty to Willful and Unlawful Bodily Harm and Death of One-Year-Old 'Baby R'

In Sacramento County Superior Court last Friday, Kira Collins pleaded guilty to an amended felony complaint that she willfully and unlawfully produced great bodily harm and death to one-year-old "Baby R," who was a victim of shaken

[Read More](#)

Alameda Court Watch

Judge Finds Enough to Hold Suspect for Drive-By Shooting Death a Year Ago

The second part of a preliminary hearing didn't turn out well for the defendant here late last week in Alameda County Superior Court in the case of a drive-by shooting that occurred in March 2020 and led to the death of Eric Chavez

[Read More](#)

Contra Costa Court Watch

Judge Makes Tough Decision to Keep Defendant in Jail Despite Detriment to Mental Health

After hearing about the traumatic life events which preceded the stabbing of a man, Contra Costa County Superior Court Judge John Cope came to the tough decision to keep defendant Lazhaun Young in custody –

[Read More](#)

Fresno Court Watch

Ex-Husband Allegedly Storms Into Ex-wife's Apartment, Holds Her At Gunpoint

Two police officers testified in Fresno County Superior Court last Friday about how an ex-husband – as told by his former wife and six-year-old daughter – allegedly broke into their apartment and pointed a loaded handgun at the mother

[Read More](#)

Riverside Court Watch

Judge Baffled After Hearing Officer Detained Man Who Looked Untruthful

Judge Dean Benjamini was left baffled after hearing a peace officer's reason for detaining a defendant—that the man appeared untruthful.

[Read More](#)

Merced Court Watch

Family Survives in the Face of Father's Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

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Everyday Injustice - Podcast

see our podcasts

Everyday Injustice Podcast 90: Cristine Soto DeBerry and the Prosecutors Alliance

Cristine Soto Deberry is former Chief of Staff under both SF District Attorney George Gascon and Chesa Boudin as well as Deputy Chief of Staff to Gavin Newsom when he was Sacramento Mayor.

[Read More](#)

Everyday Injustice Podcast 89: Alameda Candidates For Reform – Pamela Price and JoAnn Walker

Taking on the policies of the incumbent DA and Sheriff, JoAnn Walker, a SF Police Officer, and Pamela Price, a Civil Rights Attorney are running for Alameda County Sheriff and DA as a team.

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Subject: Introductions

Date: Wednesday, February 10, 2021 at 6:15:30 PM Greenwich Mean Time

From: David M. Greenwald

To: Ibarra, Valerie (PDR), acbleimann@dons.usfca.edu

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Subject: Community Members, Advocacy Groups Thank Public Defenders, Calling for Increased Funding | Davis Vanguard

Date: Wednesday, February 10, 2021 at 4:33:39 AM Greenwich Mean Time

From: Ibarra, Valerie (PDR)

To: PUBDEF-Policy, PUBDEF-Integrity, Raju, Manohar (PDR), Gonzalez, Matt (PDR)

<https://www.davisvanguard.org/2021/02/community-members-advocacy-groups-thank-public-defenders-calling-for-increased-funding/>

Subject: Community Members, Advocacy Groups Thank Public Defenders, Calling for Increased Funding | Davis Vanguard

Date: Wednesday, February 10, 2021 at 4:33:36 AM Greenwich Mean Time

From: valerie.ibarra@sfgov.org

To: Pubdef-Policy@sfgov.org, PUBDEF-Integrity, Manohar Raju, Matt Gonzalez

<https://www.davisvanguard.org/2021/02/community-members-advocacy-groups-thank-public-defenders-calling-for-increased-funding/>

Subject: Everyday Injustice - Judge KO's Gascon Reforms in Critical Ruling
Date: Tuesday, February 9, 2021 at 7:02:20 PM Greenwich Mean Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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Kate Chatfield, an attorney who drafted SB 1437 tweeted, "Judges in LA County issued some of the worst opinions in the state on the constitutionality of **#SB1437**. They were result-oriented opinions, heavy on "victims rights" language, and fear-mongering. All CA appellate districts disagreed w/ them."

Everyday Injustice Newsletter - February 8, 2021

Horrific Opinion Out of Los Angeles

By David M. Greenwald

Judge James Chalfant granted the preliminary injunction against DA George Gascon's special directives on Three Strikes and other sentencing enhancements.

The judge writes: "The Special Directives require prosecutors to violate California law, their oaths of office, and their ethical and professional obligations."

He continues, "The Special Directives violate Respondents' duty to prosecute violations of general laws under Government ('Govt.') Code section 26500, which is mandatory, not discretionary. Although a district attorney has discretion to determine what charges to file (if any) in a particular case, the district attorney cannot wholly decline to exercise that discretion by indiscriminately prohibiting the prosecution of all violations of certain offenses."

The Special Directives further, the judge writes, "seek to circumvent the court's role by requiring County prosecutors to file an amended charging document abandoning the allegations in the event the motion to strike is denied."

He seems to adopt the view of Michele Hannisse, the head of the ADDA.

Writes the judge, "No permissible justification exists for the unlawful directives. It is no answer for the District Attorney to claim publicly that '[p]rosecutors are sworn to follow the directives of the elected D.A.'" He adds, "Deputy district attorneys, like all county prosecutors within the state, swear an oath only to defend and uphold the Constitution, not the district attorney."

This is all important because the end of the day, the judge seemed to reject Gascon's argument that he had "no ministerial duty to plead the relevant sentencing enhancements under the Three Strikes law."

While acknowledging that prosecutors "in every jurisdiction of the United State have considerable discretion." However, he argues, "A district attorney's discretion is not unlimited."

One key question is how far this ruling actually goes. Some believe that it may be rather limited.

But the last line is ominous: "The preliminary injunction will not enjoin the District Attorney from preventing deputy district attorneys from charging enhancements in new cases where not required by the Three Strikes law."

The language here is tricky, it appears that this might be only limited them from being compelled to remove already charged enhancements, but the ruling itself suggests that the "plead and prove" requirement may be mandatory and if so, "where not required by the Three Strikes Law," might be overly broad.

The LA Times editorial blasted the ruling noting that the judge completely ignores the reality of mass incarceration or the nature of the federal court ruling.

USC Law Professor Jody Armour tweeted, "The ugly truth is that judges often act as politicians in robes."

Kate Chatfield, an attorney who drafted SB 1437 tweeted, "Judges in LA County issued some of the worst opinions in the state on the constitutionality of **#SB1437**. They were result-oriented opinions, heavy on "victims rights" language, and fear-mongering. All CA appellate districts disagreed w/ them."

It is also worth noting that Judge Chalfant, a Wilson appointee also made the ruling to end Los Angeles' outdoor dining ban.

One consequence of this ruling may be that reform DA's may no longer have the discretion of charging - just as other states have attempted to remove prosecutorial discretion. Will higher courts that have now been stocked with Democratic appointees agree? That will be critical to whether the reform DA movement is the answer to mass incarceration or whether reformers will have to go further in dismantling the carceral system legislatively and at the ballot box.

Thanks for reading.

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YouTube: <http://www.youtube.com/davisvanguard>

Criminal Justice News/ Commentary

Judge Rules Against Gascon, Grants Preliminary Injunction to ADDA in Ruling That Undermines Reform Efforts

In a move that will add more fuel to the fire, Judge James Chalfant granted a preliminary injunction enjoining DA George Gascon from using his discretion in dismissing sentencing enhancements.

