

**From:** [Aram James](#)  
**To:** [Council, City: citycouncil@mountainview.gov](#); [GRP-City Council](#); [Jonsen, Robert](#); [Planning Commission](#); [Josh Becker](#); [Cecilia Taylor](#); [Betsy Nash](#); [Reifschneider, James](#); [Perron, Zachary](#); [Tony Dixon](#); [Binder, Andrew](#)  
**Subject:** California Public Records Request re current PAPD interrogation techniques  
**Date:** Wednesday, April 14, 2021 2:42:19 PM

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FYI:

4/14/21

Dear Assistant Chief Andrew Binder.

Directly below is the rough draft of a guest opinion I wrote for the Daily News ( Dave Price paper at the time) that was ultimately published back on Tuesday Jan 18, 2005. The piece was eventually titled: *Coerced Confessions still likely*

The Jorge Hernandez case became national news including a feature piece on 60 minutes.

<http://www.talkleft.com/story/2004/02/27/313/52110/innocencecases/60-Minutes-to-Feature-False-Confessions>

Below my letter are a few questions I'd like to ask you and also ask that the questions be considered a California Public Records Request. Okay, look forward to talking to you when your time permits.

Best regards,

Aram James

415-370-5056

***Coerced Confessions still likely*** (by Aram James Jan 18, 2005, *The Daily News*)

*The most troubling issue to be raised by your recent editorial (City settles suit but doesn't fix problem, Dec, 20, 04, on the settlement in the Jorge Hernandez case is that neither Lynne Johnson or Detective Natasha Powers see anything wrong with the way in which the interrogation process that led to a coerced false confession was carried out. Such statements send a clear message to the rank and file PAPD officer –act in an overzealous fashion and we will support your actions regardless.*

*Chief Lynne Johnson was quoted as saying" "We didn't issue an apology because we didn't do anything wrong," (Palo Alto Daily News Dec 21, 04), and Detective Natasha Powers who actually conducted the interrogation leading to the coerced false confession by Mr. Hernandez, said of the settlement "It certainly isn't going to change how I do my job," (San Jose Mercury News Dec 18, 04).*

*Chief Johnson and Detective Powers' mind set, one of defiance and unwillingness to acknowledge the overzealous and misleading interrogation process used in the Hernandez case, carries with it the strong likelihood of future wrongful convictions directly related to the use of unreliable confession evidence extracted by members of the PAPD.*

*Contrary to public perception, wrongful convictions resulting from false confessions are more common than normally acknowledged. . Of sixty- two individuals in the United States who had been wrongfully convicted and ultimately exonerated by DNA testing 15 had falsely confessed to the crime, (Actual Innocence, Scheck et al. 2000).*

*But for the fortuitous circumstance that the real perpetrator of this horrendous crime, rape and beating of a 94 year old woman, left DNA at the crime scene, Mr. Hernandez, given the strong impact confessions have on juries, would likely have been wrongly convicted of these charges and would currently be spending the balance of his life in prison.*

*Given the cavalier comments by Chief Johnson and Detective Powers regarding their belief that they did nothing wrong, it seems unlikely that training and reforms geared at changing the interrogation process that resulted in the false confession in the Hernandez case will occur in the PAPD any time soon if the decision for change is left to Chief Johnson.*

*Future money judgments against the city should be incentive enough for immediate reform in the interrogation process. But more importantly, the likelihood of wrongful convictions of the innocent, if the current interrogation practice is allowed to stand, should trigger sufficient citizen outrage to demand that change take place immediately.*

*The research in the field of wrongful confessions strongly suggests that once there is a confession attributed to a suspect everyone in the criminal justice system, the defense attorney, district attorney and judge etc, assumes the guilt of suspect and close scrutiny of the case, including testing and or investigating of the reliability of the confession ceases. Where the courts, public defenders and DA's are burdened with heavy caseloads the situation is only exacerbated.*

*Once the confession is recorded the focus of all the players in the system most often becomes pressuring the defendant to plead guilty. In the case of a false confession the defendant frequently becomes the victim of both a coerced/false confession and a coerced plea of guilty.*

*The numbers of individuals who are the victims of both false confessions and subsequent pleas to charges they are not guilty of are much larger than commonly understood. Without immediate reform to the police practices that lead to false confessions the cycle of injustice will remain unabated except for the rare case like Jorge Hernandez where irrefutable evidence of its falsehood exists.*

*Simply agreeing to tape the entire interrogation (which the PAPD has apparently now agreed to do) is an insufficient safeguard against coerced false confessions. Without an end to interrogation tactics based on lies and deceit there is no guarantee that a false confession will be uncovered. It is not enough to tape the entire interrogation; the use of lies, trickery and deceit as routine police practice in extracting confessions must be outlawed.*

April 14, 2021

### **California Public Records Request**

To: Andrew Binder, Liza Scheff, Molly Stump, Beth Minor ( Please consider the below questions a California Public Records Request)

From: Aram James

Re: Current interrogation tactics of the PAPD

1. Please point me to the section of PAPD policy and procedure manual dealing with the current training and policies related to suspect interviews and interrogations. ( And any and all documents related to your current interrogation policy re criminal suspects, both misdemeanor and felony charges).
2. Any and all documents re the current training materials used to train PAPD officers re how to conduct and memorialize crime suspect interviews.
3. The number of complaints or lawsuits filed against the PAPD in the last ten years, involving allegation of coerced false confessions. ( all documents related to this requests)
4. Whether the Reid technique is still used by members of the PAPD? All documents and information re this question. (Criminal Interrogation And Confessions, Fred E. Inbau, John E. Reid, Joseph P. Buckley, and Brian C. Jayne)
5. If the Reid technique is no longer used what training methods are used? All documents in this regard. Training text, book(s) currently used.

6. Are members of the PAPD still allowed to lie to crime suspects as part of the interrogation process? All documents etc.,

7. Does the Palo Police Department still use a specifically designed interrogation room, at the police station, for crime suspect interviews? ( any and all documents in this regard, photos of the room).

8. Any and all documents re the policy and procedures for interviewing alleged crime victims.

submitted by aram james

**From:** [Kevin Ma](#)  
**To:** [Planning Commission](#)  
**Subject:** Comments on Item 2 (Renter Protections)  
**Date:** Wednesday, April 14, 2021 12:45:51 PM

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Dear Planning Commissioners,

As a Palo Alto renter, I believe that the city should be doing much more extensive programs to assist the 45% of residents in the city that are renters, especially now given the continuing effects of the pandemic. Much has changed since 2017 when the original Colleague's Memo came out, but little of it from Palo Alto. Instead, the state has since created statewide rent stabilization and tenant protections, though even this is less powerful than what was done in our neighbors to the south (Mountain View's 2016 Community Stabilization and Fair Rent Act). As such, Palo Alto really needs to make its moves and actually protect the community, if it cares anything about the housing crisis.

We should be implementing that Rent Registry that has existed on the books since 2002, with added urgency as the state may already make that a requirement anyway with [AB-1188](#). We shouldn't be just looking up renter data on random commercial websites but instead seek out the most trustworthy sources. Palo Alto already has a Business Registry, so it's not our first go-around.

Most importantly to consider is whether any given policy has resources to enforce it. Expanding just-cause to more properties doesn't necessarily help if the lawyers needed to litigate are unaffordable or unavailable. A nontrivial amount of renters have high cost-burdens, and our existing legal aid system is stretched very thin. As such, while staff argues that a "Right to Counsel" is currently cost-prohibitive, we should look into perhaps cost-sharing opportunities with neighboring jurisdictions. We can't just send a letter to the Superior Court with just intent and no action on a Housing Collaborative Court.

With the general concerns against displacement, I do hope the Planning Commission recommends strong tenant policies, especially when it's more cheaper to keep people housed than otherwise. Renting in the current market looks very different than it did decades ago.

Sincerely,  
Kevin Ma  
Ventura renter

**From:** [Roberta Ahlquist](#)  
**To:** [Aram James](#)  
**Cc:** [Council, City](#); [Winter Dellenbach](#); [WILPF Peninsula Palo Alto](#); [Raven Malone](#); [Human Relations Commission](#); [Rebecca Eisenberg](#); [chuck jagoda](#); [Planning Commission](#); [Greer Stone](#); [ParkRec Commission](#); [DuBois, Tom](#); [Josh Becker](#); [Jeff Moore](#); [Joe Simitian](#); [Raj](#); [Binder, Andrew](#); [Kaloma Smith](#); [Jeff Rosen](#); [Mark Petersen-Perez](#); [Angie, Palo Alto Renters Association](#)  
**Subject:** Re: Palo Alto City Council holds to on old school racist and exclusionary zoning tactics  
**Date:** Wednesday, April 14, 2021 9:52:55 AM

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This is clearly an example of racial, class and ethnicity discrimination. We will need to investigate legal action against the city in the light of state-mandated standards. What a deceptive policy action as well as a huge disappointment!

Roberta Ahlquist, Women's International League for Peace & Freedom, Low-income Housing Committee

On Wed, Apr 14, 2021 at 8:41 AM Aram James <[abjpd1@gmail.com](mailto:abjpd1@gmail.com)> wrote:

Follow the link below to view the article.

[https://mercurynews-ca-app.newsmemory.com/?publink=182b80127\\_1345d12](https://mercurynews-ca-app.newsmemory.com/?publink=182b80127_1345d12)

Sent from my iPhone

**From:** [Roberta Ahlquist](#)  
**To:** [Planning Commission](#); [Council, City](#)  
**Subject:** WILPF Low-Income Housing Goals  
**Date:** Tuesday, April 13, 2021 1:24:16 PM

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Dear Planning Commissioners:

The Low-income Housing Committee of the Women's International League for Peace & Freedom, Peninsula Branch, advocates these immediate actions:

1. A rent registry for all types of Palo Alto housing, we need facts and data towards more transparency.
2. Expansion of the tenant relocation assistance program- there is clearly not enough support for those in need,
3. Rent stabilization. Large landlords are exploiting tenants in serious and egregious ways and there is no control on their acts. Look at the cities around us that have successful controls on the amount that owners can raise rents

It is time for city committees to take immediate **ACTIONS** to assist the renters who live in this city and we need to have you **NOT approve office or expensive condo projects** until we have fulfilled our need for service sector low-income housing. EPA , MV and RWC have done more than their fair share!

Sincerely

Roberta Ahlquist, for the Women's International League for Peace & Freedom  
Committee for Low-income Housing

**From:** [Aram James](#)  
**To:** [Tim James](#)  
**Subject:** Conversation between Palo Alto City Council member Greg Tanaka and Palo Alto resident Aram James on reparations ( April 11, 2021)  
**Date:** Sunday, April 11, 2021 7:10:49 PM

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<https://fb.watch/4PfTYjUapb/>



**From:** [Aram James](#)  
**To:** [Filseth, Eric \(Internal\)](#); [DuBois, Tom](#); [Greer Stone](#); [Cormack, Alison](#); [Pat Burt](#); [Greg Tanaka](#); [Shikada, Ed](#); [Stump, Molly](#); [Rebecca Eisenberg](#); [Kou, Lydia](#); [Council, City](#); [Jeff Rosen](#); [Jay Boyarsky](#); [Human Relations Commission](#); [Jethroe Moore](#); [Planning Commission](#); [Roberta Ahlquist](#); [Winter Dellenbach](#); [wilpf.peninsula.paloalto@gmail.com](mailto:wilpf.peninsula.paloalto@gmail.com); [chuck jagoda](#); [Greg Tanaka](#); [Kou, Lydia](#)  
**Subject:** Viewpoints It's Time to End Single-Family Zoning  
**Date:** Sunday, April 11, 2021 1:06:28 PM

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FYI: Please consider reading the below linked to item before voting on action item # 11 on tomorrow's April 12, city council agenda...re possible changes to —planning home zoning ....consider racist implications and inability to meet Palo Alto's housing -low and very low income state mandates .....

Thanks, Aram

ewpoints

## **It's Time to End Single-Family Zoning**

<https://www.tandfonline.com/doi/full/10.1080/01944363.2019.1651216>

Shared via the [Google app](#)

Sent from my iPhone

**From:** [slevy@ccsce.com](mailto:slevy@ccsce.com)  
**To:** [Council, City: Planning Commission](#)  
**Cc:** [Lait, Jonathan](#); [Wong, Tim](#)  
**Subject:** PHZ Agenda item 11  
**Date:** Sunday, April 11, 2021 11:41:11 AM

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Dear Mayor DuBois and council members,

I support maintaining the existing PHZ requirements and application at this time without adding any new restrictions on its use.

As the staff report notes, the PHZ has succeeded in bringing forth new housing proposals and has provided a learning process for the council and community. The staff report also notes the increased housing goals for Palo Alto. Finally the staff report notes "However, for the upcoming RHNA cycle (2023-2031), without significant land use policy adjustments to local zoning, meeting the anticipated market rate housing targets will be challenging. of ABAG's allocation to the city of the regional goal."

There are two reasons I oppose adding restrictions to the scope and application of the PHZ at this time. The first is about process. The City is at the very beginning of developing a new Housing Element. Last week you appointed a working group and the consultant contract is on your agenda this week.

As a result, we have no analysis of alternative sites and policies and no way of knowing what is needed to develop a legal Housing Element. To say or imply that council knows today that the full or even expanded use of the PHZ tool is not needed for our new Housing Element is blatantly and transparently false and will be seen as such by HCD, ABAG and others causing potential legal challenges to the City.

The second reason is about policy and vision. Right now, it is very expensive to buy or rent a single-family home in Palo Alto's residential neighborhoods. I want to make it possible for more middle-income families to live in these neighborhoods and, except possibly for ADUs, the only way to achieve that is to allow housing like duplexes and small apartments that, while not cheap, are affordable to many middle-income families.

I have seen examples of this where my son previously lived in Costa Mesa. He lived on a street with a mix of housing types and a neighborhood school. In the single-family homes stretches on his street, nearly every corner has a duplex, triples or small apartment building. We have many streets like his in Palo Alto.

Not to do this says clearly that R-1 neighborhoods should be reserved for only families that can afford \$2-3 million or more for a home. I do not support such a policy. While I do not believe residents or council members wanting to restrict the PHZ application are motivated by racial prejudice or the desire to exclude people on the basis of race or ethnicity, such policies do, even if unintentionally, impose restrict economic diversity that is not in keeping with who we are or want to be.

I definitely want to see applications for small multi-family projects in our R-1 neighborhoods, perhaps starting with corner lots and see what comes forth in terms of projects and affordability.

With regard to concern about a current proposal in College terrace, I am confident that the council can review this application and hear concerns without needing to restrict the PHZ process.

Stephen Levy

**From:** [Aram James](#)  
**To:** [Joe Simitian](#); [Cormack, Alison](#); [Council, City](#); [Rebecca Eisenberg](#); [Human Relations Commission](#); [Raj](#); [Richard Konda](#); [Jeff Rosen](#); [Planning Commission](#); [Jeff Moore](#); [chuckjagoda1@gmail.com](#); [Greg Tanaka](#); [GRP-City Council](#); [Roberta Ahlquist](#); [Tony Dixon](#); [wilpf.peninsula.paloalto@gmail.com](#); [Binder, Andrew](#); [Jonsen, Robert](#); [Reifschneider, James](#); [michael.gennaco@oirgroup.com](#)  
**Subject:** BALTIMORE SUN: Maryland legislators pass landmark police reform package into law, overriding Gov. Hogan's vetoes  
**Date:** Sunday, April 11, 2021 9:26:18 AM

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FYI: more on landmark police reform in Maryland. Is California next?  
**Maryland legislators pass landmark police reform package into law, overriding Gov. Hogan's vetoes**

Read in Baltimore Sun: <https://apple.news/ABnF-qX0bQsubv2KeLfoHOg>

Shared from [Apple News](#)

Sent from my iPhone

**From:** [Aram James](#)  
**To:** [David Angel](#); [Council, City](#); [Rebecca Eisenberg](#); [Human Relations Commission](#); [Planning Commission](#); [Greer Stone](#); [Greg Tanaka](#); [Binder, Andrew](#); [chuckjagoda1@gmail.com](mailto:chuckjagoda1@gmail.com); [Binder, Andrew](#); [michael.gennaco@oirgroup.com](mailto:michael.gennaco@oirgroup.com); [Jeff Moore](#); [Raj](#); [Richard Konda](#); [Jonsen, Robert](#); [Tony Dixon](#); [Cecilia Taylor](#); [Roberta Ahlquist](#); [wilpf.peninsula.paloalto@gmail.com](mailto:wilpf.peninsula.paloalto@gmail.com); [Kaloma Smith](#); [DuBois, Tom](#); [Jeff Rosen](#); [paloaltofreepress@gmail.com](mailto:paloaltofreepress@gmail.com); [Charisse Domingo](#); [Raven Malone](#); [Tanner, Rachael](#)  
**Subject:** We're Tracking Police Dog Bites Across the Country | The Marshall Project  
**Date:** Saturday, April 10, 2021 2:13:55 PM

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FYI: at least 3 have died after canine attacks .....  
<https://www.themarshallproject.org/2020/11/17/we-re-tracking-police-dog-bites-across-the-country>

Sent from my iPhone

**From:** [Aram James](#)  
**To:** [Greer Stone](#); [Binder, Andrew](#); [Jonsen, Robert](#); [Jethroe Moore](#); [Rebecca Eisenberg](#); [Human Relations Commission](#); [paloaltofreepress@gmail.com](#); [Planning Commission](#); [Council, City](#); [Jeff Rosen](#); [Roberta Ahlquist](#); [ParkRec Commission](#); [chuckjagoda1@gmail.com](#); [Raj](#); [wilpf.peninsula.paloalto@gmail.com](#); [Human Relations Commission](#); [Cecilia Taylor](#); [Joe Simitian](#); [DuBois, Tom](#); [Raven Malone](#)  
**Subject:** Hogan vetoes three major police accountability bills - but democratic controlled congress overrides his vetos  
....The Washington Post  
**Date:** Saturday, April 10, 2021 1:53:29 PM

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FYI: police officers bill of rights is no more in the state of Maryland—is California Next?