[Read More](#)

Strong Reaction to LA Court Ruling on Both Sides of the Issue

When a Los Angeles Superior Court Judge, James Chalfant, issued a ruling granting a temporary injunction against DA George Gascon being able to enforce his special directives preventing deputy district attorneys from charging 3rd

[Read More](#)

Community Members, Advocacy Groups Thank Public Defenders, Calling for Increased Funding

California community members and judicial laborers led a virtual discussion last Friday entitled “How Public Defender Offices Implement Policy to End Mass Incarceration,” and speakers included state lawmakers, public defenders, and

[Read More](#)

Legislative Analyst’s Office Skeptical after ‘Warm Shutdown’ of Deuel Vocational Institution

State Senator Maria Elena Durazo questioned officials from the California Department of Corrections and Rehabilitation (CDCR) about the proposed closure of Deuel Vocational Institution – Gov. Gavin

[Read More](#)

At Santa Rita Jail, 40 Percent of Medical Staff Denied Vaccines, 30 Percent of Staff Underwent Testing in January

COVID-19 cases have dropped significantly at Santa Rita Jail over the last two weeks. Multiple recoveries were reported on a daily basis, leaving 14 active cases in custody of Feb. 7.

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COVID CDCR and Jail Dashboards

CA Healthcare Facility Reports Twelfth COVID-related Death; CDCR Death Toll Reaches 200

Our daily run down on the COVID cases in the California Prison System (CDCR)

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[Read More](#)

Alone in Court: Defendant Receives Lenient ‘Time-Served’ Ruling After Prosecution, Defense Lawyers Arrive Late to Hearing

Judge Patrick Marlette—citing COVID-19 as a factor in his decision—delivered a lenient ruling for a defendant here in Sacramento County Superior Court last week after Assistant Public Defender Ashely Chang and Deputy District

[Read More](#)

Alameda Court Watch

Judge Finds Enough to Hold Suspect for Drive-By Shooting Death a Year Ago

The second part of a preliminary hearing didn’t turn out well for the defendant here late last week in Alameda County Superior Court in the case of a drive-by shooting that occurred in March 2020 and led to the death of Eric Chavez

[Read More](#)

Contra Costa Court Watch

Mother Recounts Terror after Assaults and Robbery by Son/Defendant

Defendant Alexis Ayala-Delgado appeared in Contra Costa County Superior Court last week to face seven charges, including robbery, assault, threatened murder, and false imprisonment—all against his own family

[Read More](#)

Fresno Court Watch

Firearm Missing, but Conflicting Testimony Results in Domestic Violence Suspect Released on Bail

No one knows who has a firearm in a domestic violence case here in Fresno County Superior Court, and although the alleged victim said that her made her fearful, the court set bail at \$20,000—doable for defendant Joshua

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Riverside Court Watch

Judge Baffled After Hearing Officer Detained Man Who Looked Untruthful

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Everyday Injustice - Podcast

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Everyday Injustice Podcast 90: Cristine Soto DeBerry and the Prosecutors Alliance

Cristine Soto Deberry is former Chief of Staff under both SF District Attorney George Gascon and Chesa Boudin as well as Deputy Chief of Staff to Gavin Newsom when he was Sacramento Mayor.

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Everyday Injustice Podcast 89: Alameda Candidates For Reform – Pamela Price and JoAnn Walker

Subject: Everyday Injustice - Latest Podcast Talks with Deberry of the Prosecutors Alliance; No Justice For Man Killed in Prison
Date: Monday, February 8, 2021 at 7:01:12 PM Greenwich Mean Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"Sad to say we told you so CA.... San Quentin State prison issued largest COVID-19 penalty due to uncontrolled outbreaks and suffering," Assemblymember Mary Waldron

Everyday Injustice Newsletter - February 8, 2021

Inmate Killed in a California Prison - No Charges Yet

By Koda Slingsluff and William McCurry

FOLSOM – A little more than a month later, mystery and anguish still surround the death of 25-year-old Braydon Lesseos, who was found dead in his cell inside California State Prison, Sacramento on Christmas, 2020.

Now, THE VANGUARD looks back on the tragic death – what has been done, and what needs to be done – in Braydon's memory.

Braydon's mother, Shanna, reached out to us exactly a month after his death. "You recently wrote an article about my son's murder at California State Prison, Sacramento, that occurred on Christmas Day," she said in an email to us. Christmas Day is also her birthday.

Shanna was close to her son, speaking with him "sometimes 2-3 times a day." She spoke with him on Christmas Day at 10 a.m.. About three hours later, at 1:15 p.m., he was found unresponsive with multiple stab wounds in his cell.

In his cell with him was his roommate, 26-year-old Jordan Greendahl. There was also an "inmate-manufactured weapon" found on the scene.

Following the death, a prison news release stated that the California Department of Corrections and

Rehabilitation (CDCR) had “identified Greendahl as the suspect in the homicide and [he] has been moved to segregated housing pending the investigation.”

“He was stabbed to death by his cellmate of over six months, sometime after that (phone call).” Shanna said.

The suspect, Greendahl, seems to have had a peaceful relationship with Braydon up until the incident. In one of their many phone calls, Braydon even asked his mother to buy Greendahl a book for his birthday in late November— weeks before Braydon’s death.

“He considered his cellmate a friend and trusted him,” Shanna tells us. “I’ve spoken to Jordan Greendahl on the phone and he was respectful and courteous.”

Braydon’s cellblock had been put into quarantine lockdown just days before the incident. While Braydon himself tested negative for coronavirus prior to his autopsy, Greendahl had not.

“After his murder, I’m told by the coroner’s office that Jordan had tested positive during booking but my son tested negative prior to his autopsy,” Shanna says.

Although the news release stated that “CSP-SAC’s Investigative Services Unit is investigating the case and the Office of the Inspector General has been notified,” currently no information is publicly available about the ongoing investigations.

In her message to THE VANGUARD, Shanna said that, “as yet, no formal charges have been filed with the DA’s office because they haven’t received the final investigation report.”

[Full article here.](#)

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Criminal Justice News/ Commentary

One Month Later, Mother Mourns – No Charges in Inmate Homicide at California State Prison, Sacramento

A little more than a month later, mystery and anguish still surround the death of 25-year-old Braydon Lesseos, who was found dead in his cell inside California State Prison, Sacramento on Christmas, 2020.

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Monday Morning Thoughts: AG Appointment Could Be Pivotal For Newsom

It looks increasingly like a recall effort will get the matter of Gavin Newsom on the ballot. But while his standing has fallen from 64 percent approval in September to 46 percent now (against 48 percent disapproval), it does not appear

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Legislative Measure Would Allow Non-Law Enforcement Candidates to Run for Sheriff

State Senator Scott Wiener has authored the Sheriff Democracy and Diversity Act, SB 271, which would grant access to registered voters to run for Sheriff without any law enforcement experience.

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Manhattan DA Candidate Lucy Lang Releases Plan To Combat Human Trafficking

Manhattan District Attorney Candidate Lucy Lang has released a comprehensive plan to end human trafficking in Manhattan, prioritizing the health, safety, and wellbeing of survivors, expand efforts to prosecute sex and

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Republican Leader Pushes for Prison Release, Hammers San Quentin

The news this week is that San Quentin now faces California's single largest penalty yet over workplace safety violations leading to the spread of COVID-19, according to a report from the state released on Thursday. The prison

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Analysis: The True Meaning of Restorative Justice Under Chesa Boudin

When San Francisco's District Attorney, Chesa Boudin, ran for office in November 2019, he focused his campaign on ending mass incarceration with restorative justice models, rather than punitive carceral methods.

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COVID CDCR and Jail Dashboards

New Deaths Reported at Correctional Training Facility and CA Men's Colony

Our daily run down on the COVID cases in the California Prison System (CDCR)

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Santa Rita Jail Reports More Asymptomatic Cases in Custody; Weekly Testing Rate Falls By Seven Percent

Our daily run down on the COVID cases in selective County Jails

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San Francisco Court Watch

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Federal Judge Grants Writ of Habeas Corpus, Ordering Hearing For Immigrant Detainee

A judge here in Alameda County Superior Court has dismissed a defendant's charge of an alleged rape in 2012 after finding "the record riddled with meaningful inconsistencies" and "changes in the story."

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Yolo County Court Watch

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Registered Nurse Faces DUI charges, Asks to be Excluded from Wearing Alcohol Monitor Because of Job

Rather than taking a plea offer as happens in most DUI – driving under the influence – cases, defendant Brianna Delaney late last week pleaded "not guilty" to two DUI counts and requested an exception from

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Sacramento Court Watch

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'Words Matter' – Meaning Leads to \$50K Bail for Defendant Charged with Making a 'Credible Threat' in Stalking Case

Supervising Public Defender Joe Cress argued here in Sacramento County Superior Court Friday that "words matter," and the words his client texted to the alleged victim were not threats, and that the only harm

[Read More](#)

Squabbling Attorneys Fumble in Court Plea Bargain Debate; Judge Admonishes Both

Exasperated Sacramento County Superior Court Judge Michael Savage publicly admonished quarrelling attorneys in his court last Thursday afternoon, after an extended and unnecessary argument over the

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New Victims Come Forward in Child Molestation Case – Former Defender Didn't Previously Disclose

When a convicted child molester came back to court here last week to be resentenced, Deputy District Attorney Nancy Cochrane's revealed that the prisoner's former defense attorney, Joseph E. Martin, completed

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Alameda Court Watch

Judge Finds Enough to Hold Suspect for Drive-By Shooting Death a Year Ago

The second part of a preliminary hearing didn't turn out well for the defendant here late last week in Alameda County Superior Court in the case of a drive-by shooting that occurred in March 2020 and led to the death of Eric Chavez

[Read More](#)

Contra Costa Court Watch

Mother Recounts Terror after Assaults and Robbery by Son/Defendant

Defendant Alexis Ayala-Delgado appeared in Contra Costa

County Superior Court last week to face seven charges, including robbery, assault, threatened murder, and false imprisonment—all against his own family

[Read More](#)

Fresno Court Watch

Firearm Missing, but Conflicting Testimony Results in Domestic Violence Suspect Released on Bail

No one knows who has a firearm in a domestic violence case here in Fresno County Superior Court, and although the alleged victim said that her made her fearful, the court set bail at \$20,000—doable for defendant Joshua

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Judge Dean Benjamini was left baffled after hearing a peace officer's reason for detaining a defendant—that the man appeared untruthful.

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Everyday Injustice Podcast 89: Alameda Candidates For Reform – Pamela Price and JoAnn Walker

Taking on the policies of the incumbent DA and Sheriff, JoAnn Walker, a SF Police Officer, and Pamela Price, a Civil Rights Attorney are running for Alameda County Sheriff and DA as a team.

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- [CDCR Reduced Phone Rates & Tablets - 1 Update](#)

? "CDCR facilities resumed inmate intakes from county jails on Jan. 11 in a limited capacity. "

"Rodarmel, Danica (PDR)" <danica.rodarmel@sfgov.org>: Feb 06 05:17PM

FWIW

From: debra stinson <stinson1988@msn.com>
Sent: Saturday, February 6, 2021 9:10 AM
To: Rodarmel, Danica (PDR)
Subject: ? "CDCR facilities resumed inmate intakes from county jails on Jan. 11 in a limited capacity. "

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Hello..😊 ..

Just wanted to point this out, in case this might help.....🤔

As CDCR COVID-19 Positive Cases are lessening throughout California....

I have noticed Wasco State Prison (a Reception Center) has approximately 185 (New) Positive Inmate
From February 2nd @5:48PM (65 cases) to February 5th @5:48PM (250 cases)...

WSP is NOW THE HIGHEST Institution within CDCR with COVID19 case... 245 NEW CASES WITHIN

Makes one wonder....Could this be from inmates being accepted from County Jails!???

Waters said "CDCR facilities resumed inmate intakes from county jails on Jan. 11 in a limited capacity. "

CA Supreme Court Puts Order to Reduce San Quentin Population by 50 Percent on Hold | Davis Vangu
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Debra 🙏🏻✌️

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CDCR Reduced Phone Rates & Tablets

"Rodarmel, Danica (PDR)" <danica.rodarmel@sfgov.org>: Feb 06 04:17PM

From: Rodarmel, Danica (PDR) <danica.rodarmel@sfgov.org>
Sent: Saturday, February 6, 2021 8:16 AM
To: #StopSanQuentinOutbreak Organizing Group
Subject: CDCR Reduced Phone Rates & Tablets

Hi Folks-

Beginning next month, the new contract between CDCR and GTL goes into effect, and will greatly reduce the costs of calls. It also includes tablets.

See link below-
<https://www.cdcr.ca.gov/family-resources/gtl-tablets/>

Best,
Danica

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Chesa Boudin: "My policy is just not charging status enhancements."

Everyday Injustice Newsletter - February 5, 2021

Fred Hampton Really Was Murdered by the FBI - This Ain't No QAnon Conspiracy

By David Greenwald

The Everyday Injustice Podcast will now come out with a new episode each Monday. Next Monday, we will have [Cristine Soto DeBerry](#) who is the Executive Director of the newly formed Prosecutor's Alliance, but the following week on February 15 will be my interview with Flint Taylor of the People's Law Office.

We had a fascinating conversation first about his role in the Fred Hampton trial - Hampton was the Black Panther leader who on December 4, 1969 was murdered by Chicago Police and the FBI. When I say murdered, this isn't like the tragic death of so many Black men after police mishandled and unnecessarily used deadly force. Those are bad - what we are talking about is a flat out assassination of person deemed a threat by the FBI and J. Edgar Hoover.

Much of this was known back in the 1970s. FBI documents were stolen out of the FBI field office in Media, Pennsylvania and Senator Frank Church held notorious hearings on the FBI and CIA in 1976.

[The FBI's COINTELPRO](#) launched a campaign to discredit and "neutralize" Black leaders like MLK and ultimately the Black Panthers and Fred Hampton.

"He [King] could be a real contender for this position [of 'black messiah'] should he abandon his supposed 'obedience' to 'white liberal doctrines' (non-violence) and embrace black nationalism.

...

Through counter-intelligence it should be possible to pinpoint potential trouble-makers and neutralize them..."