[https://www.washingtonpost.com/local/md-politics/hogan-vetoes-police-accountability/2021/04/09/c0ac4096-9967-11eb-962b-78c1d8228819\\_story.html](https://www.washingtonpost.com/local/md-politics/hogan-vetoes-police-accountability/2021/04/09/c0ac4096-9967-11eb-962b-78c1d8228819_story.html)

Sent from my iPhone

**From:** [Elizabeth Grover](#)  
**To:** [Planning Commission](#)  
**Subject:** Castilleja project  
**Date:** Friday, April 9, 2021 3:51:28 PM

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Hi,

I am writing in support of the project proposed by Castilleja. It concerns me that this project continues to be stalled by a very vocal minority of neighbors, who would love nothing more than for Castilleja to move. And of course, were that to happen, the property would convert to housing, most likely a number of houses, which would provide these neighbors yet another opportunity to protest.

It seems to me that Castilleja has worked incredibly hard to balance the needs of the neighbors with its own needs. I was really dismayed and distressed to hear the reports of the recent City Council meeting in which pretty much every Council member seemed to oppose the project, which has been in the works for a number of years now. Castilleja has bent over backwards to address community concerns within reason. And I believe that the underground garage is a vast improvement over the current state of affairs.

Here are some things the City should and should not consider, in my view:

1. There are repeated assertions about the expense of attending Castilleja—a fact that is completely irrelevant. Who cares? It is a private school and determines its tuition based on its cost of providing an outstanding education for young women. It is recognized as one of the best private schools in the country. Its tuition is in line with all of the private schools in the area.
2. Castilleja should be required to enroll a certain number of young women from Palo Alto and East Palo Alto. Castilleja does support many local students, and offers scholarships to those in need. And as for Palo Alto students, many do attend for their middle school years and then transition back to Palo Alto HS and Gunn. If Palo Alto students wish to attend Castilleja, they should apply, but it is ridiculous to require that Castilleja accept a quote from either community.
3. A parking garage with 78 spaces is not unreasonable. Not all students are allowed to drive to campus and this would accommodate those students who are allowed to drive, faculty, staff and visitors. It would eliminate any parking issues in the neighborhood. Castilleja has worked very hard to address the traffic and parking issues over the past few years and I believe their efforts have been successful, but for these neighbors, it's just not enough.
4. Some have suggested that Castilleja severely limit its other activities and events. I don't see the same requirement being mandated for Palo Alto HS, which does create traffic and congestion for the surrounding neighborhoods. No one seems to complain about that.
5. The design of the campus will enhance the neighborhood. The planting of a hundred trees is planned. The buildings, as I understand it, will be among the most environmentally sustainable in the city. Castilleja is really a wonderful asset to the community.

Unfortunately, mistakes, whether intentional or not, made regarding enrollment limits years ago have soured some of the neighbors and I understand that. But it seems to me that Castilleja has adequately addressed those issues and will continue to honor its agreements with the City. It's time to move forward with this project.

Sincerely,  
Elizabeth Grover  
Palo Alto resident

**From:** [Aram James](#)  
**To:** [paloaltofreepress@gmail.com](mailto:paloaltofreepress@gmail.com); [Raj](#); [Jeff Rosen](#); [Jeff Moore](#); [Richard Konda](#); [Human Relations Commission](#); [Planning Commission](#); [Council, City](#); [Rebecca Eisenberg](#); [Binder, Andrew](#); [Tony Dixon](#); [chuckjagoda1@gmail.com](mailto:chuckjagoda1@gmail.com); [Greer Stone](#); [Cecilia Taylor](#); [Josh Becker](#); [Roberta Ahlquist](#); [Jonsen, Robert](#); [Charisse Domingo](#); [wilpf.peninsula.paloalto@gmail.com](mailto:wilpf.peninsula.paloalto@gmail.com); [Raven Malone](#); [Jeff Rosen](#); [kmartin@padailypost.com](mailto:kmartin@padailypost.com); [pastor@universityamez.com](mailto:pastor@universityamez.com); [Sunita de Turreil](#); [DuBois, Tom](#); [ParkRec Commission](#); [Tanner, Rachael](#); [mark weiss](#); [Joe Simitian](#); [griffinam@sbcglobal.net](mailto:griffinam@sbcglobal.net); [David Angel](#); [Winter Dellenbach](#); [Kou, Lydia](#); [Greg Tanaka](#); [Stump, Molly](#); [Pat Burt](#); [Shikada, Ed](#); [Filseth, Eric \(Internal\)](#); [Molly.ONeal@pdo.sccgov.org](mailto:Molly.ONeal@pdo.sccgov.org); [Perron, Zachary](#); [Dave Price](#); [Cormack, Alison](#); [moore2j@att.net](mailto:moore2j@att.net)  
**Subject:** Information that has finally been disclosed by way of my public records act request, make on Feb 22, disclosure date 4-5-20—more data sought on the canine attack on Mr. Joel Alejo, and on Palo Alto's canine generally ( slight edits from my 1st send)  
**Date:** Wednesday, April 7, 2021 11:29:30 AM  
**Attachments:** [image003.png](#)  
[CPRA Response Letter2\\_AJames K9\\_W0027788-022221\\_F\(4-6\).pdf](#)  
[CPRA Response Docs\\_W002788-022221\\_K9-ref Question2.pdf](#)  
[Bohdan Dog Record.pdf](#)  
[Balko dog record.pdf](#)  
[Gov claims.pdf](#)  
[Enberg Logs-Redacted.pdf](#)  
[Tannock Logs-Redacted.pdf](#)

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4 -7- 2021

From: Aram James

To: The people of Palo Alto and Santa Clara County

*Is it time to ban police canine units in Palo Alto, and in all of Santa Clara County?*

*Re: Aram's attempt to receive information from the Palo Alto Police Department regarding the current status of our canine unit by using the California Public Records Act.*

Hi Folks, Here are the public records that have thus far been released to me, by the city of Palo Alto, as well as copies of my 34 questions that generated the partial responses, I have received thus far. ( see all info below)

In 2005 the PAPD was willing to release the race of the dog bite victims—but not so far this time. One has to wonder what the city is covering up.

Also see the 25-page complaint filed by Mr. Alejo's attorney

including graphic injury photos taken during his stay at El Camino Hospital in Mountain View.

Much of officer Enberg's deployment logs are redacted. One of things I did notice is more of his canine uses were in East Palo Alto than Palo Alto.

Given the extent of the redactions, re Enberg's canine log, and the small number of entries not redacted, it is difficult to establish any consistent pattern. Clearly this is an issue I think the public should pursue.

Hopefully my attorney, who specializes in public record law, will convince the city of Palo Alto to provide more of the records that I have requested, as this legal process goes forward. In this way I can fill in for the public a more complete picture of how Palo Alto uses its canine units.

The log for the second canine handler, Officer Tannock, seems to show canine deployments in Mountain View, Menlo Park, Redwood City and a fair share of the use of this officer's canine time for public displays and public relations purposes.

The public relations canine exhibits may be used to soften up the public to think how cute these canines are without giving the public the other-side of the story, how these vicious dogs are trained to mostly attack black and brown people here, and across this country. The injuries inflicted by these canines are often serious and sometimes even deadly.

I wonder how many law enforcement hours are spent every year parading this vicious canines from one public event to another? And how much money does this unnecessary police exhibitionism, of these vicious and violent canines, cost our city every year?

Given the long history of using police canines against enslaved people, during the Jim Crow era, during the civil rights movement, and up and through today's political demonstrations, what are we teaching our children about the use of violence against our black and brown brothers and sisters?



I say it is past time we ban canine units in Palo Alto and across this country.

Please review any and all of the questions and information below and see what you find. Feel free to share any of the information or concerns you have with me, and with the other folks on this list. Share the information with your concerned friends and neighbors.

As more information is forthcoming from the city I will pass it your way.

Sincerely,

Aram James

Dear Mr. Cisneros,

Per your instruction, I am sending you the CPRA response on behalf of Mr. James. I had previously told Mr. James that I would send him responses via email as well as GovQA, so I have added him to this communication. Likewise, I have added you to the GovQA notification although I don't believe you will be able to access the records on that format.

Thank you,

**Lisa Scheff**

Public Safety Program Manager/Records

Palo Alto Police Department

(650) 329-2553 | [lisa.scheff@cityofpaloalto.org](mailto:lisa.scheff@cityofpaloalto.org)

[www.cityofpaloalto.org](http://www.cityofpaloalto.org) | [www.papd.org](http://www.papd.org)





POLICE DEPARTMENT

CITY OF  
**PALO  
ALTO**

275 Forest Avenue  
Palo Alto, CA 94301  
(650) 329-2406

April 5, 2021

**VIA EMAIL**

**VIA CPA Web Portal**

Mr. Aram James

C/O Mr. Abenicio Cisneros

[acisneros@capublicrecordslaw.com](mailto:acisneros@capublicrecordslaw.com)

**RE: Mr. James' California Public Records Act Request Dated February 22, 2021 Ref: W002788-022221**

Dear Mr. Cisneros and Mr. James,

This letter is being sent to you per your instructions of your electronic mail received April 1, 2021 on behalf of Mr. James. This follow up letter is in response to his California Public Records Act Request dated February 22<sup>nd</sup> and my last posting to Mr. James on February 18, 2021 in which Mr. James requests certain records maintained by the City of Palo Alto relating to the Canine program in the City of Palo Alto, pursuant to the California Public Records Act, Cal. Gov't Code §§ 6250 et seq.

**Records Request 1:**

Any and all City of Palo Alto and Palo Alto Police Department documents and related information regarding the numbers of police dogs currently in the PAPD canine unit.

**Response to Records Request 1:**

The Palo Alto Police Department currently has two canine service dogs.

**Records Request 2:**

Any and all documents related to the purchase, training, and cost of maintaining the current canine unit. (last 36 months)

**Response to Records Request 2:**

Please see attached .pdf labeled with reference to question #2. The City is still gathering financial documentation subsequent to your request and will release them in rolling intervals until completed. We anticipate the next release of financial records to be released on or before April 15, 2021.

**Records Request 3:**

Any and all documents and related information regarding the annual cost of maintaining the Palo Alto's Canine unit. (The total annual canine budget for the Palo Alto Police Department)



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**Response to Records Request 3:**

For the last three years, the Department makes it a discretionary spending allocation from the operating budget to Canine expenses. Currently that amount is \$10,800/year. In 2018, there was a donation of \$29,554.00 as reflected in the attached document, refer to question #2 (Bohdan financial information.)

**Records Request 4:**

Any and all documents regarding the number of times the canine unit has deployed their dogs during the last 36 months against a person. (# of times the canines have been deployed as a weapon as opposed to the use of the canine in a search and rescue mission.) (last 36 months)

**Response to Records Request 4:**

Please see attached .pdf labeled Enberg and Tannock Logs. Some responsive documents are exempt from disclosure or have been redacted pursuant to Cal. Penal Code § 832.7 et seq., Gov. Code § 6254(c), and Welfare and Institutions Code § 5328 as they contain training and personnel record information as well as conservatorship information.

**Records Request 5:**

Any and all documents reflecting the race of those who were attacked by dogs in the PAPD canine unit during the last 36 months —from today’s date back 36 months. (last 36 months)

**Response to Records Request 5:**

Information regarding those sustaining injuries from a PAPD canine are contained in the Police Investigation Report and are exempt from the CPRA pursuant to Cal. Govt. Code §§ 6254(f).

**Records Request 6:**

While redacting the name of the individuals for privacy purposes —the number of individuals injured by the canine unit and the extent of said injuries...and all related documents redacted for privacy concerns. Including photos of the injuries.

**Response to Records Request 6:**

The number of bites in the past 36 months is five that required varying types of medical attention. Information regarding those sustaining injuries from a PAPD canine, details of their injuries and photos are contained in the Police Investigation Reports and are exempt from the CPRA pursuant to Cal. Govt. Code §§ 6254(f) and 6254(c).



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**Records Request 7:**

While redacting the name of the individuals for privacy purposes —the number of individuals injured by the canine unit and the extent of said injuries...and all related documents redacted for privacy concerns. Including photos of the injuries.

**Response to Records Request 7:**

I respectfully refer you to the response to records request #6 above.

**Records Request 8:**

A list of all complaints and lawsuits growing out of attacks by dogs on the canine unit going back 36 months from receipt of this CPRA request. (last 36 months)

**Response to Records Request 8:**

Zero complaints in the last 36 months. Here is the link to the Independent Police Auditor:  
<https://www.cityofpaloalto.org/gov/depts/pol/auditor.asp>

There were two government claims filed in the last 36 months. Please see attached .pdf.

**Records Request 9:**

Any and all documents, name and type of artificial teeth, —and the material used to create these artificial teeth, that are made for each dog. For example teeth made of titanium.

**Response to Records Request 9:**

No responsive records subsequent to your request. The Department does not use artificial teeth.

**Records Request 10:**

Any and all documents, and related information re the vendor used by the PAPD to make teeth for each canine on the team.

**Response to Records Request 10:**

No responsive records subsequent to your request.



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**Records Request 11:**

Any and all documents, or related information, re the annual budget to pay for replacement of artificial teeth for the canine unit? Food budget? Medical budget? (last 36 months)

**Response to Records Request 11:**

No responsive records to your request. No Department dogs have artificial teeth. I respectfully refer you to the response above written for question #2.

**Records Request 12:**

All documents and information regarding the certification process each canine member must go through to obtain all appropriate certifications.

**Response to Records Request 12:**

Handler and Dogs take a POST qualification test once a year. Both PAPD canine teams have maintained and are currently certified. Please refer to the Palo Alto Police Department Policy 318 previously released to you on February 18, 2021. For further information on Canines please see attached link published by POST for further information and guidelines released by California POST:  
<https://post.ca.gov/Portals/0/Publications/K-9.pdf>

**Records Request 13:**

Documentation or related information re whether the necessary documentation/certification for each canine is current.

**Response to Records Request 13:**

I respectfully refer you to the response to records request #12 above.

**Records Request 14:**

The name of each officer assigned to the canine unit.

**Response to Records Request 14:**

Agent Nick Enberg and Balko. Officer Julie Tannock and Bohdan.



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**Records Request 15:**

Any and all documents related to the training officers must undergo to qualify for membership to the canine unit

**Response to Records Request 15:**

I respectfully refer you to the response to records request #12 above.

**Records Request 16:**

Any and all documents and related information regarding the certification process members of the canine unit (police officers) must undergo to qualify for the unit.

**Response to Records Request 16:**

I respectfully refer you to the response to records request #12 above.

**Records Request 17:**

Any and all current information and documentation related to re whether each police officer currently assigned to the canine unit has up to date certification?

**Response to Records Request 17:**

Although individual officer training records are exempt from the CPRA pursuant to Cal. Penal Code § 832.7 *et seq.* and Gov. Code § 6254(c), it is the policy of the Department that Canine teams be certified. Please refer to Palo Alto Policy 318 previously released to you on February 18, 2021.

**Records Request 18:**

Any and all documentation re the number of times a non police officer who has been bitten/attacked by a Palo Alto police dog has been required to obtain medical treatment during the last 36 months. Dating back 36 months from receipt of this request.

**Response to Records Request 18:**

It is the policy of the Department that any bite administered receives medical treatment. In the past 36 months, the number is five.



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**Records Request 19:**

Number of times the victim of a Palo Alto Police dog bite or attack has been required to be hospitalized. Time frame going back 36 months from the receipt of this CPRA request.

**Response to Records Request 19:**

I respectfully refer you to the response to question #18 above.

**Records Request 20:**

Area or areas of the city of Palo Alto where police have released their canines most frequently.

**Response to Records Request 20:**

No responsive records to your request.

**Records Request 21:**

Any and all information and documentation re the frequency (the number of times) the Palo Alto Police have used their canine unit to assist the East Palo Alto Police during the last 36 months?

**Response to Records Request 21:**

I respectfully refer you to the response above written for question #4.

**Records Request 22:**

To assist the Mountain View Police Department during the last 36 months?

**Response to Records Request 22:**

I respectfully refer you to the response above written for question #4.

**Records Request 23:**

The Menlo Park Police Department during the last 36 months?

**Response to Records Request 23:**

I respectfully refer you to the response above written for question #4.





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**Records Request 24:**

To assist the Santa Clara County Sheriff's office? (last 36 months)

**Response to Records Request 24:**

I respectfully refer you to the response above written for question #4.

**Records Request 25:**

The San Mateo County Sheriff's Office? (last 36 months)

**Response to Records Request 25:**

I respectfully refer you to the response above written for question #4.

**Records Request 26:**

Monies spent on training either a police officer member of the canine unit or a dog member of the unit for out of the Palo Alto training? (last 36 months)

**Response to Records Request 26:**

I respectfully refer you to the response to question #2 above.