Last year in January, Flint Taylor along with his colleague Jeff Haas in Truthout [published a piece](#) and wrote, “This program had previously targeted Black liberation leaders including Malcom X, Dr. Martin Luther King Jr., Stokely Carmichael, H. Rap Brown, Elijah Muhammad and the organizations that they led. As the Senate Select Committee would later find in its April 1976 report, the FBI had more recently turned its attention to “destroy[ing] the Black Panther Party.””

The evidence in this case is overwhelming. Informant William O’Neal likely used his inside access to drug Hampton and the police shot into his room 90 times with only a single shot fired back - this wasn’t a shoot out this was a massacre.

Taylor and Haas write: “We also had obtained two other damning FBI documents: a December 3, 1969, document that claimed the impending raid as a COINTELPRO project, and a post-raid document that set forth the outlines of the conspiracy to cover up the FBI’s involvement in the raid.”

Read their full article here - [Truthout](#).

This isn’t some crazy conspiracy - they actually have documentary evidence - internal memos from Hoover itself to back it up.

Catch our interview on February 15 only on Everyday Injustice.

Everyday Injustice is now on Spotify - [click here](#).

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Criminal Justice News/ Commentary

Commentary: Boudin is Under Fire in San Francisco, But POA Is Making A lot of This Stuff Up

When Chesa Boudin was elected in late 2019 as San Francisco District, he did so promising transformative change in the criminal legal system. While 2020 was an odd year with the pandemic, he delivered a number of critical

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Guest Commentary: Delays in Garland Hearing, and in Replacing U.S. Attorneys, Put Justice Reform in Jeopardy

Among the many highlights of President Joe Biden's inaugural address was his promise that "we can deliver racial justice." The Biden administration wasted no time putting executive action behind those words, issuing several orders

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Letter: Opposition to Appointment of Darrell Steinberg to Be California Attorney General

This is a preliminary statement and request that will be followed by a more detailed communication with multiple signatories. We felt it important to make you aware as soon as possible that we are opposed to appointment of

[Read More](#)

Dignity and Power NOW Backs Los Angeles DA George Gascón's Progressive Policies – But Line DAs Continue Legal Action

Dignity and Power NOW, a Los Angeles based grassroots organization that fights for the dignity and power of all incarcerated people, supports District Attorney George Gascón's progressive policy changes.

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San Francisco Public Defender Launches 'The Adachi Project'

It has been two years since the tragic death of Jeff Adachi in 2019 and as a way to honor his legacy, the San Francisco Public Defender's Office launched "The Adachi Project", a first-of-its-kind storytelling initiative that

[Read More](#)

AZ Introduces Use-of-Force Measure to Hold Law Enforcement Accountable for Deaths

A law enforcement use-of-force measure to hold officers liable for implementing deadly force was introduced by Arizona Rep. Regina Bolding this week, and has big support.

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"He went four days without coming out of his cell for a call or shower"

Sam has been exposed to the virus on multiple occasions during quarantine and after. He has underlying medical conditions that put him at an increased risk for developing complications associated with the virus.

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COVID CDCR and Jail Dashboards

New Deaths Reported at Correctional Training Facility and CA Men's Colony

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Santa Rita Jail Reports More Asymptomatic Cases in Custody; Weekly Testing Rate Falls By Seven Percent

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San Francisco Court Watch

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Federal Judge Grants Writ of Habeas Corpus, Ordering Hearing For Immigrant Detainee

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Yolo County Court Watch

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Massive Bail – Half Million for a Pair – Set for Catalytic Converter Theft Defendants

Well, 60 or more of them might be serious, as Yolo County Superior Court defendants Shaneel Lal and Dao Xiong found out—they now face a whopping bail of \$250,000. Each. For allegedly stealing the items.

[Read More](#)

Sacramento Court Watch

Judge Sides with Defense that Prosecution May Be ‘Beating Up on the Poor’

Judge Geoffrey Goodman questioned the prosecution’s recommendation for sentencing here in Sacramento County Superior Court this week, and largely sided with the defense argument that excessive sentencing

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Defendant Files False DMV Reports, Steals Car of In-Custody Inmate

Defendant William Stanley is—if the District Attorney’s office is right—a pretty creative thief. His defense attorney said it’s all a fiction. Stanley is accused of filing false DMV reports including a certificate

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Alameda Court Watch

Five Years After Body Found in Rented Truck on Christmas, and Despite COVID-19, Defendant Trial Finally Begins

This week, the trial of Charles Kyle Goetting finally began – just over five years since a scene at an East Bay transit parking lot led to the bleak discovery of a dead body inside a rented U-Haul truck.

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Mother Recounts Terror after Assaults and Robbery by Son/Defendant

Defendant Alexis Ayala-Delgado appeared in Contra Costa County Superior Court last week to face seven charges, including robbery, assault, threatened murder, and false imprisonment—all against his own family

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Fresno Court Watch

Firearm Missing, but Conflicting Testimony Results in Domestic Violence Suspect Released on Bail

No one knows who has a firearm in a domestic violence case here in Fresno County Superior Court, and although the alleged victim said that her made her fearful, the court set bail at \$20,000—doable for defendant Joshua

[Read More](#)

Riverside Court Watch

Judge Baffled After Hearing Officer Detained Man Who Looked Untruthful

Judge Dean Benjamini was left baffled after hearing a peace officer's reason for detaining a defendant—that the man appeared untruthful.

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Family Survives in the Face of Father's Gun Attack

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Subject: Everyday Injustice - POA Fabricates Criticism on Boudin; Group: Don't Appoint Adam Schiff As California AG

Date: Thursday, February 4, 2021 at 7:02:02 PM Greenwich Mean Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Kate Chatfield tweeted on Wednesday, "This is false on multiple levels but to start with the most basic fact.....there is no such policy."

Everyday Injustice Newsletter - February 4, 2021

Boudin is Under Fire in San Francisco, But POA Is Making A lot of This Stuff Up

By David Greenwald

When Chesa Boudin was elected in late 2019, he did so promising transformative change in the criminal legal system. While 2020 was an odd year with the pandemic, he delivered a number of critical reforms including ending status enhancements - charging gang enhancements as well as some of the prior prison sentences.

Early this year, since a parolee ran down and killed two pedestrians, Boudin has been under fire and many of his enemies - police officers, tough on crime advocates, Trumpists and others have criticized his policies.

But a lot of the criticism is misplaced.

ABC 7 in San Francisco, for example noted, "San Francisco police are still looking for the gunman who opened fire on a busy street last night injuring eight people. Authorities now believe a dice game was the motive for the shooting."

[In tweeting the article](#), the San Francisco POA, a group that put huge amounts of money into defeating Boudin in 2019, claimed: "Gun violence is out of control SF. Nothing terrorizes a neighborhood more than the sounds of gunfire and the sights of the aftermath. That's why Boudin's policy of refusing any gun enhancements threatens the peace and safety our residents deserve."

However, what they fail to note: gun violence is in fact on the rise everywhere in the country - both in areas that have seen reform measures, but also areas that have not. A recent survey found that cities run by Republican Mayors have seen just as much in the way of increased violence as cities run by blue mayors.

But more importantly, while Boudin has curtailed the use of status enhancements, he has not refused to charge gun enhancements.

As Kate Chatfield tweeted on Wednesday, "This is false on multiple levels but to start with the most basic fact.....there is no such policy."