**Records Request 27:**

Any and all emails, memos, written policies, and other documentation regarding the need to use the canine unit to keep or intimidate residents of East Palo Alto from traveling to Palo Alto. (last 36 months)

**Response to Records Request 27:**

No responsive records to your request.

**Records Request 28:**

Any and all text messages (or similar electronic communications) between members of the canine unit and other members of the Palo Alto Police department, or other local law enforcement agencies reflecting racial bias, towards African Americans or other racial minorities. (last 36 months)



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**Response to Records Request 28:**

No responsive records to your request.

**Records Request 29:**

Name of the canine supervisor and length of time that officer has been in that role.

**Response to Records Request 29:**

Sergeant Alex Afanasiev from 2018 – 2021.

**Records Request 30:**

The name of the canine team manager and the length of time that officer has held this position.

**Response to Records Request 30:**

Captain Andrew Binder from 2018 – 2020 and Assistant Chief Andrew Binder from 2020 – 2021.

**Records Request 31:**

Any and all documents or information re the number of times victims of canine bits, by the PAPD canine unit, have been transported to the Stanford Hospital or any other local hospital facility for injuries. (last 36 months)

**Response to Records Request 31:**

It is the policy of the Department that any bite administered receives medical treatment. In the past 36 months, the number is five.

**Records Request 32:**

Cost of all hospital visits for canine bits inflicted by the PAPD canine unit (last 36 months)

**Response to Records Request 32:**

No responsive records to your request.



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**Records Request 33:**

Any additional documents and information regarding the canine unit that I have not specifically asked for but are relevant to my current CPDA request to establish the current status of the PAPD canine unit

**Response to Records Request 33:**

A link to the City's video and news release can be found here:

<https://www.cityofpaloalto.org/news/displaynews.asp?NewsID=5143>

A link to the press release for the February 21, 2021 arrest can be found here:

<https://www.cityofpaloalto.org/civica/press/display.asp?layout=1&Entry=1804>

I cannot speculate about what other documents you may be seeking. If you need assistance in locating additional disclosable records, please contact me.

**Records Request 34:**

Current Palo Alto Police Department policy or policies regarding the function, structure deployment of canines etc.

**Response to Records Request 34:**

Please refer to Palo Alto Policy 318 regarding Canines previously released to you on February 18, 2021.

**Records Request 35:**

Name of the current computer system, i.e., Computer Aided Dispatch (CAD) system used to track all active of the Palo Alto Police Department Canine Unit?

**Response to Records Request 35:**

The Department uses Intergraph Computer-Aided Dispatch from Hexagon for police and fire.

Thank you,

Lisa Scheff

Public Safety Program Manager/Records

Palo Alto Police Department

[Lisa.scheff@cityofpaloalto.org](mailto:Lisa.scheff@cityofpaloalto.org)

Financial Information for K-9 Bohdan:

Paying out of  
 Account  
 70191001-32070  
 Questica BCR  
 2019-821403

<b>Donation Received</b>	<b>\$29,554.00</b>	<b>Paid To</b>	<b>Date Paid</b>
Acquisition	-\$9,810.00	Witmer Tyson	11/7/2018
Training	-\$3,300.00	Witmer Tyson	11/8/2018
Supplies	-\$824.59	Witmer Tyson	10/26/2018
K9 training	-\$1,650.00	Witmer Tyson	12/11/2018
<b>Amount Left</b>	<b>\$13,969.41</b>		

Německý ovčák  
Deutscher Schäferhund

pes

### Bold Aradel

vlkošedá

krátká

**KADIČOVÁ Veronika, Radomilice 37, 373 48**

**Iasko**  
**di Casa Libardi**  
LOI/08/50455  
HD A, ED 0

Argo

LOI/10/103938

HD a normal, ED normal, DNA  
BH, IPO 3

Selezionato 1, 2014-2016

vlkošedá

Sourozenci:

**Vinie**  
**di Dranel**  
LOI/03/2815  
HD B

**Eliška**  
**Soví mlýn**  
CMKU/DS/81717/11/13

dobry  
HD a(0/0), ED (0/0), DNA (CZ)  
IPO 3, BH, FPr 1

2.třída doživotně 5CV1/P

vlkošedá

Sourozenci:

Egon; | Evar; velmi dobrý; ZVV 3, IPO 3, BH; HD a(0/0),  
ED (0/0), DNA (CZ); 1.třída 2015-2016 SKU1/N; | Electra;  
velmi dobrý; FPr 2, ZOP, BH, ZVV 1, SPr 1, ZPU 1; HD a(0/0),  
ED (0/0), DNA (CZ); 1.třída doživotně 5U1/P; | Emilka; velmi  
dobry; IPO 3, ZPS 1, ZVV 1, BH, FPr 1; HD a(2/2), ED (0/0),  
DNA (CZ); 2.třída doživotně 5CV1/P;

**Max**  
**Černý obelisk**  
CMKU/DS/58606/05/09  
velmi dobrý, HD a(0/0) ED(0/0), DNA CZ  
ZVV 2

2.třída doživotně 5CV1/P  
vlkošedá

**Artemis**  
**z Dubového mlýna**  
CMKU/DS/48807/03/05  
velmi dobrý, HD a(0/0)  
ZPS 1, ZVV 3, ZPO 1, ZM

CMKU/DS/107435/17

13594  
953010001973774

04.04.2017

01.08.2017 Martina Hlávková

**JM Něm. Ellute**  
**von der Mohnwiese**  
 SZ Nr/2036438  
 šG, HD a normal DNA  
 šörkl.1 Lebenszeit  
 šD, FH 1, BH, IPO 3, SchH 3

**Šarra**  
**Galán Nalag**  
 CMKU/DS/49502/03  
 šD B

**Šory**  
**šš Dranel**  
 LOI/00/105274

**Gina**  
**šš Dranel**  
 LOI/00/100634

**Ipor**  
**Kiddo**  
 ŠÜCHNO/36733/99  
 dobrý, HD A(SK)  
 1.tř.doživotně ŠKX5/55 P  
 ŠVV 1, IPO 1

**Erika**  
**Černý obelisk**  
 CMKU/DS/29630/97/00  
 velmi dobrý, HD a(0/0)  
 2.tř.doživotně ŠCI1/P  
 ŠVV 1, SchH 3, IPO 3

**ÚM ČR Paso**  
**Naspo**  
 CMKU/DS/31012/97/02  
 výborný, HD a(1/1)  
 1.tř.doživotně ŠV1/P  
 FH 1, SchH 3, ZPS 1, IPO 3, ŠVV 3

**Táňa**  
 z Rlatanského zámku

**ÚM WUSV Tom**  
**van` t Leefdaalhof**  
 SZ Nr/2018398

**ÚM WUSV Aline**  
**von der Mohnwiese**  
 SZ Nr/1905152

**Ingolf**  
**von Karthago**  
 SZ Nr/2019746

**Babeta**  
**Galán CS**  
 CMKU/DS/35317/99/00

**ÚM WUSV Tom**  
**van` t Leefdaalhof**  
 SZ Nr/2018398

**Ares**  
**Katargo**  
 HPK/27149/94/96

**Troll**  
**v.Haus Milinda**  
 LOSH/0756581

**Ambra**  
 -  
 GT 631750

**Cezar**  
**z Jasenskej doliny**  
 ŠHPK/011100/90/96

**Fiana**  
**Kiddo**  
 ŠÜCHNO/28683/95/98

**Mistr ČR Gero**  
**Chmelový kvítek**  
 ČKS/07825/91/94

**Conny**  
**z Daskonu**  
 ČKSP/05688/93

**Derrick**  
**vom Haus Iris**  
 SZ Nr/1801341

**Kasa**  
**od Policie CS**  
 CMKU/DS/23359/95/97

**Xero**  
 z Pohraniční stráže

Plemeno: **Československý ovčák**  
 (Rasse) **Deutscher Schäferhund**

Pohlaví: **pcs**  
 (Geschlecht)

Jméno a chovná stanice: **Omar z Lijavy**  
 (Name des Hundes)

Barva srsti: **vlkošedá**  
 (Farbe)

Druh srsti: **krátká**  
 (Haarart)

Chovatel: **VYHNAL Jaroslav, Koterovská 49, 326 00 PLZEŇ**  
 (Züchter)

I. generace	II. generace
<p><b>Rasco</b>  <b>v.d.Germanenquelle</b>                      SZ Nr:2252560</p> <p><b>SG</b>                      HD a normal, ED normal, DNA gpr.                      IPO 3, BH, AD</p> <p><b>Angekört 2014-2015</b>                      vlkošedá                      Sourozenci:</p>	<p><b>ÚM WUSV</b>  <b>Zender</b>  <b>v.Lusondai</b>                      LOSH/0866545                      G, HD-A (Belgien)                      SchH 3,IPO 3,RCI 3</p> <p><b>Körkl.1 Lebenszeit DNA gpr.</b>                      černá,znaky</p>
<p><b>Kája</b>  <b>z Lijavy</b>                      CMKU/DS/84139/11/15</p> <p><b>V</b>                      HD a(0/0), ED (0/0), DNA gpr.                      ZVV 1</p>	<p><b>Cimm</b>  <b>v.d.Germanenquelle</b>                      SZ Nr:2146621                      V, HD normal, ED normal, DNA                      IPO 1,SchH 1</p> <p><b>Lebenszeit</b></p>
<p><b>1.ř. 2016-2017 5V1/P</b>                      vlkošedá                      Sourozenci:                      Kalimero;   Kát'a;   Kira; FPr 1,ZOP,BH,ZVV                      1,ZPU 1; HD a(0/0), ED (0/0), DNA gpr.;</p>	<p><b>Balko</b>  <b>v.d.Teufelskehle</b>                      SZ Nr:2194774                      V, HD a normal, ED normal, DNA gpr.                      SchH 3,BH,AD</p> <p><b>Körkl.1 Lbz.</b>                      celočerná</p> <p><b>Cita</b>  <b>vom Haus Tyson</b>                      SZ Nr:0015842                      G, HD a normal, DNA                      IPO 1,BH,AD</p>

LOSH/0866545  
 HD 2 (Belgien)  
 IH 3, IPO 3, RCI 3

**Rasco**  
 v.d.Germanenquelle  
 SZ Nr:2252560

Körkl.1 Lebenszeit DNA gpr.  
 černá,znaky

SG  
 HD a normal, ED normal, DNA gpr.  
 IPO 3, BH, AD

Angekört 2014-2015  
 vlkošedá  
 Sourozenci:

**Cimm**  
 v.d.Germanenquelle  
 SZ Nr:2146621  
 V, HD normal, ED normal, DNA  
 IPO 1, SchH 1

Lebenszeit

**Kája**  
 z Lijavy  
 CMKU/DS/84139/11/15

**Balko**  
 v.d.Teufelskehle  
 SZ Nr:2194774  
 V, HD a normal, ED normal, DNA gpr.  
 SchH 3, BH, AD

Körkl.1 Lbz.  
 celočerná

V  
 HD a(0/0), ED (0/0), DNA gpr.  
 ZVV 1

1.tř. 2016-2017 5V1/P  
 vlkošedá  
 Sourozenci:  
 Kalimero; | Kát'a; | Kira; FPr 1, ZOP, BH, ZVV  
 1, ZPU 1; HD a(0/0), ED (0/0), DNA gpr.;

**Cita**  
 vom Haus Tyson  
 SZ Nr:0015842  
 G, HD a normal, DNA  
 IPO 1, BH, AD

2.tř.2010-2011, 5CKU1/P  
 vlkošedá



Druh (Zucht) výběrový



G. zápis: CMKU/DS/103775/16  
(Zuchtbuch Nr.)

Tetovací o.: 18705  
(Tätowier. Nr.)

Dát. narození: 07.05.2016  
(Wurfdatum)



V Praze dne: 17.08.2016 Petra PEKAŘOVÁ

III. generace	IV. generace
<p><b>Udo</b> <b>van't Quentawald</b> LOSH/0777924 SG, HD a (Belgien), DNA Körkl. 2000-2001 SchH 3</p>	<p><b>Qinto</b> <b>v.Haus Nuyena</b> LOSH/0687153 <b>Qukelly</b> <b>v.Haus Antverpa</b> LOSH/0696748</p>
<p><b>Ulle</b> <b>v.Lusondai</b> LOSH/0782476 SG, HD-A, DNA IPO 3</p>	<p><b>Nero</b> <b>v.Zweier</b> LOSH/0634084 <b>Nina-Nicky</b> <b>v.Tiekerhook</b> NHSB/1873439</p>
<p><b>Watz</b> <b>v.alten Felsenkeller</b> SZ Nr:2034335 SG, HD a normal, DNA gpr. Lebenszeit SchH 3, FH 1</p>	<p><b>ÚM WUSV Asko</b> <b>von der Lutter</b> SZ Nr:1906890 <b>Jana</b> <b>v.alten Felsenkeller</b> SZ Nr:1902404</p>
<p><b>Vesta</b> <b>vom Linzgau</b> SZ Nr:2057859 V, HD normal, DNA Lebenszeit SchH 3, IPO 3</p>	<p><b>Janosch</b> <b>v.d.Germanenquelle</b> SZ Nr:1951633 <b>Lissi</b> <b>v.d.Sigisliebe</b> SZ Nr:1969889</p>
<p><b>Tyson</b> <b>von der Schiffslache</b> SZ Nr:2061899 SG, HD a normal, DNA gpr. Körkl. 1 Lebenszeit SchH 3, IPO 3</p>	<p><b>Olix</b> <b>von Karthago</b> SZ Nr:1962325 <b>Connie</b> <b>v.Körnerplatz</b> SZ Nr:1837689</p>
<p><b>Wilma</b> <b>v.Ketscher Wald</b> SZ Nr:2108980 G, HD a normal, DNA Körkl. 1 Lbz. SchH 3</p>	<p><b>Olex</b> <b>de Valsory</b> SZ Nr:2082871 <b>Nelly</b> <b>v.Ketscher Wald</b> SZ Nr:1973933</p>
<p><b>Unikum</b> <b>v.Höllbachgrund</b> SZ Nr:1966440 V, HD a normal. DNA Körkl. Lebenszeit SchH 3</p>	<p><b>Xaver</b> <b>v.Höllbachgrund</b> SZ Nr:1810398 <b>Flora</b> <b>v.Höllbachgrund</b> SZ Nr:1851593</p>
<p><b>Tessa</b> <b>von der Meinaiche</b></p>	<p><b>Lewis</b> <b>v.Melastata</b></p>

<p><b>Ulle</b>  <b>v.Lusondai</b>          LOSH/0782476          SG, HD-A, DNA          IPO 3</p>	<p><b>Net</b>  <b>v.Zweier</b>          LOSH/0634084          Nina-Nicky  <b>v.Tickerhook</b>          NHSB/1873439</p>
<p><b>Watz</b>  <b>v.alten Felsenkeller</b>          SZ Nr:2034335          SG, HD a normal, DNA gpr.          Lebenszeit          SchH 3,FH 1</p>	<p><b>UM WUSV Asko</b>  <b>von der Lutter</b>          SZ Nr:1906890  <b>Jana</b>  <b>v.alten Felsenkeller</b>          SZ Nr:1902404</p>
<p><b>Vesta</b>  <b>vom Linzgau</b>          SZ Nr:2057859          V, HD normal, DNA          Lebenszeit          SchH 3,IPO 3</p>	<p><b>Janosch</b>  <b>v.d.Germanenquelle</b>          SZ Nr:1951633  <b>Lissi</b>  <b>v.d.Sigisliebe</b>          SZ Nr:1969889</p>
<p><b>Tyson</b>  <b>von der Schiffslache</b>          SZ Nr:2061899          SG, HD a normal, DNA gpr.          Körkl. 1 Lebenszeit          SchH 3,IPO 3</p>	<p><b>Olix</b>  <b>von Karthago</b>          SZ Nr:1962325  <b>Connie</b>  <b>v.Körnerplatz</b>          SZ Nr:1837689</p>
<p><b>Wilma</b>  <b>v.Ketscher Wald</b>          SZ Nr:2108980          G, HD a normal, DNA          Körkl.1 Lbz.          SchH 3</p>	<p><b>Olex</b>  <b>de Valsory</b>          SZ Nr:2082871  <b>Nelly</b>  <b>v.Ketscher Wald</b>          SZ Nr:1973933</p>
<p><b>Unikum</b>  <b>v.Höllbachgrund</b>          SZ Nr:1966440          V, HD a normal. DNA          Körkl. Lebenszeit          SchH 3</p>	<p><b>Xaver</b>  <b>v.Höllbachgrund</b>          SZ Nr:1810398  <b>Flora</b>  <b>v.Höllbachgrund</b>          SZ Nr:1851593</p>
<p><b>Tessa</b>  <b>von der Maineiche</b>          SZ Nr:1890048          SG, HD a normal, DNA          Lbz.          SchH 2</p>	<p><b>Lewis</b>  <b>v.Malatesta</b>          SZ Nr:1739753  <b>Ines</b>  <b>von der Maineiche</b>          SZ Nr:1799293</p>

# VÝKONNOSTNÍ A VÝSTAVNÍ PRŮKAZ PSA

Průkaz psa a výstavní průkaz psa je platný pouze s průkazem původu (nebo jeho kopií) psa vystaveným plemennou knihou.  
 Jedinou v právním slova smyslu a je nepřenosný na jiného psa. Padělání, zneužití koliv provádění změn je trestné a činí ho neplatným. Takový průkaz musí být zdevzdán plemenné knize.  
 nebo předání psa je nutné tento průkaz předat jako přílohu průkazu původu žijícímu.  
 Pro další průkaz (vydávající organizací nebo delegovaným rozhodčím na akci) psáno do originálu průkazu původu příslušného psa v místě k tomu určeném (nebo pokračování).  
 Průkaz ihned vyzoomět plemennou knihu.  
 Průkaz může na základě žádosti majitele vystavit také plemenná kniha.

**Německý ovčák**  
**Deutscher Schäferhund**  
**Omar z Lijavy**

**pes - Růde**  
**vlkošedá**  
*barva - Farbe*

**07.05.2016**  
*datum narození - Wurftag*

*Jméno psa ženy. Name des Hundes*

**CMKU/DS/103775/16**

*číslo zápisu - Zuchtbuch Nr.*

*čipové číslo - Chip Nr.*  
**18705**


*retovací číslo - Tätouier Nr.*

*V Praze dne: 17.08.2016*

*PK ČKS - Zuchtbuchamt*



I. ÚDAJE O MAJITELI /DETAILS OF OWNERSHIP

1. Jméno /Name JAROSLAV  
 Příjmení /Surname HOVAŘ  
 Adresa /Address ZA VODOU 36  
 PSČ /Post-Code 56203  
 Město /City ÚSTÍ NAD OBLICÍ  
 Země /Country ČESKÁ REPUBLIKA  
 Telefonní číslo \* /Telephone number\* \_\_\_\_\_  
 Podpis /Signature 

2. Jméno /Name \_\_\_\_\_  
 Příjmení /Surname \_\_\_\_\_  
 Adresa /Address \_\_\_\_\_  
 PSČ /Post-Code \_\_\_\_\_  
 Město /City \_\_\_\_\_  
 Země /Country \_\_\_\_\_  
 Telefonní číslo \* /Telephone number\* \_\_\_\_\_  
 Podpis /Signature \_\_\_\_\_

\* nepovinné /optional

II. POPIS ZVÍŘETE /DESCRIPTION OF ANIMAL



1. Jméno \* /Name\* OMAR Z LIAVY  
 2. Druh /Species PES, DOG  
 3. Plemeno \* /Breed\* GERMAN SHEPHERD DOG  
 4. Pohlaví /Sex ŤES, ♂, MALE  
 5. Datum narození \* /Date of Birth\* 07/05/2008  
 6. Barva /Colour VLKVŠEDÍ, SABLE  
 7. Veškeré výrazné nebo rozeznatelné rysy

či vlastnosti /Any notable or discernable features or characteristics

\* dle údajů uvedených majitelem /as stated by owner

V. OČKOVÁNÍ PROTI VZTL. LINE /VACCINATION AGAINST RABIES

Výrobce a název očkovací látky  
Manufacturer & Name of vaccine

Číslo šarže  
Batch number

Datum očkování<sup>1</sup>  
Vaccination date  
Platnost od<sup>2</sup>  
Valid from  
Platnost do<sup>3</sup>  
Valid until

Schválený veterinární lékař  
Authorised veterinarian

CZ170002200372

**Biogal DHPPV/L4R**  
Biogal s.r.o. IČ: 25322  
 C. číslo: 18.11.2016  
 EXP.

1 10/11/2016  
 2 01/12/2017  
 3 10/11/2017

\*  
 0122 MVD. **LUDĚK NOVOTNÝ**  
 Školní 1106, 564 01 Zámek  
 DIČ: CZ6212261154  
 tel. 485 614 361, mob. + 420 804 428 109

Blank space for manufacturer details.

1  
 2  
 3

\*  
 Blank space for veterinarian details.

\* alespoň jméno, adresu, telefonní číslo a podpis /at least name, address, telephone number and signature

CZ170002200372

Blank space for manufacturer details.

1  
 2  
 3

\*  
 Blank space for veterinarian details.

Blank space for manufacturer details.

1  
 2  
 3

\*  
 Blank space for veterinarian details.

Blank space for manufacturer details.

1  
 2  
 3

\*  
 Blank space for veterinarian details.

Strana 9 z 32

\* alespoň jméno, adresu, telefonní číslo a podpis /at least name, address, telephone number and signature

Německý ovčák  
Deutscher Schäferhund

pes

**Bold Aradel**

vlkošedá

krátká

**KADIČOVÁ Veronika, Radomilice 37, 373 48**

**Iasko**  
**di Casa Libardi**  
LOI/08/50455  
HD A, ED 0

**Argo**

LOI/10/103938

HD a normal, ED normal, DNA  
BH, IPO 3

Selezionato 1, 2014-2016

vlkošedá

Sourozenci:

**Vinie**  
**di Dranel**  
LOI/03/2815  
HD B

**Eliška**  
**Soví mlýn**  
CMKU/DS/81717/11/13

dobry  
HD a(0/0), ED (0/0), DNA (CZ)  
IPO 3, BH, FPr 1

2.třída doživotně 5CV1/P

vlkošedá

Sourozenci:

Egon; | Evar; velmi dobrý; ZVV 3, IPO 3, BH; HD a(0/0),  
ED (0/0), DNA (CZ); 1.třída 2015-2016 SKU1/N; | Electra;  
velmi dobrý; FPr 2, ZOP, BH, ZVV 1, SPr 1, ZPU 1; HD a(0/0),  
ED (0/0), DNA (CZ); 1.třída doživotně 5U1/P; | Emilka; velmi  
dobry; IPO 3, ZPS 1, ZVV 1, BH, FPr 1; HD a(2/2), ED (0/0),  
DNA (CZ); 2.třída doživotně 5CV1/P;

**Max**  
**Černý obelisk**  
CMKU/DS/58606/05/09  
velmi dobrý, HD a(0/0) ED(0/0), DNA CZ  
ZVV 2

2.třída doživotně 5CV1/P  
vlkošedá

**Artemis**  
**z Dubového mlýna**  
CMKU/DS/48807/03/05  
velmi dobrý, HD a(0/0)  
ZPS 1, ZVV 3, ZPO 1, ZM

CMKU/DS/107435/17

13594  
953010001973774

04.04.2017

01.08.2017 Martina Hlávková

**JM Něm. Ellute**  
**von der Mohnwiese**  
 SZ Nr/2036438  
 šG, HD a normal DNA  
 šörkl.1 Lebenszeit  
 šD, FH 1, BH, IPO 3, SchH 3

**šerra**  
**šalán Nalag**  
 CMKU/DS/49502/03  
 šD B

**šory**  
**šš Dranel**  
 LOI/00/105274

**Gina**  
**šš Dranel**  
 LOI/00/100634

**Ipor**  
**Kiddo**  
 ŠÜCHNO/36733/99  
 dobrý, HD A(SK)  
 1.tř.doživotně ŠKX5/55 P  
 ŠVV 1, IPO 1

**Erika**  
**šerný obelisk**  
 CMKU/DS/29630/97/00  
 velmi dobrý, HD a(0/0)  
 2.tř.doživotně ŠCII/P  
 ZVV 1, SchH 3, IPO 3

**šM šR Paso**  
**Naspo**  
 CMKU/DS/31012/97/02  
 výborný, HD a(1/1)  
 1.tř.doživotně ŠV1/P  
 FH 1, SchH 3, ZPS 1, IPO 3, ZVV 3

**Táňa**  
 z Rlatanského zámku

**šM WUSV Tom**  
**van`t Leefdaalhof**  
 SZ Nr/2018398

**šM WUSV Aline**  
**von der Mohnwiese**  
 SZ Nr/1905152

**Ingolf**  
**von Karthago**  
 SZ Nr/2019746

**Babeta**  
**šalán CS**  
 CMKU/DS/35317/99/00

**šM WUSV Tom**  
**van`t Leefdaalhof**  
 SZ Nr/2018398

**Ares**  
**Katargo**  
 HPK/27149/94/96

**Troll**  
**v.Haus Milinda**  
 LOSH/0756581

**Ambra**  
 -  
 GT 631750

**Cezar**  
**z Jasenskej doliny**  
 ŠHPK/011100/90/96

**Fiana**  
**Kiddo**  
 ŠÜCHNO/28683/95/98

**Mistr šR Gero**  
**šmelový kvítek**  
 šKS/07825/91/94

**Conny**  
**z Daskonu**  
 šKSP/05688/93

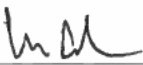
**Derrick**  
**vom Haus Iris**  
 SZ Nr/1801341

**Kasa**  
**od Policie CS**  
 CMKU/DS/23359/95/97

**Xero**  
 z Pohraniční stráže

CLAIM AGAINST THE CITY OF PALO ALTO

Please Submit form to the City Clerk's Office.  
(Attach additional Pages as Necessary)

<p>1. Claimant's Name and Home Address* (Please Print Clearly) Joel Domingo Alejo [REDACTED]</p> <p>[REDACTED]</p> <p>City Zip</p> <p>Telephone (Primary)* [REDACTED] (Email)* N/A</p>		<p>2. Send Official Correspondence to: (If different from Claimant) Adamson Ahdoot LLP 1150 S Robertson Blvd</p> <p>Los Angeles, CA 90035</p> <p>City Zip</p> <p>Telephone (Primary) 310-888-0024 (Email) Christopher@aa-llp.com</p>																			
<p>3. Date of Birth (optional)</p>	<p>4. Date of Incident* 06/25/2020</p>	<p>5. Time of Incident (AM or PM)* 02:30 AM</p>																			
<p>6. Location of Incident or Accident* [REDACTED]</p>		<p>7. Claimant Vehicle License Plate #, Type and Year (if applicable)* N/A</p>																			
<p>8. Basis of Claim. State in detail all facts and circumstances of the incident. Identify all persons, entities, property and City departments involved. State why you believe the City is responsible for the alleged injury, property damage or loss.* Mr. Alejo was sleeping in the backyard of his home located at [REDACTED] He is awakened by a Palo Alto Police Department canine that was pulling and mauling on his right leg. Palo Alto Police Officers mistook his identity.</p> <p>Name and Department of city employee who allegedly caused injury or loss (if known) Palo Alto Police Department</p> <p>Type of City Vehicle Vehicle License Number</p>																					
<p>9. Description of Claimant's injury, property damage or loss* Lacerations to the right leg. Numbness and loss of sensation to the to the right leg. Emotional Distress.</p>		<p>10. Amount of Claimant's property damage or loss and method of computation. Attach supporting documentation.*</p> <p style="text-align: center;">ITEMS</p> <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:70%;">Medical Treatment</td> <td style="width:10%; text-align: center;">\$</td> <td style="width:20%;">TBD</td> </tr> <tr> <td> </td> <td style="text-align: center;">\$</td> <td> </td> </tr> <tr> <td> </td> <td style="text-align: center;">\$</td> <td> </td> </tr> <tr> <td> </td> <td style="text-align: center;">\$</td> <td> </td> </tr> <tr> <td> </td> <td style="text-align: center;">\$</td> <td> </td> </tr> <tr> <td>TOTAL AMOUNT</td> <td style="text-align: center;">\$</td> <td> </td> </tr> </table> <p>Court Jurisdiction: (Check one) Limited Civil <input type="checkbox"/> Unlimited Civil <input checked="" type="checkbox"/></p>		Medical Treatment	\$	TBD		\$			\$			\$			\$		TOTAL AMOUNT	\$	
Medical Treatment	\$	TBD																			
	\$																				
	\$																				
	\$																				
	\$																				
TOTAL AMOUNT	\$																				
<p>11. Witnesses Name (if any) Address Telephone</p> <p>1. _____</p> <p>2. _____</p>		<p>12. Do Not Write In This Space (Clerk Stamp)</p> <p></p> <p>Signature of Claimant or Representative* Date* 07/01/2020</p> <p>Christopher Adamson Attorney Print Name* Relationship to Claimant*</p> <p style="text-align: center; font-size: 1.2em; font-weight: bold;">20 JUL 10 AM 9:19 CITY OF PALO ALTO, CA CITY CLERK'S OFFICE</p>																			

This claim form, and all attached documents are a public record and shall be provided upon request in conformance with the Public Records Act. Government Code Sec. 6250 et seq.


Criminal penalty for presenting a false or fraudulent claim is imprisonment or fine or both (Penal Code §72).





## CLAIM AGAINST THE CITY OF PALO ALTO

Please Submit form to the City Clerk's Office.  
(Attach additional Pages as Necessary)

<b>1. Claimant's Name and Home Address* (Please Print Clearly)</b> Joel Alejo, [REDACTED] City [REDACTED] Zip [REDACTED] Telephone (Primary)* [REDACTED] (Email)* [REDACTED]		<b>2. Send Official Correspondence to: (If different from Claimant)</b> Law Offices of Eslamboly Hakim 8730 Wilshire Boulevard, Suite 500 City [REDACTED] Zip [REDACTED] Beverly Hills, California 90211 Telephone (Primary) (310) 289-9100      sharona@sehlawfirm.com (Email)													
<b>3. Date of Birth (optional)</b> [REDACTED]	<b>4. Date of Incident*</b> 06/25/2020	<b>5. Time of Incident (AM or PM)*</b> 2:30 p.m.													
<b>6. Location of Incident or Accident*</b> [REDACTED]		<b>7. Claimant Vehicle License Plate #, Type and Year (if applicable)*</b> Not applicable.													
<b>8. Basis of Claim. State in detail all facts and circumstances of the incident. Identify all persons, entities, property and City departments involved. State why you believe the City is responsible for the alleged injury, property damage or loss.*</b> See attachment.															
Name and Department of city employee who allegedly caused injury or loss (if known) City of Palo Alto and Palo Alto Police Department (See Case No.: 20-2390).															
Type of City Vehicle Not applicable.		Vehicle License Number Not applicable.													
<b>9. Description of Claimant's injury, property damage or loss*</b> Multiple dog bites right lower extremity, assault, battery wrongful detention, false imprisonment/detention excessive force, extreme physical injury, emotional distress, fear, terror, anxiety, humiliation, loss of sense of security, dignity, and pride, punitive damages, extreme pain, bleeding, bruising, past/future medical expense, past/future loss of earnings/earnings capacity, inconvenience, suffering, disfigurement, scarring and past/future general damages.		<b>10. Amount of Claimant's property damage or loss and method of computation. Attach supporting documentation.*</b> <table style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: center;">ITEMS</th> </tr> <tr> <td>Past/Future Medical</td> <td style="text-align: right;">\$ 500,000;</td> </tr> <tr> <td>Past/Future Loss Earnings</td> <td style="text-align: right;">\$ 500,000;</td> </tr> <tr> <td>Past/Future General Damages</td> <td style="text-align: right;">\$ 4,000,000;</td> </tr> <tr> <td>Punitive/Exemplary Damages</td> <td style="text-align: right;">\$ 15,000,000;</td> </tr> <tr> <td><b>TOTAL AMOUNT</b></td> <td style="text-align: right;"><b>\$ 20,000,000.</b></td> </tr> </table> Court Jurisdiction: (Check one) Limited Civil <input type="checkbox"/> Unlimited Civil <input checked="" type="checkbox"/>		ITEMS		Past/Future Medical	\$ 500,000;	Past/Future Loss Earnings	\$ 500,000;	Past/Future General Damages	\$ 4,000,000;	Punitive/Exemplary Damages	\$ 15,000,000;	<b>TOTAL AMOUNT</b>	<b>\$ 20,000,000.</b>
ITEMS															
Past/Future Medical	\$ 500,000;														
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Punitive/Exemplary Damages	\$ 15,000,000;														
<b>TOTAL AMOUNT</b>	<b>\$ 20,000,000.</b>														
<b>11. Witnesses Name (if any)</b> Address      Telephone 1. _____ 2. _____															
<b>12.</b>  Signature of Claimant or Representative*      12/07/2020 Date*		Do Not Write In This Space      (Clerk Stamp)   <div style="text-align: center; font-weight: bold; font-size: 1.2em;">                     20 DEC 18 AM 10:31                 </div>													
Sharona Eslamboly Hakim, Esq.      Attorney for Claimant Print Name*      Relationship to Claimant*															

This claim form, and all attached documents are a public record and shall be provided upon request in conformance with the Public Records Act, Government Code Sec. 6250 et seq.

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**RE: ALEJO, JOEL  
ATTACHMENT TO CITY OF PALO ALTO CLAIM FORM**

- 8. BASIS OF CLAIM. STATE IN DETAIL ALL FACTS AND CIRCUMSTANCES OF THE INCIDENT. IDENTIFY ALL PERSONS, ENTITIES, PROPERTY AND CITY DEPARTMENTS INVOLVED. STATE WHY YOU BELIEVE THE CITY IS RESPONSIBLE FOR THE ALLEGED INJURY, PROPERTY DAMAGE OR LOSS.**

Investigation and discovery are ongoing into the facts and circumstances of the incident. Subject to said limitation, without waiving Claimant's right to amend and/or supplement this claim form at a later time, Claimant provides the following information: On or about June 25, 2020, at approximately 2:30 p.m., the City of Palo Alto and Palo Alto Police Department by and through their employees, agents, contractors, subcontractors acting within the course and scope of their employment entered the backyard of Claimant's residence and instructed, directed or otherwise commanded a K-9 police dog to attack and bite Claimant. Claimant at all times was lawfully in the backyard of his residence and sleeping at the time of the incident. Claimant was not involved in criminal activity at the time of the attack. Claimant did not have a warrant for his arrest. The attack did not occur in defense of a peace officer or another person. Nonetheless, the Police K-9 dog was instructed to and commanded to viciously attack and maul claimant causing severe and permanent injuries. (See photographs depicting claimant's injuries attached hereto).