In the policy put out a year ago, February 22, 2020, DA Boudin announced, "any prior-strike status enhancements... will not be charged and pending strike-prior enhancements will be dismissed."

He also announced, that Prop 8 or "nickel-prior" enhancements "will not be charged and pending strike-prior enhancements will be dismissed."

Finally, STEP Act enhancements - i.e. gang enhancements - "will not be charged and pending enhancements will be dismissed."

I was at the press conference last February just before the shutdown where Boudin announced this. He specifically said, it does "not affect the decision to charge crimes where a prior conviction is an element of the offense (i.e., felon in possession of a firearm, driving under the influence etc.), nor does it affect evidence code provisions that allow for introduction of prior conduct."

Chesa Boudin added that in cases where they believe that the base crime is not sufficient, "we have discretion to make exceptions."

Thanks for reading.

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Criminal Justice News/ Commentary

An Open Letter to Governor Gavin Newsom: Don't Appoint Adam Schiff As California AG

The following letter was sent to Governor Newsom earlier this week from a broad coalition of justice reform groups urging him to not appoint Adam Schiff as California's next Attorney General.

[Read More](#)

'Dignity and Power Now' Condemns LA County Sheriff's Dept for Enabling Existence of 'Sheriff Deputy Gangs'

Grassroots nonprofit Dignity and Power Now has released a statement condemning the Los Angeles County Sheriff's Department (LASD) for its passive response to the harm that "Sheriff Deputy gangs" have had on LA residents for the past

[Read More](#)

Arizona OK's 'Justice for Breonna Taylor' Law Banning No-Knock Warrants, and More

This week, Arizona State Rep. Alma Hernandez initiated Arizona's version of the "Justice for Breonna Taylor" Law, a bill prohibiting law enforcement from using no-knock warrants.

[Read More](#)

Everyday Injustice Podcast 89: Alameda Candidates for Reform – Pamela Price and JoAnn Walker (Video)

Taking on the policies of the incumbent DA and Sheriff, JoAnn Walker, a SF Police Officer, and Pamela Price, a Civil Rights Attorney are running for Alameda County Sheriff and DA as a team.

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Yolo County Court Watch

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Vanguard Week in Review: Court Watch – Jan. 25 to 29, 2021

In 2006, the Davis Vanguard began to cover Davis and Yolo County groundbreaking, local news concerning government and policy issues affecting the city, schools, and county. In the past few years, the online news source has

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Sacramento Court Watch

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Defense Asks Judge to Look at Files of Police Officer for Unlawful Detainment Based on Racial Animus

After comparing body camera evidence and a police report, a defense attorney here Friday succeeded in getting a judge to examine a city police officer's files to see if there's a history of "unlawful detentions and excessive force

[Read More](#)

One Witness and Done: Prosecution Needs Just One Officer to Score Preliminary Hearing Win

The prosecution needed just one witness—even though it had planned two—to win its preliminary hearing here in Sacramento County Superior Court Monday. Sacramento Police Officer Michael Bowman testified

[Read More](#)

Alameda Court Watch

Five Years After Body Found in Rented Truck on Christmas, and Despite COVID-19, Defendant Trial Finally Begins

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Fresno Court Watch

Livestream Difficulties Again Cause Major Courtroom Difficulties – for Everyone

Zoom livestream difficulties disrupted Gerardo Castillo's domestic violence preliminary hearing even before it began last week in the courtroom of Fresno County Superior Court Judge Francine Zepeda.

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Judge Baffled After Hearing Officer Detained Man Who Looked Untruthful

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Subject: FOR IMMEDIATE RELEASE: SF Public Defender Launches The Adachi Project
Date: Thursday, February 4, 2021 at 4:48:10 PM Greenwich Mean Time
From: Ibarra, Valerie (PDR)
Attachments: PRESS RELEASE - 2.4.2021 - SF Public Defender Launches The Adachi Project.pdf

FOR IMMEDIATE RELEASE: February 4, 2021

CONTACT: SF Public Defender's Office - Valerie Ibarra – (628)249-7946 – Valerie.Ibarra@sfgov.org

****PRESS RELEASE****

SF Public Defender Launches 'The Adachi Project'

First-of-Its-Kind Media Initiative Spotlights Public Defenders and Underrepresented Perspectives of the Criminal Legal System in Tribute to Late-Public Defender and Filmmaker Jeff Adachi

SAN FRANCISCO – Today, the San Francisco Public Defender's Office launched "[The Adachi Project](#)", a first-of-its-kind storytelling initiative that illuminates powerful stories and unseen perspectives of the U.S. criminal legal system via compelling documentary film, video, and photojournalism.

"We are incredibly excited to announce The Adachi Project, which honors and advances the work of my predecessor and friend, Jeff Adachi, and opens a rare window into our legal system and the individuals and communities who are deeply affected by it. It is our job as public defenders to illustrate the humanity of our clients and to advance much-needed criminal legal system reforms -- and I believe that this storytelling project will help us do that," says Mano Raju, San Francisco Public Defender.

The Project is inspired by late San Francisco Public Defender and filmmaker, Jeff Adachi (1959-2019), and created with SF-based founding partners, Compound, led by Santhosh Daniel, and the award-winning cultural and creative studio, Even/Odd, led by Mohammad Gorjestani and Malcolm Pullinger. Its creative goal is to use the lens of public defenders and the communities they represent, as well others impacted by the criminal legal system, to elevate the voices of all people, and produce media that "expands understanding of the human impact of 'justice' on our communities, and influences our vision for an equal and just society."

"Jeff Adachi was a visionary attorney who transformed the San Francisco Public Defender's Office into a national model for legal defense. Impressively, he somehow also found the time to make films to educate the public and elevate the voices of those who have become entangled by the justice system," said Supervisor Matt Haney, who authored a San Francisco Board of Supervisors Resolution to support the creation of The Adachi Project. "I am proud to support this unique project that will shine a light into the dark corners of a system deeply in need of reform and humanity."

The Adachi Project is a first-of-its-kind media initiative to be produced by a U.S. public defender office, as well as one of the first projects of its kind to be approved by the San Francisco Board of Supervisors (on 12/05/20), and produced via the office of an elected official, Mano Raju, San Francisco Public Defender. It also carries the distinction of being one of a handful of initiatives that remember the life

and work of a San Francisco public official through a commemorative legacy project that represents the work, and community, of the office in which they served.

*“Jeff often compared making a film to preparing for trial and at the time of his passing, he had a vision to merge those two things into a series about public defenders. As friends and colleagues, we couldn’t give up on that idea, but we also saw an opportunity to expand on it and do something no other public defender’s office, or City, had ever done,” says **Santhosh Daniel, of Compound and founding partner of the Adachi Project.***

The genesis of the Adachi Project was in early-2019, shortly after Jeff Adachi’s untimely passing, through conversations between Mano Raju, Public Defender, other key members of the Office and founding partner, Santhosh Daniel. Daniel served with Adachi on the Board of California Humanities -- the state’s representative arm of the National Endowment for the Humanities -- and proposed a commemorative fund to support independent artists and filmmakers creating criminal justice media, similar to the type of films directed and produced by Adachi. This idea then evolved into a bolder, more community-centered proposal to use local talent (in support the City’s creative economy) to produce media in direct collaboration with the Public Defender’s Office, resulting in the unprecedented creative partnership with Compound (Daniel) and Even/Odd (Gorjestani and Pullinger) -- the former leading the Project’s communications and impact-strategy, and the latter leading creative direction and production of media.