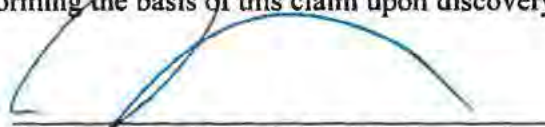
Claimant believes the involved persons/entities and city departments include the City of Palo Alto, Palo Alto Police Department and officer D. Green. Additional information regarding responsible parties should be contained in Palo Alto Police Department Case No. 20-2390 which Claimant's attorneys have requested but has not been provided at the time of filing this claim.

The City of Palo Alto, Palo Alto Police Department, Officer D. Green, involved supervisors so negligently or recklessly hired, supervised, investigated, disciplined, trained, retrained its employees as to be a moving force in the violation of Claimant's civil and common law rights. Claimant claims damages for, inter alia, negligence, negligence per se, violations of statutes, assault, battery, use of force, negligent intentional infliction of emotional distress and other losses in an amount to be shown according to proof, in addition to his federal civil rights for violations of the United States Constitution and for associated intentional tort claims and other state claims arising from a common set of operative facts.

**RESERVATION OF RIGHT TO AMEND AND/OR SUPPLEMENT THIS CLAIM:**

Claimant reserves the right to amend and/or supplement this Claim for Damages, including asserting additional information forming the basis of this claim upon discovery of new or additional information or facts.

Dated: December 7, 2020



Sharona Eslamboly Hakim, Esq.



EL CAMINO HOSPITAL  
2500 GRANT ROAD  
MOUNTAIN VIEW CA 94040-  
4302  
Inpatient Record

Alejo, Joel  
MRN: [REDACTED] DOB: [REDACTED], Sex: M  
Adm: 6/25/2020, D/C: 6/25/2020

Scan on 6/25/2020 3:45 AM by Do, Tin Minh, MD (below)

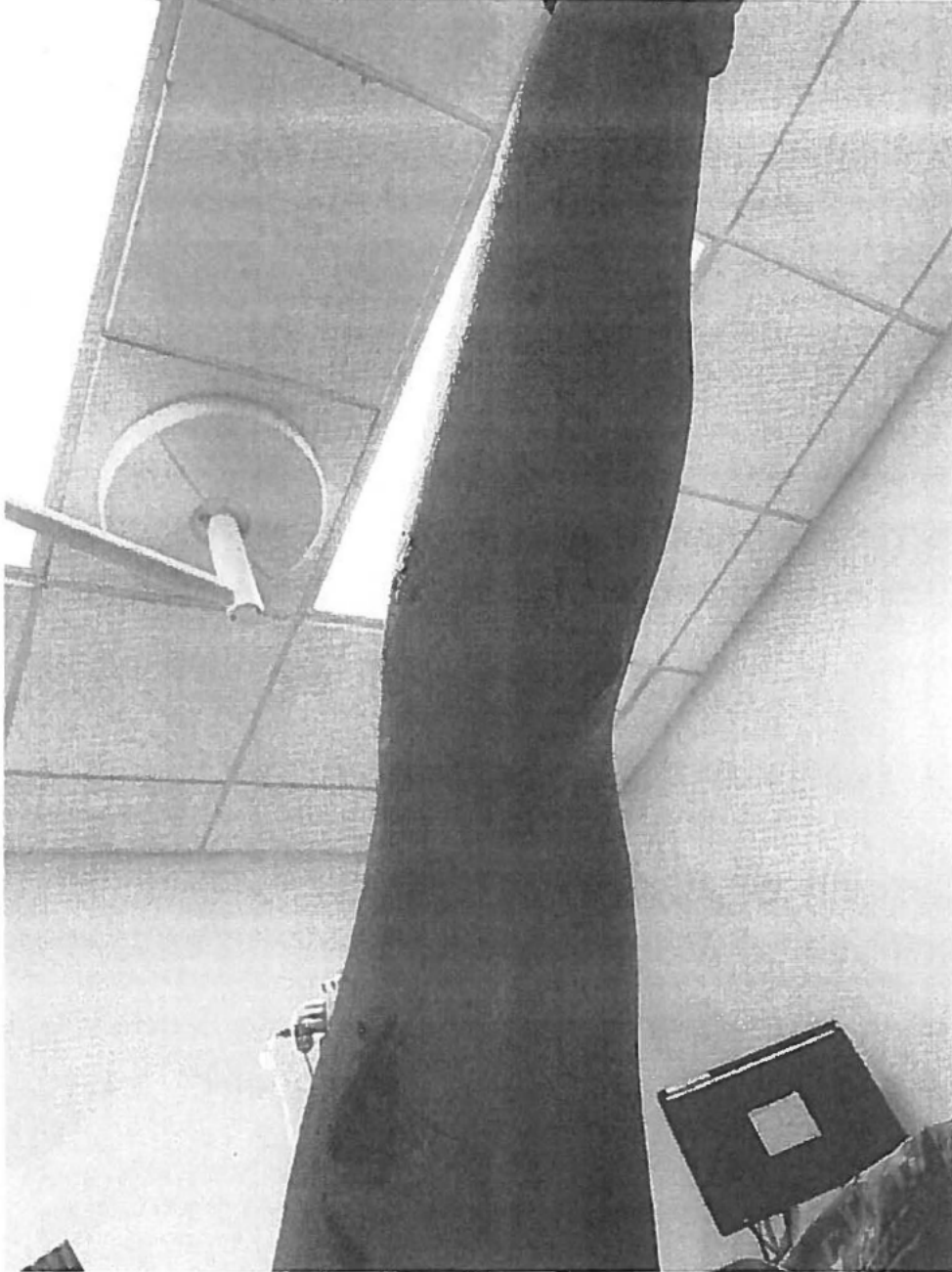




EL CAMINO HOSPITAL  
2500 GRANT ROAD  
MOUNTAIN VIEW CA 94040-  
4302  
Inpatient Record

Alejo, Joel  
MRN: [REDACTED] DOB: [REDACTED] Sex: M  
Adm: 6/25/2020, D/C: 6/25/2020

Scan on 6/25/2020 3:44 AM by Do, Tin Minh, MD (below)





EL CAMINO HOSPITAL      Alejo, Joel  
2500 GRANT ROAD      MRN: [REDACTED], DOB: [REDACTED] Sex: M  
MOUNTAIN VIEW CA 94040- Adm: 6/25/2020, D/C: 6/25/2020  
4302  
Inpatient Record

Scan on 6/25/2020 3:43 AM by Do. Tin Minh, MD (below)





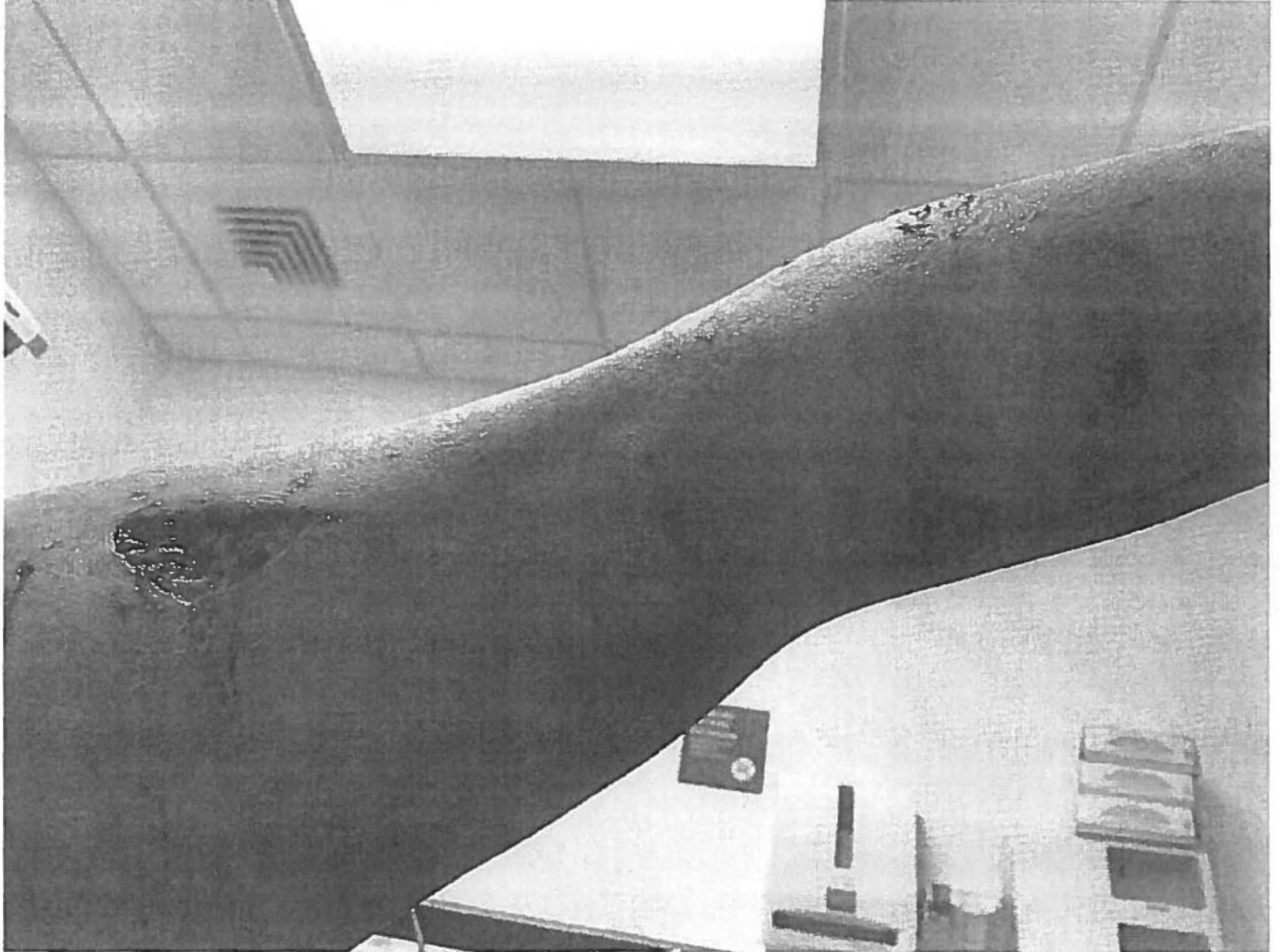
EL CAMINO HOSPITAL  
2500 GRANT ROAD  
MOUNTAIN VIEW CA 94040-  
4302  
Inpatient Record

Alejo, Joel

MRN: [REDACTED], DOB: [REDACTED], Sex: M

Adm: 6/25/2020, D/C: 6/25/2020

Scan on 6/25/2020 3:43 AM by Do, Tin Minh, MD (below)



## CLAIM AGAINST THE CITY OF PALO ALTO

Please Submit form to the City Clerk's Office.  
(Attach additional Pages as Necessary)

1. Claimant's Name and Home Address* (Please Print Clearly)		2. Send Official Correspondence to: (If different from Claimant)													
Joel Alejo, [REDACTED]		Law Offices of Escombly Hakim													
City [REDACTED] Zip [REDACTED]		8730 Wilshire Boulevard, Suite 500													
Telephone (Primary)* [REDACTED] (Email)* [REDACTED]		City [REDACTED] Zip [REDACTED] Beverly Hills, California 90211													
3. Date of Birth (optional)		4. Date of Incident*	5. Time of Incident (AM or PM)*												
[REDACTED]		06/25/2020	2:30 p.m.												
6. Location of Incident or Accident*		7. Claimant Vehicle License Plate #, Type and Year (if applicable)*													
[REDACTED]		Not applicable.													
8. Basis of Claim. State in detail all facts and circumstances of the incident. Identify all persons, entities, property and City departments involved. State why you believe the City is responsible for the alleged injury, property damage or loss.* See attachment.															
Name and Department of city employee who allegedly caused injury or loss (if known) City of Palo Alto and Palo Alto Police Department (See Case No.: 20-2390).															
Type of City Vehicle		Vehicle License Number													
Not applicable.		Not applicable.													
9. Description of Claimant's injury, property damage or loss* Multiple dog bites right lower extremity, assault, battery wrongful detention, false imprisonment/detention excessive force, extreme physical injury, emotional distress, fear, terror, anxiety, humiliation, loss of sense of security, dignity, and pride, punitive damages, extreme pain, bleeding, bruising, past/future medical expense, past/future loss of earnings/earnings capacity, inconvenience, suffering, disfigurement, scarring and past/future general damages.		10. Amount of Claimant's property damage or loss and method of computation. Attach supporting documentation.*													
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<b>TOTAL AMOUNT</b>	<b>\$ 20,000,000.</b>														
		Court Jurisdiction: (Check one)													
		Limited Civil <input type="checkbox"/> Unlimited Civil <input checked="" type="checkbox"/>													
11. Witnesses Name (if any)		Telephone													
1. _____		_____													
2. _____		_____													
12.  _____		Do Not Write In This Space      (Clerk Stamp)													
Signature of Claimant or Representative*		Date*													
Sharona Escombly Hakim, Esq.		12/07/2020													
Print Name*		Relationship to Claimant*													
		Attorney for Claimant													

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20 DEC 18 AM 10:32  
 CITY CLERK'S OFFICE  
 CITY OF PALO ALTO, CA



RE: ALEJO, JOEL  
ATTACHMENT TO CITY OF PALO ALTO CLAIM FORM

**8. BASIS OF CLAIM. STATE IN DETAIL ALL FACTS AND CIRCUMSTANCES OF THE INCIDENT. IDENTIFY ALL PERSONS, ENTITIES, PROPERTY AND CITY DEPARTMENTS INVOLVED. STATE WHY YOU BELIEVE THE CITY IS RESPONSIBLE FOR THE ALLEGED INJURY, PROPERTY DAMAGE OR LOSS.**

Investigation and discovery are ongoing into the facts and circumstances of the incident. Subject to said limitation, without waiving Claimant's right to amend and/or supplement this claim form at a later time, Claimant provides the following information: On or about June 25, 2020, at approximately 2:30 p.m., the City of Palo Alto and Palo Alto Police Department by and through their employees, agents, contractors, subcontractors acting within the course and scope of their employment entered the backyard of Claimant's residence and instructed, directed or otherwise commanded a K-9 police dog to attack and bite Claimant. Claimant at all times was lawfully in the backyard of his residence and sleeping at the time of the incident. Claimant was not involved in criminal activity at the time of the attack. Claimant did not have a warrant for his arrest. The attack did not occur in defense of a peace officer or another person. Nonetheless, the Police K-9 dog was instructed to and commanded to viciously attack and maul claimant causing severe and permanent injuries. (See photographs depicting claimant's injuries attached hereto).

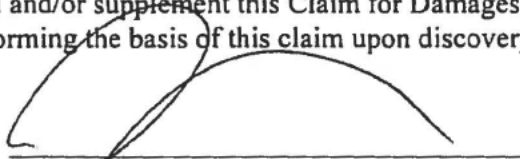
Claimant believes the involved persons/entities and city departments include the City of Palo Alto, Palo Alto Police Department and officer D. Green. Additional information regarding responsible parties should be contained in Palo Alto Police Department Case No. 20-2390 which Claimant's attorneys have requested but has not been provided at the time of filing this claim.

The City of Palo Alto, Palo Alto Police Department, Officer D. Green, involved supervisors so negligently or recklessly hired, supervised, investigated, disciplined, trained, retrained its employees as to be a moving force in the violation of Claimant's civil and common law rights. Claimant claims damages for, inter alia, negligence, negligence per se, violations of statutes, assault, battery, use of force, negligent intentional infliction of emotional distress and other losses in an amount to be shown according to proof, in addition to his federal civil rights for violations of the United States Constitution and for associated intentional tort claims and other state claims arising from a common set of operative facts.

**RESERVATION OF RIGHT TO AMEND AND/OR SUPPLEMENT THIS CLAIM:**

Claimant reserves the right to amend and/or supplement this Claim for Damages, including asserting additional information forming the basis of this claim upon discovery of new or additional information or facts.

Dated: December 7, 2020

  
Sharona Eslamboly Hakim, Esq.



**LAW OFFICES OF ESLAMBOLY HAKIM**

8730 Wilshire Boulevard, Suite 500  
Beverly Hills, California 90211

**CPRA Records Release W002788-022221**



Law Offices of Sharona Eslamboly Hakim  
8730 Wilshire Blvd., Suite 500  
Beverly Hills, CA 90211



ORIGIN ID: BABA (310) 289-9100  
SHARONA ESLAMBOLY HAKIM  
LAW OFFICES OF ESLAMBOLY HAKIM  
8730 WILSHIRE BLVD., SUITE 500

SHIP DATE: 09DEC20  
ACTWGT: 1.00 LB  
CAD: 100312081/NET4280

BEVERLY HILLS, CA 90211  
UNITED STATES US

BILL SENDER

TO CITY CLERK'S OFFICE  
CITY OF PALO ALTO  
250 HAMILTON AVENUE

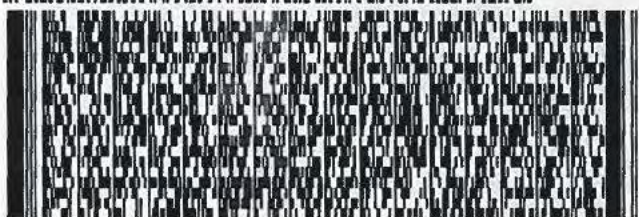
PALO ALTO CA 94301

(650) 329-2571

REF:

INV:

DEPT:



FedEx  
Express



588.0291968766

THU - 10 DEC 10:30A  
PRIORITY OVERNIGHT

TRK# 7723 1762 9225  
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WA HGTA

94301  
CA-US SFO





CITY OF  
**PALO  
ALTO**

OFFICE OF THE CITY ATTORNEY

250 Hamilton Avenue, 8th Floor  
Palo Alto, CA 94301  
650.329.2171

August 12, 2020

Christopher Adamson  
ADAMSON AHDOOT LLP  
1150 S Robertson Blvd  
Los Angeles, CA 90035

Re: Claim No.: C20-0037  
Claimant: Joel Domingo Alejo  
Date of Loss: 06/25/2020

Dear Christopher Adamson:

Notice is hereby given that the claim you presented to the City of Palo Alto dated 07/10/2020 is hereby rejected.