*“The artistic potential of The Adachi Project is only surpassed by its potential to remedy the plagues of injustice in our broken system through the power of storytelling. Public Defenders are cultural superheroes that not only defend, but honor, the communities they serve. As citizens of San Francisco, first and foremost, this project is also our civic duty. While this partnership is specific to Frisco, the themes we will be exploring transcend local issues and speak to the zeitgeist of socioeconomic and racial reckoning in America. We are excited to get to work and reveal the incredible, intrepid work of the San Francisco Public Defender,” says **Mohammad Gorjestani, of Even/Odd and founding partner of the Adachi Project.***

The inaugural works of the Adachi Project, produced by Even/Odd with the SF Public Defender’s Office and Compound, include films that spotlight “reentry,” as seen through the eyes of residents in one of the state’s many halfway houses and reentry programs, and an individual’s first few hours of “freedom,” after just being resentenced and released. Also included is an exploration of how the COVID health-crisis is being addressed in county jails, and a photo-essay on police violence and community consciousness, as framed by the life and death of Mario Woods. All inaugural works will be presented under the creative identity of DEFENDER- VOL 00 -- a digital publication with official release in February 2021 -- and future works will be released by the Project on rolling-basis, as a progressive tribute to the life of Jeff Adachi.

*“My husband was dedicated to challenging injustice inside and outside the courtroom. He loved his clients, and his incredible ability to tell their stories - both in court and through his films - were among his proudest achievements. He would be so pleased to know that the Public Defender’s Office that he transformed over the past three decades is carrying on his legacy of exposing injustice through the arts,” says **Mutsuko Adachi, wife of Jeff Adachi.***

###

ABOUT *THE ADACHI PROJECT* PARTNERS:

San Francisco Public Defender's Office

SFPublicDefender.org

For 100 years, the San Francisco Public Defender's Office has provided effective and zealous legal representation to people who are charged with a crime and unable to afford an attorney. Led by elected Public Defender Mano Raju, the office provides legal representation to over 25,000 indigent people charged with crimes each year.

Compound | Communications and Impact Strategy

<http://www.compoundcreate.com>

Compound is a San Francisco- and Seattle-based creative strategies studio whose role is to manage and direct the Project's communications and impact strategy. Led by Santhosh Daniel, the studio's current and past partners include Bill & Melinda Gates Foundation, Virgin America, Medium, U.S. Department of State, Smithsonian, Oakland Museum of California, and Umpqua Bank; and productions such as the Open Account podcast and film Liquid Flow. Daniel also brings experience as former head of The Global Film Initiative; advisor to media funds such as the California Documentary Project and California Arts Council Public Media Grants; board member of California Humanities and Found Sound Nation; and advisor to the Quentin Cooks professional program at San Quentin State Prison to his role with the Adachi Project.

Even/Odd | Creative Direction and Production

<http://www.evenoddfilms.com>

Even/Odd is an award-winning San Francisco- and Los Angeles-based creative studio, research team, and production company whose role is to lead the Project's creative direction and production of content. Led by Mohammad Gorjestani and Malcolm Pullinger, the studio has earned a Cannes Lion, The Tribeca X Award, 4 Webby Awards, The Grand Jury Prize at SXSW, Clio Awards, and has been featured by outlets including The Guardian, New York Times, The Atlantic, VICE, The New Yorker, and more. They are a proud, minority-owned studio with industry leading inclusivity practices providing a platform for diverse and urgent voices, and Gorjestani and Pullinger bring over 20 years of collective creative multi-disciplinary experience to their role with the Adachi Project.

To view this press release online, please visit SFPublicDefender.org/media.

Valerie Ibarra
Public Information Officer
San Francisco Public Defender's Office
Valerie.Ibarra@sfgov.org
(628)249-7946
SFPublicDefender.org/Media

Subject: Vanguard's Investigation Catches The Eye of Filmmakers!

Date: Wednesday, February 3, 2021 at 9:00:18 PM Greenwich Mean Time

From: David Greenwald

To: valerie.ibarra@sfgov.org

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Image



A Vanguard Intern Interviewed the Legendary Attorney Tony Serra and Help Influence a Man's Path To Freedom

Taken from an upcoming documentary by Dream Makerz Studios, coming soon.

Hello Valerie!

Today I want to tell you about our intern Roxanna Jarvis who is a fourth year student at UC Berkeley.

Roxanna got a chance to work on an amazing story of Douglas "Chief" Stankewidz. Chief has been at San Quentin on death row since 1978 for the murder of a young woman.

But there is increasing evidence that he was wrongly conviction, and while the Death Penalty was removed in 2015, he remains at San Quentin.

Read Roxanna's full investigation on this case here - <https://bit.ly/3kH3XHk>

Her story caught the attention of many, including documentary filmmakers. And so Roxanna, still a student at Berkeley, got to interview the legendary attorney,

Tony Serra on film!

Due to the complexity of the case, and the hundreds of pages of documents needed to be read in order to understand it, Briggs and the rest of the legal team have been sending the article to people they hope to receive support from.

"This was the way I could quickly and succinctly get to the point that Chief was framed—that he's innocent," Briggs continued. "It's helped us bridge between the legal world and the real world."

Read Roxanna's full interview here - <https://bit.ly/3tp9RCA>

Thanks to donors like you the Vanguard can continue to create work that inspires and interns like Roxanna can help bring awareness to cases that need to be brought to light!

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Subject: Everyday Injustice - Unprecedented Push in LA Against Reform; Atrocities of the Federal Death Penalty
Date: Wednesday, February 3, 2021 at 7:00:26 PM Greenwich Mean Time
From: Davis Vanguard on behalf of Davis Vanguard
To: valerie.ibarra@sfgov.org

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"We've started fulfilling many of the campaign promises, but change never comes easy," newly elected DA George Gascón told the media earlier this week. "These enhancements have never been uniformly applied, meaning that prosecutors in this office, as well as other offices around the state, often pick and choose when they're going to use this."

Everyday Injustice Newsletter - February 3, 2021

Deputy DA Action Threatens Prosecutorial Discretion in LA and Systemwide

By Miriam Krisnky
Fair and Just Prosecution Executive Director

As we saw during today's hearing, some groups and individuals are intent on undermining reforms implemented by District Attorney George Gascón, who was elected by the people of Los Angeles County on a mandate to transform the criminal legal system.

DA Gascón's new directives create a more sensible, humane and effective starting point for charging offenses by ending the use of certain sentencing enhancements that mandate additional time on top of already significant sentences and have fueled mass incarceration in our overcrowded county and state correctional facilities.

DA Gascón's new policies – reforms that reflect *exactly* what he told the voters he would implement if elected – are deeply rooted in evidence. We now know that 'tough on crime' policies of past decades failed and that excessive incarceration doesn't make people safer – instead, it *increases* the *risk* of future crime, at an *enormous cost* to individuals, communities and taxpayers.

This lawsuit reflects a deeply disturbing infringement on the rights of Los Angeles County voters by seeking to block DA Gascón from following through on the promises and vision that got him elected.

The ADDA has a long history of opposing reform and *vigorously campaigned* against DA Gascón. It's time for the ADDA to accept that George Gascón won the election and, as such, is the appropriate individual to chart the direction for the DA's office in this county.

DA Gascón, and other elected DAs around the nation, have vast discretion to make policy decisions on how and when to charge cases and what sentences to recommend – those determinations should not be usurped by line prosecutors.

We hope that the court chooses to steer clear of setting a dangerous precedent by interfering with the elected DA's well settled prosecutorial discretion. If DA Gascón's policies fail, or if the voters decide they don't approve of his approach, he can be voted out of office at the next election.

But in the interim, the court should allow him to do his job without interference and reject a legal challenge that is, at bottom, an attempt by some to assert their resistance to change. The court should make clear that, as argued in an *amicus brief* filed by 65 current and former elected prosecutors (including two former Los Angeles County District Attorneys), the elected district attorney *alone* has the power to define prosecutorial policy in Los Angeles County.

And if the court does for any reason determine that there are legal constraints that impact these directives, we hope that DA Gascón will adjust his policies, as may be needed, but continue to advance the vision of justice the voters elected him to implement."

Become a sustaining member by donating \$5 or \$10 (or more) per month - [here](#).

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San Francisco Court Watch: <https://www.facebook.com/SF-Court-Watch-577413429452441/>
Twitter: <https://twitter.com/DavisVanguard>
YouTube: <http://www.youtube.com/davisvanguard>

Criminal Justice News/ Commentary

Unprecedented Arguments as Deputy DA's Push Lawsuit Against Gascon's Reforms, Gascon Stands Behind Prosecutorial Discretion

A lawsuit by the Association of Deputy District Attorneys in the County of Los Angeles was heard by a Los Angeles County judge on Tuesday. The Deputy DA's are challenging the reforms newly-elected District Attorney George

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Homeless Union Gives Sacramento Mayor

Until Late Wednesday to Resign or Face Recall After Unhoused Die in Deadly Storm.

The Sacramento Homeless Union has signaled its “fed up” with Mayor Darrell Steinberg’s gross neglect in solving the issues that affect the most vulnerable, and has given Steinberg until today – Wednesday – at 3 p.m. to resign

[Read More](#)

Guest Commentary: Atrocities of the Federal Death Penalty

In just six months, the federal government conducted an unprecedented, unjust, and unlawful execution spree, taking the lives of 13 people. The record of injustice in those cases — the compelling claims for mercy and legal relief by

[Read More](#)

Oregon Ballot Initiative Decriminalizes Drugs, Provides Free Treatment to Users

This state served as a leader in the nation today by becoming the first state to decriminalize the possession of small quantities of drugs, as well as begin to provide services for those using drugs.

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COVID CDCR and Jail Dashboards

New Deaths Reported at Valley State Prison and CA Men’s Colony

Our daily run down on the COVID cases in the California Prison System (CDCR)

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New Asymptomatic Cases Detected at Santa Rita Jail; Multiple Housing Units Quarantined

Our daily run down on the COVID cases in selective County Jails

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San Francisco Court Watch

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Federal Judge Grants Writ of Habeas

Corpus, Ordering Hearing For Immigrant Detainee

A judge here in Alameda County Superior Court has dismissed a defendant's charge of an alleged rape in 2012 after finding "the record riddled with meaningful inconsistencies" and "changes in the story."

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Yolo County Court Watch

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Vanguard Week in Review: Court Watch – Jan. 25 to 29, 2021

In 2006, the Davis Vanguard began to cover Davis and Yolo County groundbreaking, local news concerning government and policy issues affecting the city, schools, and county. In the past few years, the online news source has

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Sacramento Court Watch

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Defense Asks Judge to Look at Files of Police Officer for Unlawful Detainment Based on Racial Animus

After comparing body camera evidence and a police report, a defense attorney here Friday succeeded in getting a judge to examine a city police officer's files to see if there's a history of "unlawful detentions and excessive force

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One Witness and Done: Prosecution Needs Just One Officer to Score Preliminary Hearing Win

The prosecution needed just one witness—even though it had planned two—to win its preliminary hearing here in Sacramento County Superior Court Monday. Sacramento Police Officer Michael Bowman testified

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Alameda Court Watch

Judge Discharges Defendant from 2012 Berkeley Rape Case, Rules Evidence Riddled with Inconsistencies

A judge here in Alameda County Superior Court has dismissed a defendant's charge of an alleged rape in 2012 after finding "the record riddled with meaningful inconsistencies" and "changes in the story."

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Contra Costa Court Watch

Mother Recounts Terror after Assaults and Robbery by Son/Defendant

Defendant Alexis Ayala-Delgado appeared in Contra Costa County Superior Court last week to face seven charges, including robbery, assault, threatened murder, and false imprisonment—all against his own family

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Fresno Court Watch

Livestream Difficulties Again Cause Major Courtroom Difficulties – for Everyone

Zoom livestream difficulties disrupted Gerardo Castillo's domestic violence preliminary hearing even before it began last week in the courtroom of Fresno County Superior Court Judge Francine Zepeda.

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Riverside Court Watch

Judge Baffled After Hearing Officer Detained Man Who Looked Untruthful

Judge Dean Benjamini was left baffled after hearing a peace officer's reason for detaining a defendant—that the man appeared untruthful.

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Merced Court Watch

Family Survives in the Face of Father's Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

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see our podcasts

Taking on the policies of the incumbent DA and Sheriff, JoAnn Walker, a SF Police Officer, and Pamela Price, a Civil Rights Attorney are running for Alameda County Sheriff and DA as a team.

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This week's guest on Everyday Injustice, Adnan Khan, is the Executive Director of ReStore Justice which he co-founded while incarcerated. While in prison, he inspired and helped to launch legislation that dealt with the Felony

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Subject: Everyday Injustice - Public Defenders Push For Kalra, Reformers Against Schiff For AG

Date: Tuesday, February 2, 2021 at 7:00:46 PM Greenwich Mean Time

From: Davis Vanguard on behalf of Davis Vanguard

To: valerie.ibarra@sfgov.org

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"Mr. Kalra is a dedicated public servant and reformer who possesses the diverse experience and unique talent to unify people and lead our state into the next frontier of criminal justice. Appointing him as Attorney General will help ensure healing from decades of systemic racism, public safety for all, the end of mass incarceration, and a reimagination of policing in our communities."

Everyday Injustice Newsletter - February 2, 2021

**91 Percent of CDCR
Deaths Were Low-Risk to Public Safety; 70 Percent Were People
of Color**

By Mengyu Yang

As of Jan 28, 2021, there have been 192 deaths across California's 35 state prisons. Deaths have surged in the past month— increasing by over 30 percent. CDCR reported 63 deaths in January alone, whereas 64 were recorded between June to October of last year.

While CDCR reports the number of deaths on its [Population COVID-19 Tracker](#), information about *who is dying* is unavailable to the public.

Michael Bien, a senior attorney and co-founder of Rosen Bien Galvan & Grunfeld LLP, shared a [first-look](#) at risk scores, age and ethnicities of those who died from the virus across CDCR. Michael and his office have been tracking non-published statistics on COVID-19 in prisons through their lawsuits against CDCR and the State, particularly Plata v. Newsom and Coleman v. Newsom.