**WARNING**

Subject to certain exceptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on this claim. See California Government Code Section 945.6. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult an attorney, you should do so immediately.

Please also be advised that, pursuant to Sections 128.7 and 1038 of the California Code of Civil Procedure, the City will seek to recover all costs of defense in the event an action is filed in the matter and it is determined that the action was not brought in good faith and with reasonable cause.

If you have any questions or would like to discuss your claim, please feel free to give me a call.

Sincerely,

Bella Wu

Claims Investigator

Enclosure

pc: Terence Howzell, Chief Assistant City Attorney

[CityOfPaloAlto.org](http://CityOfPaloAlto.org)

**SECTION 945.6**

945.6. (a) Except as provided in Sections 946.4 and 946.6 and subject to subdivision (b), any suit brought against a public entity on a cause of action for which a claim is required to be presented in accordance with Chapter 1 (commencing with Section 900) and Chapter 2 (commencing with Section 910) of Part 3 of this division must be commenced:

(1) If written notice is given in accordance with Section 913, not later than six months after the date such notice is personally delivered or deposited in the mail.

(2) If written notice is not given in accordance with Section 913, within two years from the accrual of the cause of action. If the period within which the public entity is required to act is extended pursuant to subdivision (b) of Section 912.4, the period of such extension is not part of the time limited for the commencement of the action under this paragraph.

(b) When a person is unable to commence a suit on a cause of action described in subdivision (a) within the time prescribed in that subdivision because he has been sentenced to imprisonment in a state prison, the time limit for the commencement of such suit is extended to six months after the date that the civil right to commence such action is restored to such person, except that the time shall not be extended if the public entity establishes that the plaintiff failed to make a reasonable effort to commence the suit, or to obtain a restoration of his civil right to do so, before the expiration of the time prescribed in subdivision (a).

(c) A person sentenced to imprisonment in a state prison may not commence a suit on a cause of action described in subdivision (a) unless he presented a claim in accordance with Chapter 1 (commencing with Section 900) and Chapter 2 (commencing with Section 910) of Part 3 of this division.

**SECTION 128.7**

128.7. (a) Every pleading, petition, written notice of motion, or other similar paper shall be signed by at least one attorney of record in the attorney's individual name, or, if the party is not represented by an attorney, shall be signed by the party. Each paper shall state the signer's address and telephone number, if any. Except when otherwise provided by law, pleadings need not be verified or accompanied by affidavit. An unsigned paper shall be stricken unless omission of the signature is corrected promptly after being called to the attention of the attorney or party.

(b) By presenting to the court, whether by signing, filing, submitting, or later advocating, a pleading, petition, written notice of motion, or other similar paper, an attorney or unrepresented party is certifying that to the best of the person's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, all of the following conditions are met:

(1) It is not being presented primarily for an improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.

(2) The claims, defenses, and other legal contentions therein are warranted by existing law or by a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law.

(3) The allegations and other factual contentions have evidentiary support or, if specifically so identified, are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery.

(4) The denials of factual contentions are warranted on the evidence or, if specifically so identified, are reasonably based on a lack of information or belief.

(c) If, after notice and a reasonable opportunity to respond, the court determines that subdivision (b) has been violated, the court may, subject to the conditions stated below, impose an appropriate sanction upon the attorneys, law firms, or parties that have violated subdivision (b) or are responsible for the violation. In determining what sanctions, if any, should be ordered, the court shall consider whether a party seeking sanctions has exercised due diligence.

(1) A motion for sanctions under this section shall be made separately from other motions or requests and shall describe the specific conduct alleged to violate subdivision (b). Notice of motion shall be served as provided in Section 1010, but shall not be filed with or presented to the court unless, within 21 days after service of the motion, or any other period as the court may prescribe, the challenged paper, claim, defense, contention, allegation, or denial is not withdrawn or appropriately corrected. If warranted, the court may award to the party prevailing on the motion the reasonable expenses and attorney's fees incurred in presenting or opposing the motion. Absent exceptional circumstances, a law firm shall be held jointly responsible for violations committed by its partners, associates, and employees.

(2) On its own motion, the court may enter an order describing the specific conduct that appears to violate subdivision (b) and directing an attorney, law firm, or party to show cause why it has not violated subdivision (b), unless, within 21 days of service of the order to show cause, the challenged paper, claim, defense, contention, allegation, or denial is withdrawn or appropriately corrected.

(d) A sanction imposed for violation of subdivision (b) shall be limited to what is sufficient to deter repetition of this conduct or comparable conduct by others similarly situated. Subject to the limitations in paragraphs (1) and (2), the sanction may consist of, or include, directives of a nonmonetary nature, an order to pay a penalty into court, or, if imposed on motion and warranted for effective deterrence, an order directing payment to the movant of some or all of the reasonable attorney's fees and other expenses incurred as a direct result of the violation.

(1) Monetary sanctions may not be awarded against a represented party for a violation of paragraph (2) of subdivision (b).

(2) Monetary sanctions may not be awarded on the court's motion unless the court issues its order to show cause before a voluntary

dismissal or settlement of the claims made by or against the party that is, or whose attorneys are, to be sanctioned.

(e) When imposing sanctions, the court shall describe the conduct determined to constitute a violation of this section and explain the basis for the sanction imposed.

(f) In addition to any award pursuant to this section for conduct described in subdivision (b), the court may assess punitive damages against the plaintiff upon a determination by the court that the plaintiff's action was an action maintained by a person convicted of a felony against the person's victim, or the victim's heirs, relatives, estate, or personal representative, for injuries arising from the acts for which the person was convicted of a felony, and that the plaintiff is guilty of fraud, oppression, or malice in maintaining the action.

(g) This section shall not apply to disclosures and discovery requests, responses, objections, and motions.

(h) A motion for sanctions brought by a party or a party's attorney primarily for an improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation, shall itself be subject to a motion for sanctions. It is the intent of the Legislature that courts shall vigorously use its sanctions authority to deter that improper conduct or comparable conduct by others similarly situated.

(i) This section shall apply to a complaint or petition filed on or after January 1, 1995, and any other pleading, written notice of motion, or other similar paper filed in that matter.

### **SECTION 1038**

1038. (a) In any civil proceeding under the California Tort Claims Act or for express or implied indemnity or for contribution in any civil action, the court, upon motion of the defendant or cross-defendant, shall, at the time of the granting of any summary judgment, motion for directed verdict, motion for judgment under Section 631.8, or any nonsuit dismissing the moving party other than the plaintiff, petitioner, cross-complainant, or intervenor, or at a later time set forth by rule of the Judicial Council adopted under Section 1034 determine whether or not the plaintiff, petitioner, cross-complainant, or intervenor brought the proceeding with reasonable cause and in the good faith belief that there was a justifiable controversy under the facts and law which warranted the filing of the complaint, petition, cross-complaint, or complaint in intervention. If the court should determine that the proceeding was not brought in good faith and with reasonable cause, an additional issue shall be decided as to the defense costs reasonably and necessarily incurred by the party or parties opposing the proceeding, and the court shall render judgment in favor of that party in the amount of all reasonable and necessary defense costs, in addition to those costs normally awarded to the prevailing party. An award of defense costs under this section shall not be made except on notice contained in a party's papers and an opportunity to be heard.

(b) "Defense costs," as used in this section, shall include reasonable attorneys' fees, expert witness fees, the expense of

services of experts, advisers, and consultants in defense of the proceeding, and where reasonably and necessarily incurred in defending the proceeding.

(c) This section shall be applicable only on motion made prior to the discharge of the jury or entry of judgment, and any party requesting the relief pursuant to this section waives any right to seek damages for malicious prosecution. Failure to make the motion shall not be deemed a waiver of the right to pursue a malicious prosecution action.

(d) This section shall only apply if the defendant or cross-defendant has made a motion for summary judgment, judgment under Section 631.8, directed verdict, or nonsuit and the motion is granted.



PROOF OF SERVICE BY MAIL

I, the undersigned, declare that I am, and was at the time of service of the papers herein referred to, over the age of 18 years and not a party to the within action or proceeding. My business address is 250 Hamilton Avenue, 8<sup>th</sup> Floor, Palo Alto, California 94301, which is located in the county in which the within-mentioned mailing occurred. I am familiar with the practice at my place of business for collection and processing of correspondence for mailing with the United States Postal Service. Such correspondence will be deposited with the United States Postal Service on the same day in the ordinary course of business.

On August 12, 2020, I served true copies of the following document:

**REJECTION NOTICE**

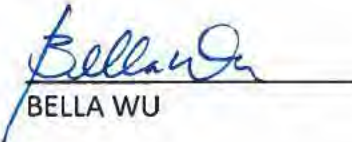
by placing a true copy in a separate envelope for each addressee named below, with the name and address of the person served shown on the envelope as follows:

Christopher Adamson  
ADAMSON AHDOOT LLP  
1150 S Robertson Blvd  
Los Angeles, CA 90035

and by sealing the envelope and placing it for collection and mailing it with postage fully prepaid, in accordance with ordinary business practices.

Executed on August 12, 2020, at Palo Alto, California.

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct.

  
BELLA WU



OFFICE OF THE CITY ATTORNEY

CITY OF  
**PALO  
ALTO**

250 Hamilton Avenue, 8th Floor  
Palo Alto, CA 94301  
650.329.2171

January 12, 2021

Sharona Eslamboly Hakim  
Law Offices of Eslamboly Hakim  
8730 Wilshire Blvd, Suite 500  
Beverly Hills, CA 90211

Re: Claim No.: C20-0037  
Claimant: Joel Domingo Alejo  
Date of Loss: 06/25/2020

Dear Sharona Eslamboly Hakim:

We received your recent claim dated December 7, 2020 (which was received by the City on December 18, 2020), regarding an alleged incident that occurred on June 25, 2020 at or near [REDACTED]. Please note that a claim was previously presented by the same claimant for the same incident. The original claim was rejected, and Notice of that rejection was provided on or about August 12, 2020. Although Government Code Section 910.6 provides for certain circumstances in which a claim can be amended, that Section does not require the City to take further action. Accordingly, the City stands on its prior rejection.

Sincerely,

DocuSigned by:  
  
EFB1FFC6BE3546A...

Bella Wu  
Claims Investigator

Enclosure

pc: Terence Howzell, Chief Assistant City Attorney



CITY OF  
**PALO  
ALTO**

OFFICE OF THE CITY ATTORNEY

250 Hamilton Avenue, 8th Floor  
Palo Alto, CA 94301  
650.329.2171

August 12, 2020

Christopher Adamson  
ADAMSON AHDOOT LLP  
1150 S Robertson Blvd  
Los Angeles, CA 90035

Re: Claim No.: C20-0037  
Claimant: Joel Domingo Alejo  
Date of Loss: 06/25/2020

Dear Christopher Adamson:

Notice is hereby given that the claim you presented to the City of Palo Alto dated 07/10/2020 is hereby rejected.

**WARNING**

Subject to certain exceptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on this claim. See California Government Code Section 945.6. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult an attorney, you should do so immediately.

Please also be advised that, pursuant to Sections 128.7 and 1038 of the California Code of Civil Procedure, the City will seek to recover all costs of defense in the event an action is filed in the matter and it is determined that the action was not brought in good faith and with reasonable cause.

If you have any questions or would like to discuss your claim, please feel free to give me a call.

Sincerely,

Bella Wu

Claims Investigator

Enclosure

pc: Terence Howzell, Chief Assistant City Attorney

[CityOfPaloAlto.org](http://CityOfPaloAlto.org)

## **SECTION 945.6**

945.6. (a) Except as provided in Sections 946.4 and 946.6 and subject to subdivision (b), any suit brought against a public entity on a cause of action for which a claim is required to be presented in accordance with Chapter 1 (commencing with Section 900) and Chapter 2 (commencing with Section 910) of Part 3 of this division must be commenced:

(1) If written notice is given in accordance with Section 913, not later than six months after the date such notice is personally delivered or deposited in the mail.

(2) If written notice is not given in accordance with Section 913, within two years from the accrual of the cause of action. If the period within which the public entity is required to act is extended pursuant to subdivision (b) of Section 912.4, the period of such extension is not part of the time limited for the commencement of the action under this paragraph.

(b) When a person is unable to commence a suit on a cause of action described in subdivision (a) within the time prescribed in that subdivision because he has been sentenced to imprisonment in a state prison, the time limit for the commencement of such suit is extended to six months after the date that the civil right to commence such action is restored to such person, except that the time shall not be extended if the public entity establishes that the plaintiff failed to make a reasonable effort to commence the suit, or to obtain a restoration of his civil right to do so, before the expiration of the time prescribed in subdivision (a).

(c) A person sentenced to imprisonment in a state prison may not commence a suit on a cause of action described in subdivision (a) unless he presented a claim in accordance with Chapter 1 (commencing with Section 900) and Chapter 2 (commencing with Section 910) of Part 3 of this division.

## **SECTION 128.7**

128.7. (a) Every pleading, petition, written notice of motion, or other similar paper shall be signed by at least one attorney of record in the attorney's individual name, or, if the party is not represented by an attorney, shall be signed by the party. Each paper shall state the signer's address and telephone number, if any. Except when otherwise provided by law, pleadings need not be verified or accompanied by affidavit. An unsigned paper shall be stricken unless omission of the signature is corrected promptly after being called to the attention of the attorney or party.

(b) By presenting to the court, whether by signing, filing, submitting, or later advocating, a pleading, petition, written notice of motion, or other similar paper, an attorney or unrepresented party is certifying that to the best of the person's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, all of the following conditions are met:

(1) It is not being presented primarily for an improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.

(2) The claims, defenses, and other legal contentions therein are warranted by existing law or by a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law.

(3) The allegations and other factual contentions have evidentiary support or, if specifically so identified, are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery.

(4) The denials of factual contentions are warranted on the evidence or, if specifically so identified, are reasonably based on a lack of information or belief.

(c) If, after notice and a reasonable opportunity to respond, the court determines that subdivision (b) has been violated, the court may, subject to the conditions stated below, impose an appropriate sanction upon the attorneys, law firms, or parties that have violated subdivision (b) or are responsible for the violation. In determining what sanctions, if any, should be ordered, the court shall consider whether a party seeking sanctions has exercised due diligence.

(1) A motion for sanctions under this section shall be made separately from other motions or requests and shall describe the specific conduct alleged to violate subdivision (b). Notice of motion shall be served as provided in Section 1010, but shall not be filed with or presented to the court unless, within 21 days after service of the motion, or any other period as the court may prescribe, the challenged paper, claim, defense, contention, allegation, or denial is not withdrawn or appropriately corrected. If warranted, the court may award to the party prevailing on the motion the reasonable expenses and attorney's fees incurred in presenting or opposing the motion. Absent exceptional circumstances, a law firm shall be held jointly responsible for violations committed by its partners, associates, and employees.

(2) On its own motion, the court may enter an order describing the specific conduct that appears to violate subdivision (b) and directing an attorney, law firm, or party to show cause why it has not violated subdivision (b), unless, within 21 days of service of the order to show cause, the challenged paper, claim, defense, contention, allegation, or denial is withdrawn or appropriately corrected.

(d) A sanction imposed for violation of subdivision (b) shall be limited to what is sufficient to deter repetition of this conduct or comparable conduct by others similarly situated. Subject to the limitations in paragraphs (1) and (2), the sanction may consist of, or include, directives of a nonmonetary nature, an order to pay a penalty into court, or, if imposed on motion and warranted for effective deterrence, an order directing payment to the movant of some or all of the reasonable attorney's fees and other expenses incurred as a direct result of the violation.

(1) Monetary sanctions may not be awarded against a represented party for a violation of paragraph (2) of subdivision (b).

(2) Monetary sanctions may not be awarded on the court's motion unless the court issues its order to show cause before a voluntary

dismissal or settlement of the claims made by or against the party that is, or whose attorneys are, to be sanctioned.

(e) When imposing sanctions, the court shall describe the conduct determined to constitute a violation of this section and explain the basis for the sanction imposed.

(f) In addition to any award pursuant to this section for conduct described in subdivision (b), the court may assess punitive damages against the plaintiff upon a determination by the court that the plaintiff's action was an action maintained by a person convicted of a felony against the person's victim, or the victim's heirs, relatives, estate, or personal representative, for injuries arising from the acts for which the person was convicted of a felony, and that the plaintiff is guilty of fraud, oppression, or malice in maintaining the action.

(g) This section shall not apply to disclosures and discovery requests, responses, objections, and motions.

(h) A motion for sanctions brought by a party or a party's attorney primarily for an improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation, shall itself be subject to a motion for sanctions. It is the intent of the Legislature that courts shall vigorously use its sanctions authority to deter that improper conduct or comparable conduct by others similarly situated.

(i) This section shall apply to a complaint or petition filed on or after January 1, 1995, and any other pleading, written notice of motion, or other similar paper filed in that matter.

### **SECTION 1038**

1038. (a) In any civil proceeding under the California Tort Claims Act or for express or implied indemnity or for contribution in any civil action, the court, upon motion of the defendant or cross-defendant, shall, at the time of the granting of any summary judgment, motion for directed verdict, motion for judgment under Section 631.8, or any nonsuit dismissing the moving party other than the plaintiff, petitioner, cross-complainant, or intervenor, or at a later time set forth by rule of the Judicial Council adopted under Section 1034 determine whether or not the plaintiff, petitioner, cross-complainant, or intervenor brought the proceeding with reasonable cause and in the good faith belief that there was a justifiable controversy under the facts and law which warranted the filing of the complaint, petition, cross-complaint, or complaint in intervention. If the court should determine that the proceeding was not brought in good faith and with reasonable cause, an additional issue shall be decided as to the defense costs reasonably and necessarily incurred by the party or parties opposing the proceeding, and the court shall render judgment in favor of that party in the amount of all reasonable and necessary defense costs, in addition to those costs normally awarded to the prevailing party. An award of defense costs under this section shall not be made except on notice contained in a party's papers and an opportunity to be heard.

(b) "Defense costs," as used in this section, shall include reasonable attorneys' fees, expert witness fees, the expense of

services of experts, advisers, and consultants in defense of the proceeding, and where reasonably and necessarily incurred in defending the proceeding.

(c) This section shall be applicable only on motion made prior to the discharge of the jury or entry of judgment, and any party requesting the relief pursuant to this section waives any right to seek damages for malicious prosecution. Failure to make the motion shall not be deemed a waiver of the right to pursue a malicious prosecution action.

(d) This section shall only apply if the defendant or cross-defendant has made a motion for summary judgment, judgment under Section 631.8, directed verdict, or nonsuit and the motion is granted.

PROOF OF SERVICE BY MAIL

I, the undersigned, declare that I am, and was at the time of service of the papers herein referred to, over the age of 18 years and not a party to the within action or proceeding. My business address is 250 Hamilton Avenue, 8<sup>th</sup> Floor, Palo Alto, California 94301, which is located in the county in which the within-mentioned mailing occurred. I am familiar with the practice at my place of business for collection and processing of correspondence for mailing with the United States Postal Service. Such correspondence will be deposited with the United States Postal Service on the same day in the ordinary course of business.

On August 12, 2020, I served true copies of the following document:

**REJECTION NOTICE**

by placing a true copy in a separate envelope for each addressee named below, with the name and address of the person served shown on the envelope as follows:

Christopher Adamson  
ADAMSON AHDOOT LLP  
1150 S Robertson Blvd  
Los Angeles, CA 90035

and by sealing the envelope and placing it for collection and mailing it with postage fully prepaid, in accordance with ordinary business practices.




Executed on August 12, 2020, at Palo Alto, California.

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct.

  
BELLA WU



# CPRA Records Release W002788-022221



Date	Time	Type	Sub-type	Case or Incident Number	Duration	Dispo
						
2/7/2018	0241 hours	Deployment	Apprehension	<u>PP180380006</u>	1 hour	Non-Bite
						
2/8/2018	2055 hours	Deployment	Exterior Search	<u>PP180390126</u>	1 hour	
						
2/15/2018	0218 hours	Deployment	Exterior Track	<u>SD180460002</u>	2.5 hours	
						

# CPRA Records Release W002788-022221

Date	Time	Type	Sub-type	Case or Incident Number	Duration	Dispo
[REDACTED]						
3/10/2018	2227 hours	Deployment	Apprehension	<a href="#">PP180690138</a>	45 mins	Non-Bite
3/10/2018	2308 hours	Deployment	Track	<a href="#">PP180690144</a>	1.5 hours	No Find
3/11/2018	0100 hours	PR Detail	Socialization	<u>N/A</u>	45 mins	
[REDACTED]						
3/12/2018	0200 hours	PR Detail	Socialization	<u>N/A</u>	30 mins	
[REDACTED]						
3/17/2018	2300 hours	PR Detail	Socialization	<u>N/A</u>	1 hour	
3/18/2018	0127 hours	Deployment	Track - Assist (MV)	<a href="#">PP180770011</a>	1 hour	
[REDACTED]						
3/28/2018	1347 hours	Deployment	Track	<a href="#">PP180870093</a>	3.5 hours	Kfind - Location
[REDACTED]						

# CPRA Records Release W002788-022221

April 2018 K9 Stats

Date	Time	Type	Sub-type	Case or Incident Number	Duration	Dispo
						
4/5/2018	2108 hours	Deployment	Interior Search	<u>PP180940161</u>	45 mins	Kfind - No Bite
4/5/2018	2200 hours	Deployment	273.5 IP OP	PP180950171	20 mins	Suspect GOA
						

# CPRA Records Release W002788-022221

May 2018 K9 Stats


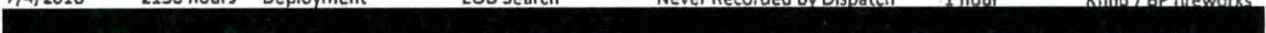
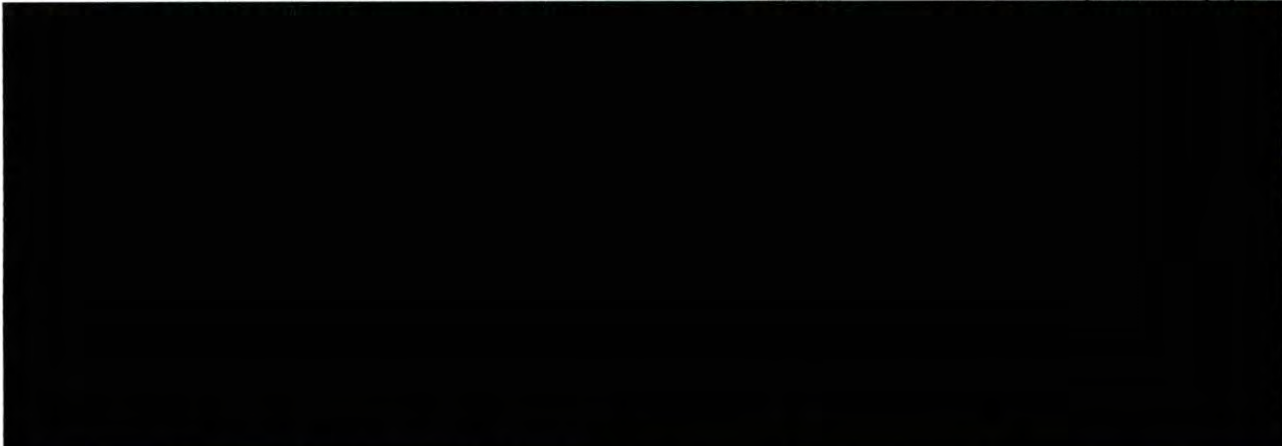

Date	Time	Type	Sub-type	Case or Incident Number	Duration	Dispo
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5/23/2018	1700 hours	PR Detail	FBI Demo	N/A	2 hours	
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July 2018 K9 Stats

Date	Time	Type	Sub-type	Case or Incident Number	Duration	Dispo
						
7/4/2018	2130 hours	Deployment	EOD Search	Never Recorded by Dispatch	1 hour	Kfind / BP fireworks
						
7/4/2018	2245 hours	Deployment	OA / Exterior Search	<u>PP181850162</u>	30 minutes	Suspect in custody by EPAPD
						
7/11/2018	2330 hours	Deployment	Track / Exterior Search	N/A	1 hour	
						


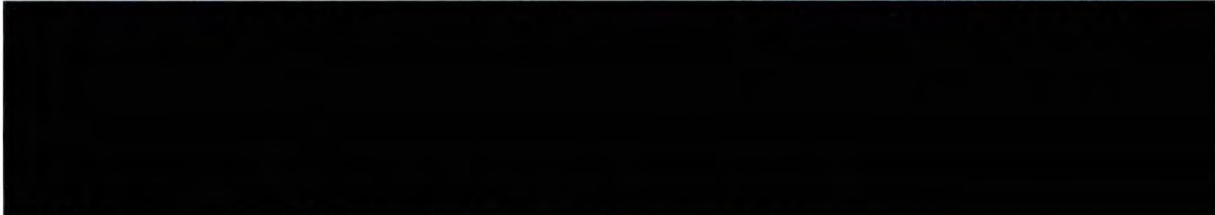
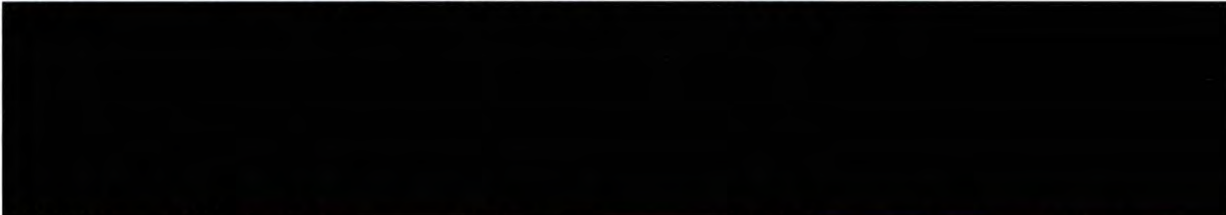
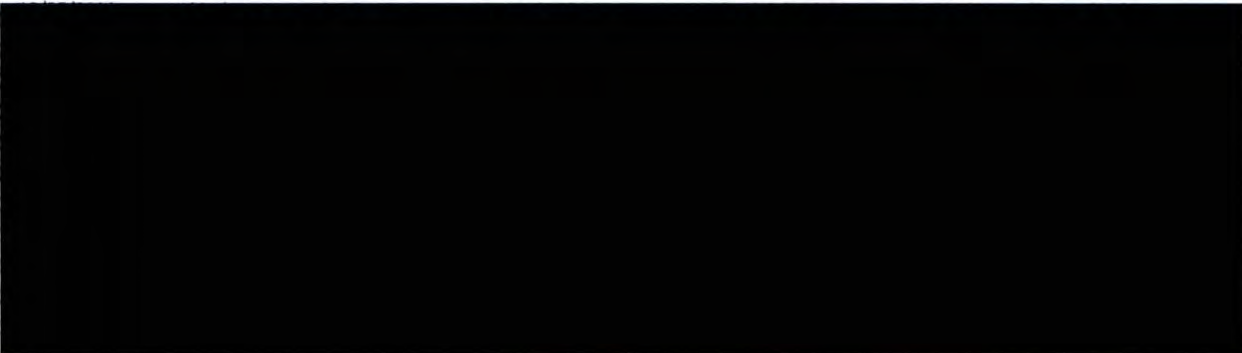
August 2018 K9 Stats

Date	Time	Type	Sub-type	Case or Incident Number	Duration	Dispo
[REDACTED]						
9/3/2018	1300 hours	Deployment	PR Detail	PP182430102	30 mins	
[REDACTED]						
9/4/2018	1625 hours	Deployment	Interior Search Call-Out	PP182470107	30 mins	
[REDACTED]						
9/5/2018	1700 hours	Deployment	PR Detail	N/A	30 mins	
[REDACTED]						
9/6/2018	1700 hours	Deployment	PR Detail	N/A	45 mins	
9/6/2018	2100 hours	Deployment	PR Detail	N/A	30 mins	
9/7/2018	1130 hours	Deployment	SWAT Call Out	PP182500049	4 hours	
9/7/2018	2328 hours	Deployment	Interior Search Call-Out	PP182500143	3 hours	EPAPD
[REDACTED]						
9/21/2018	1936 hours	Deployment	Interior / Exterior Search	PP182640130	1 hour	
[REDACTED]						
9/22/2018	1449 hours	Deployment	Search / Felony Stop	PP182650078	1 hour	No Bite / Kfind
9/22/2018	2111 hours	Deployment	Interior Search	PP182650113	30 mins	
[REDACTED]						
9/24/2018	2200 hours	Deployment	Warrant Service	PP182670131	1 hour	No Bite / Kfind
[REDACTED]						
9/30/2018	1800 hours	Deployment	Interior Search	PP182730081	30 mins	
[REDACTED]						

CPRA Records Release W002788-022221



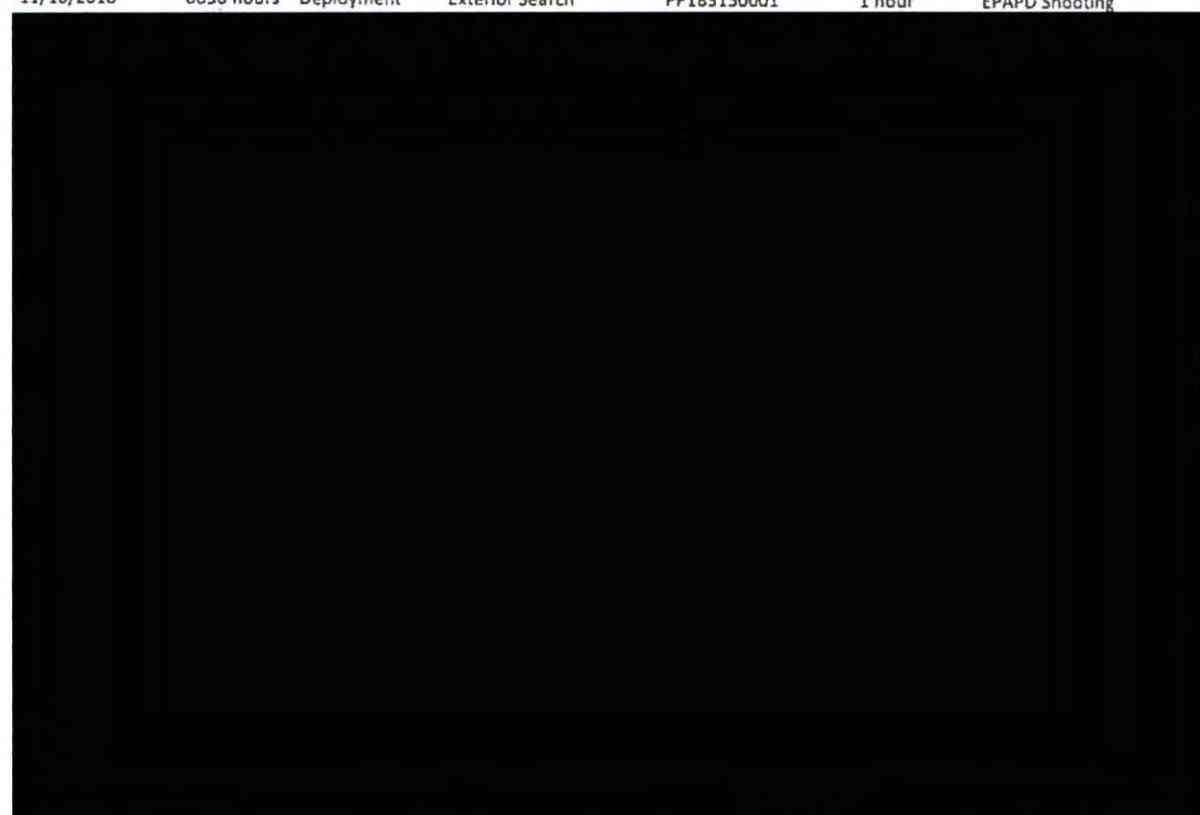
Enberg | Balke

October 2018 K9 Stats

Date	Time	Type	Sub-type	Case or Incident Number	Duration	Dispo
						
10/7/2018	1520 hours	Deployment	Felony Stop	18-5389	30 mins	No Bite / 10-15
						
10/9/2018	-	10/20/2018	K9 Balke at Kennel	No Training		
						
10/24/2018	2300 hours	Deployment	459 Commercial	PP182970154	1 hour	2 IC - No Bite
						

# CPRA Records Release W002788-022221

November 2018 K9 Stats

Date	Time	Type	Sub-type	Case or Incident Number	Duration	Dispo
						
11/5/2018	0700 hours	Deployment	EOD	PP183100025	2 hours	
						
11/10/2018	0030 hours	Deployment	Exterior Search	PP183150001	1 hour	EPAPD Shooting
						



Date	Time	Type	Location	Height	Type of Search	#	Dispo	Duration
[REDACTED]								
11/5/2018 0700 hours -								
Vehicles 1-4'								
Sweep								
0 Finds								
Deployer 1 hour								

CPRA Records Release W002788-022221 Balko

December 2018 K9 Stats

K9 Balko

Date	Time	Type	Sub-type	Case or Incident Number	Duration	Dispo
[REDACTED]						
12/4/2018	1632 hours	Deployment	Interior Search	PP183380111	1.5 hours	
[REDACTED]						
12/4/2018	2056 hours	Deployment	Track / Exterior Search / Car Search	PP183380150	5.5 hours	2 IC / 1 Surrender / 10851 REC
[REDACTED]						
12/11/2018	2200 hours	Deployment	Arrest / On View Operation	PP183450159	1.5 hours	1 IC / No Bite
12/12/2018	0039 hours	Deployment	Track / Exterior Search / Car Search	PP183450179	1.5 hours	Suicidal Subject Found
[REDACTED]						
12/18/2018	1800 hours	Deployment	CS on 459 Auto Suspects	PP183520097	1 hour	
[REDACTED]						
12/20/2018	1804 hours	Deployment	Track	PP183540134	2 hours	
[REDACTED]						
12/21/2018	2053 hours	Deployment	Interior Search	PP183550115	1 hour	
[REDACTED]						