According to the data, among the 153 deaths as of January 11, 70 percent were people of color— 39 percent Hispanic and 24 percent Black. That is, 45 of those who died were white and 107 were people of color.

Further, 75 percent of them had either mental or ADA recognized disabilities; 53 were receiving CCCMS— CDCR's lowest level of mental health care and 6 were receiving EOP— CDCR's highest level of outpatient mental health care.

The average age of all death cases is 63 years. The CDC [recognizes](#) that people in their 60s – 70s are at high-risk for severe illness, while those 85 or older have the greatest risk.

Among those who died, 84 lived in cells and 50 lived in dorms. It is well established that overcrowding in prisons harbors the perfect conditions for the spread of coronavirus. [Design capacity](#) refers to the number of beds CDCR would operate if a facility housed one person per cell and did not “double-bunk” in dormitories and provides insight into the population density of facilities. As of December 31, 2020, CDCR institutions were [106.5 of design capacity](#).

Perhaps the most staggering statistic is — 139 people or 91 percent of the deceased had “low” CSRA scores. Meaning they were low-risk to reoffend based on their age, gender and offense if released into the community. Only 2 people or 1.3 percent had “high” CSRA scores.
To read the full article - [go here](#).

Once again - I have to make this ask - we need people to become sustaining members. I know a few of you cannot afford even \$5 a month and I get it. But most of you can, \$5, \$10 even \$25 a month goes so far. Please become a sustaining member, it allows us to pay the bills and continue our growth trajectory. [Hit this link](#)

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Criminal Justice News/ Commentary

Guest Commentary: Ash Kalra Should Be California's Next AG

As public defenders who represent people and serve families most impacted by our criminal legal system, we call upon Governor Gavin Newsom to appoint Assemblyman Ash Kalra as California's next Attorney General.

[Read More](#)

Sacramento County Supes Surprisingly Postpone Vote on Initial \$10 Million Jail Addition, Set Public Workshop

The Sacramento County Board of Supervisors last week rejected staff reports and warnings—following dozens of call-in comments from constituents—and decided to postpone a decision to grant a \$10 million

[Read More](#)

Guest Commentary: The California District Attorneys Association Is Failing Californians

Earlier this month, the San Francisco Chronicle reported that a recent audit of the California District Attorneys Association (CDAA) revealed the organization misappropriated nearly \$3 million in funding intended for public services programs.

[Read More](#)

Public Defender Tracie Olson Speaks on Overcoming Systemic Racism in Yolo County

In the wake of the insurrection on the nation's Capital and in comparison to the Black Lives Matter protests, local county officials continue to encounter denial and resistance while combating systemic racism in Yolo County.

[Read More](#)

OPEN LETTER TO GOV: Possible New California Attorney General Rep. Schiff Not Favored by Community Coalition

Community Coalition, an activist group in Southern California, has sent an open letter to California Governor Newsom in light of his recent consideration of U.S. Rep. Adam Schiff to replace the currently outgoing California Attorney General.

[Read More](#)

91 Percent of CDCR Deaths Were Low-Risk to Public Safety; 70 Percent Were People of Color

As of Jan 28, 2021, there have been 192 deaths across California's 35 state prisons. Deaths have surged in the past month— increasing by over 30 percent. CDCR reported 63 deaths in January alone, whereas 64 were recorded

[Read More](#)

CA Supreme Court Puts Order to Reduce San Quentin Population by 50 Percent on Hold

As of Jan. 29, there have been a total of 47,215 confirmed COVID-19 cases in the CDCR system – 1,985 of them emerged in the last two weeks. 2,141 cases are active in custody while 677 have been released while active. Roughly

[Read More](#)

COVID CDCR and Jail Dashboards

Ironwood State Prison Reports Highest Active Cases Count Across CDCR

Our daily run down on the COVID cases in the California Prison System (CDCR)

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COVID-19 Cases Double at Sacramento's Rio Cosumnes Correctional Center

Our daily run down on the COVID cases in selective County Jails

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San Francisco Court Watch

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Federal Judge Grants Writ of Habeas Corpus, Ordering Hearing For Immigrant Detainee

A judge here in Alameda County Superior Court has dismissed a defendant's charge of an alleged rape in 2012 after finding "the record riddled with meaningful inconsistencies" and "changes in the story."

[Read More](#)

Yolo County Court Watch

[Like our Facebook Page](#)

Vanguard Week in Review: Court Watch –

Jan. 25 to 29, 2021

In 2006, the Davis Vanguard began to cover Davis and Yolo County groundbreaking, local news concerning government and policy issues affecting the city, schools, and county. In the past few years, the online news source has

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Sacramento Court Watch

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Defense Asks Judge to Look at Files of Police Officer for Unlawful Detainment Based on Racial Animus

After comparing body camera evidence and a police report, a defense attorney here Friday succeeded in getting a judge to examine a city police officer's files to see if there's a history of "unlawful detentions and excessive force

[Read More](#)

One Witness and Done: Prosecution Needs Just One Officer to Score Preliminary Hearing Win

The prosecution needed just one witness—even though it had planned two—to win its preliminary hearing here in Sacramento County Superior Court Monday. Sacramento Police Officer Michael Bowman testified

[Read More](#)

Alameda Court Watch

Judge Discharges Defendant from 2012 Berkeley Rape Case, Rules Evidence Riddled with Inconsistencies

A judge here in Alameda County Superior Court has dismissed a defendant's charge of an alleged rape in 2012 after finding "the record riddled with meaningful inconsistencies" and "changes in the story."

[Read More](#)

Contra Costa Court Watch

Mother Recounts Terror after Assaults and Robbery by Son/Defendant

Defendant Alexis Ayala-Delgado appeared in Contra Costa County Superior Court last week to face seven charges, including robbery, assault, threatened murder, and false imprisonment—all against his own family

[Read More](#)

Fresno Court Watch

Livestream Difficulties Again Cause Major Courtroom Difficulties – for Everyone

Zoom livestream difficulties disrupted Gerardo Castillo's domestic violence preliminary hearing even before it began last week in the courtroom of Fresno County Superior Court Judge Francine Zepeda.

[Read More](#)

Riverside Court Watch

Judge Baffled After Hearing Officer Detained Man Who Looked Untruthful

Judge Dean Benjamini was left baffled after hearing a peace officer's reason for detaining a defendant—that the man appeared untruthful.

[Read More](#)

Merced Court Watch

Family Survives in the Face of Father's Gun Attack

One year and 34 charges later, a preliminary hearing for Guadalupe Lopez-Herrera here in Merced County Superior Court last week showcased the escalation from threatening voicemails to stalking and then physical

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Everyday Injustice - Podcast

[see our podcasts](#)

Everyday Injustice Podcast 89: Alameda Candidates For Reform – Pamela Price and JoAnn Walker

Taking on the policies of the incumbent DA and Sheriff, JoAnn Walker, a SF Police Officer, and Pamela Price, a Civil Rights Attorney are running for Alameda County Sheriff and DA as a team.

[Read More](#)

Everyday Injustice Podcast 88: Adnan Khan Discusses COVID in Prisons

This week's guest on Everyday Injustice, Adnan Khan, is the Executive Director of ReStore Justice which he co-founded while incarcerated. While in prison, he inspired and helped to launch legislation that dealt with the Felony

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