# CPRA Records Release W002788-022221

EO 935115 - December 2018

89 8416

Date	Time	Type	Location Type	Height	Type of Search	#	Dispo	Duration
12/31/2018	1730 hours	-	Outdoor	-	On Alert - EOD Sweep - Prep	0	Ends	Deployment 1 hour
[REDACTED]								

**Certifications**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**Deployments**

**November 2018 (12)**

- 6 yard and/or residential searches
- 1 Perimeter post for strong arm 211 suspects
- 4 alarm-related perimeter and interior searches (459)
- 1 422 call – K9 used during detention – no UOF
- 4 PR details (impromptu)

**December 2018 (9)**

- 2 tracks (459 suspects, 664/459 residential suspects)
- 2 yard/residence searches
- 1 warrant service, perimeter post
- 1 suspect detention, DV, no UOF
- 3 alarm-related perimeter and interior searches
- 4 PR details (3 impromptu, 1 planned)

**January 2019 (4)**

- 1 probation search – perimeter check and backup
- 1 yard search (proowler)
- 2 tracks (459R suspects and 664/211 suspect)
- 1 PR detail – Officer Natalie Corona's funeral

**February 2019 (7)**

- 1 459A/148 suspect, on foot directed patrol
- 1 Felony car stop – suspect detained, no UOF
- 1 Prowler call – suspect detained by perimeter units

- Building search (alarm)
- Yard search
- Alarm-related perimeter check
- Outside Agency assist, prowler (Los Altos)
- [REDACTED]

**March 2019 (3)**

- [REDACTED]
- 1 Track, 211 suspect
- 1 Outside Agency Assist, track – 1065 (Mountain View)
- 1 Outside Agency Assist, track – 211 armed, 7-11 (Mountain View)
- 3 PR details (ride-a-long, demo for Boy Scout Troop and Girls Middle School visit)

**April 2019 (1)**

- 1 Perimeter post for ATC of 211 suspect
- [REDACTED]

**May 2019 (6)**

- Outside Agency Assist (Menlo Park) – 459C suspects – track to a residential yard – 2suspects taken into custody – no UOF
- 1 459C, interior search
- 1 perimeter and interior search of residence
- 1 alarm-based yard search
- 1 Prowler, yard search
- 1 track, 20002 suspect
- 4 PR details, 2 planned, 2 unplanned

**June 2019 (11)**

- 4 building searches (664/459C, 459C, 602, 10-33's)
- 4 yard searches (prowlers, 10-33)
- 1 Outside Agency Assist (Menlo) – 459R, construction site search, crawl space, 1custody, no UOF
- Track, suspect located, no UOF
- PR details – several impromptu, 1 planned

**July 2019 (8)**

- 1 article search
- Stanford ER crowd control – presence only

## CPRA Records Release W002788-022221

- 4 exterior/perimeter checks (664/459, possible prowlers, suspicious person)
- Perimeter post; suspect apprehended, no UOF
- 1 Outside Assist (Mountain View) – 664/459C
- Several PR details including fund raiser at PetFood Express

### August 2019 (10)

- SWAT call-out – barricaded suspect (non-bite apprehension)
- 4 perimeter/yard searches as a result of alarms
- Outside Assist (Los Altos) – 664/459R, back-up/perimeter post
- Article search – found [REDACTED] cell phone in a park where she lost it (late night welfare check/5150)
- Outside assist (RWC & CHP) – assist with search for pursuit suspect that fled into apartment complex – perimeter post
- Perimeter and interior search of Art Center for possible prowler
- Code 4 1095 of 1066 subject while leaving an alarm call (still on-leash)
- National Night Out – Bohdan was out for most of the event in front of PD

### September 2019 (10)

- 5 perimeter/yard searches (10-33's, prowlers,
- 1 high-risk car stop, driver detained, no UOF
- 1 Outside Assist (EPAPD) – shooting at a residence – K9 requested to assist with call-out of suspect. After several commands, suspect came out and complied with commands. Suspect taken into custody – non-bite apprehension
- 1 Track for armed 211 suspect (knife) – located and apprehended (no bite)
- 1 yard-to-yard search/track for prowler – suspected located in residential back yard – he surrendered to commands – non-bite apprehension
- DUI suspect/footbail – suspect ran from officer after failure to yield – foot pursuit resulted, K9 used to assist with non-bite apprehension
- PR at WLLC Conference

### October 2019 (10)

- 6 perimeter/yard searches (results of 10-33R and C's and possible 459 IP)
- 1 interior search (10-33C)
- 1 yard search, back-up perimeter for possible prowler
- 1 article search for firearm – 5150 subject at [REDACTED]
- 1 yard/interior search for resident who feared someone came into her home
- 2 PR details – showcased Bohdan's article search skills

**November 2019 (5)**

- 5 exterior/interior searches (10-33's, 10-66's)

**December 2019 (12)**

- HUGE PR opp – “Shop with a Cop” event – Bohdan introduced at end of event
- Interior check (10-33)
- 5 Exterior/Perimeter checks (10-33, prowler)
- Perimeter Post
- 10-66 subject search, garage, floor by floor
- Exterior and interior search (459R)
- Outside Assist (Mountain View) – K9 available, but not used
- Call out of violent subject in apartment – set apartment on fire and threw objects at officers – subject detained, no UOF
- Suicidal subject, threats of weapons – used K9 for commands outside the residence, no UOF

**January 2020 (10)**

- Apprehension (no bite) of man with a knife, jumping on cars on [REDACTED]
- Track – 5150 subject
- Perimeter/interior search, 664/459R
- 2 Yard searches
- High-risk stop – 5 in custody, no UOF
- 2Tracks, 10-66, DV suspect
- PR detail (ride-a-long)
- 10-96 on subject threatening staff with metal walker – subject complied – non-bite apprehension

**February 2020 (8)**

- “man with a metal pole” – subject immediately complied, non-bite apprehension
- 3 Perimeter checks, 10-33R and possible prowlers
- Article search – K9 used to locate items tossed by 10-66 suspect
- Felony car stop – both passengers detained, no UOF
- Interior search, 459R
- PR detail, impromptu

**March 2020 (3) – activity minimized due to COVID**

- PR detail, impromptu
- Outside Assist (Mountain View) – track and area search for 245 suspect
- Perimeter search, 10-33C

**April 2020 (10) – activity mimimized**

- “Man with a machete” [REDACTED] subject detained, no UOF
- 2 Perimeter/yard searches (possible prowler)
- Track, 1065J
- 3 Interior searches, 459C
- Perimeter/Interior search, 10-33
- Track, Theft suspect
- Track, cold for 1065 dementia patient – eventually located y perimeter unit

**May 2020 (7) – activity minimized**

- 2 Exterior/Interior searches (10-33R)
- Track – theft suspect
- 3 Perimeter checks, poss prowlers
- Track – from 11-54 that was found to be 10851...good, long track but no find – possible suspect residence

**June 2020 (7) – activity minimized**

- 6 Perimeter/interior searches (10-33's, prowlers) – 2 subjects detained during one search, no UOF
- High risk car stop – 2 detained, no UOF

**July 2020**

- [REDACTED] only, no deployments



**From:** [Aram James](#)  
**To:** [Jeff Moore](#); [Jeff Rosen](#); [Raj](#); [Richard Konda](#); [Human Relations Commission](#); [Planning Commission](#); [Council\\_City](#); [chuckjagoda1@gmail.com](#); [Greer Stone](#); [Joe Simitian](#); [ParkRec Commission](#); [Rebecca Eisenberg](#); [DuBois\\_Tom](#); [Roberta Ahlquist](#); [Binder, Andrew](#); [wilpf.peninsula.paloalto@gmail.com](#); [Jonsen, Robert](#); [paloaltofreepress@gmail.com](#); [pastor@universityamez.com](#); [Human Relations Commission](#); [Raven Malone](#); [charisse@siliconvalleydebug.org](#); [Tanner, Rachael](#); [mark weiss](#)  
**Subject:** Residents outraged over police dog attack and want encryption to end ( Daily Post April 5)  
**Date:** Tuesday, April 6, 2021 9:35:44 PM

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<https://padailypost.com/2021/04/05/residents-outraged-over-police-dog-attack-and-they-want-encryption-to-end/amp/>

Shared via the [Google app](#)

Sent from my iPhone

**From:** [Aram James](#)  
**To:** [Binder, Andrew](#)  
**Cc:** [paloaltofreepress@gmail.com](mailto:paloaltofreepress@gmail.com); [Human Relations Commission](#); [Council, City](#); [chuckjagoda1@gmail.com](mailto:chuckjagoda1@gmail.com); [Planning Commission](#); [Rebecca Eisenberg](#); [Jeff Moore](#); [Kaloma Smith](#); [Greer Stone](#); [michael.gennaco@oirgroup.com](mailto:michael.gennaco@oirgroup.com); [Jonsen, Robert](#); [Shikada, Ed](#); [Raj](#); [Richard Konda](#)  
**Subject:** Re: Can you point me to the section of your policies and procedures manual ..700 plus pages where your current interview -interrogation protocol is located ?  
**Date:** Tuesday, April 6, 2021 9:11:25 AM

---

Hi Andrew,

Yes I agree yesterday was a very busy day. Thank you for getting back to me so quickly. I look forward to discussing the below issues with you when your time permits.

Best regards,

aram

Sent from my iPhone

> On Apr 6, 2021, at 7:55 AM, Binder, Andrew <Andrew.Binder@cityofpaloalto.org> wrote:  
>  
> Mr. James - Yesterday was a busy day preparing for our Council items and managing on-going PD operations. I want to let you know I've received your email on Sunday (and your VMs yesterday) and will be giving you a call soon about discussing your questions below. Thanks - andrew  
>  
> Andrew Binder  
> Assistant Police Chief  
> Palo Alto Police Department  
>  
> CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.  
> \_\_\_\_\_  
>  
>>  
>> FYI: Mike copied this email to 40 or so folks and inadvertently left u off.  
>> Aram  
>>>  
>>> Sunday April 4, 2021 start e-mail at 10:04  
>>>  
>>> Hi Andrew, ( Assistant Palo Alto Police Chief) Hope you are doing  
>>> well. I was scanning your online policies and procedures manual ....and could not locate ...I'm sure it is there  
—current policy on interviews and interrogations of crime suspects.  
>>>  
>>> Here are a few questions u might be able to answer for me:  
>>>  
>>> 1. Do you require all felony interrogations to be taped? Misdemeanor interrogations?  
>>>  
>>>  
>>> 2. Does your department allow or disallow off the camera ....so called softening up interrogations ....that take place off the camera before a taped interview proceeds?  
>>>  
>>> 3. Is your training for interviews and interrogations tactics done  
>>> in-house or using the old school tactics taught by InBau and Reed? (

>>> see in that regard Criminal Interrogation and Confessions ( I have  
>>> the 4th edition...may be a later ones) by Fred E. ImBau, John E.  
>>> Reid, Joseph P. Buckley, Brian C. Jayne

>>>

>>> 4. Since the Jorge Hernandez case -case of alleged coerced confession by former PAPD officer Natasha Powers —case settled for \$75 000.... has the PAPD changed any interrogation policy or training?

>>>

>>> \*\*\*\*side note: ( Hernandez case was national news at the time and still used as a teaching model re how not to conduct interrogations. Jorge Hernandez was a Gunn HS student at the time he falsely confessed. Many years later the true suspect was captured and ultimately plead guilty to the brutal rape of a 94 years woman living at the Palo Alto Commons at the time of the rape.

>>>

>>> 5. Unless there is case law I'm not familiar with the U.S. Supreme Court still allows police to lie to crime suspects in order to obtain confessions. Of course local police agencies can have interrogation policies that prohibit officers from lying to suspects during interviews/ interrogations. See question at # 6.

>>>

>>> 6. Can you tell me what the PAPD policy is re officers lying to suspects to obtain confessions? Can lie? Prohibited? Some gray area in between?

>>>

>>> 7. Any current cases where the PAPD is being sued for using coercive interrogation tactics?

>>>

>>> 8. Does the current contract with the IPA include reviewing claims ....complaints that the PAPD engaged in impermissible interrogation tactics?

>>>

>>> 9. Any other information you might have that is instructive re the current interview interrogation tactics used by the PAPD.

>>>

>>> Ok, as always I would appreciate discussing this issue with you when you time permits.

>>>

>>> Best regards,

>>>

>>> Aram James

>>>

>>> P.S. I don't know whether this issue can be discussed at tomorrow's study session -given my late notice re my interest in the topic....but on the off chance you can address these issue at tomorrow's study session..... I will CC my e-mail to the city council and other potentially interested parties.

>>>

>>>

**From:** [chuck jagoda](#)  
**To:** [Rebecca Eisenberg](#)  
**Cc:** [Aram James](#); [Council, City](#); [Greer Stone](#); [Dave Price](#); [Human Relations Commission](#); [Planning Commission](#); [Roberta Ahlquist](#); [Richard Konda](#); [Raj](#); [Jeff Moore](#); [Mark Petersen-Perez](#); [Kaloma Smith](#); [ParkRec Commission](#); [DuBois, Tom](#); [WILPF Peninsula Palo Alto](#); [Binder, Andrew](#); [Sunita de Turreil](#); [Jonsen, Robert](#); [Jeff Rosen](#); [Tanner, Rachael](#); [Charisse Domingo](#); [mark weiss](#); [Anna Griffin](#); [Kou, Lydia](#); [Greg Tanaka](#); [Stump, Molly](#); [Pat Burt](#); [Shikada, Ed](#); [Winter Dellenbach](#); [Filseth, Eric \(Internal\)](#); [Cormack, Alison](#); [Perron, Zachary](#); [Joe Simitian](#); [Cecilia Taylor](#); [David Moss](#); [David Angel](#); [O'Neal, Molly](#); [Josh Becker](#); [dprice@padailypost.com](#); [Angie Evans](#)  
**Subject:** Re: Mr. Jonsen's deceptive remarks regarding police radio transmissions  
**Date:** Tuesday, April 6, 2021 4:26:20 AM

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## The Expensive Smudging of the Shine of Palo Alto

Thank you Rebecca, for your very well taken point. And your most relevant Marshall Project reference, Aram.

I only have one question: Why does it seem that on every issue: police communication encryption (you mean they were too easy to understand before?), video tape of canine maulings, responses to officer-attacks, responses to civilian complaints, requests for Brown Act papers-- this shining city on the hill of my imagination takes on several quite noticeable layers of dark, smoky, smudge?

Someone isn't getting the meaning of those two contemporary watch words Transparency and Accountability. Sure they're scary but don't forget the Watergate Principle: Cover Ups can be far worse than initial admissions of responsibility. And how much will "the City" with the truth on SLOW have to spend to feel you've covered your asses enough? Protecting white, male privilege to do damage to the bodies of darker-skinned people whenever can be very expensive. It will be interesting to total up how much present issues are costing the tax paying citizens. The spending is not over, not even close.

Policing the Palo Alto way is very, very expensive. Subtracting the macho would lower the cost. Over amped officers could learn to meditate and do self care.

Rock on!

Chuck Jagoda

On Mon, Apr 5, 2021 at 6:25 PM Rebecca Eisenberg <[rebecca@winwithrebecca.com](mailto:rebecca@winwithrebecca.com)> wrote:  
All:

I am an attorney who, having spent more than 2 decades at financial technology companies (PayPal, Vouch Financial, Trulia), has expertise and experience in privacy laws, regulations, policies, and best practices. Additionally, I come from an immigrant Jewish family that relied on police scanners for protection against police brutality decades ago in mostly-minority neighborhoods in Milwaukee. Accordingly, I take the fundamental right of the people and press to access police radio transmissions very seriously.

Mr. Jonsen is misleading the City Council and the community through claiming that there are "no options" other than encryption of radio communications.

Since the beginning of police radio, there has \*never\* been a compelling reason to share PII (personally identifiable information) by radio, which is why such transmission for the most part has not been done. For anyone who has spent time listening to police radio like I have, it is obvious that specific data like numbers, dates, the reason for that is obvious: scanners are largely used to send the police to locations, not to give DL numbers and criminal histories, and there has never been any reason to share PII or criminal histories by radio. It should require no effort to eliminate a practice that never had reason to exist.

As to the reference to DOJ rules, Jonsen misstates these as well. The DOJ mandates encryption of PII if shared and it actually recommends the easier solution of **\*\*not sharing PII\*** to the less-recommended solution of encryption. There is no requirement of contacting the DOJ to obtain permission if the PAPD goes back to the normal state of never transmitting personal information by radio.

In these ways (and many others), Jonsen is misstating the law and facts. Palo Alto deserves transparency and truth. Jonsen came to the PAPD with a marred history in his previous roles, and since he was hired as the head of the PAPD, the PAPD has declined in transparency and accountability, while it increased in terms of cases of police brutality and concealment. Jonsen has moved the PAPD in the wrong direction and continues to do so.

While I greatly appreciate the words of certain members of the City Council - particularly Greer Stone - in pointing out the inconsistencies and potential problems in the statements made by Jonsen - these words will not matter unless and until the Palo Alto City Council exercises its right and obligation to take control of the PAPD, demand accountability, eliminate immunity, and require transparency of its actions to our community and press.

Best,

Rebecca

Rebecca L. Eisenberg Esq.  
[www.linkedin.com/in/eisenberg](http://www.linkedin.com/in/eisenberg)  
[www.winwithrebecca.com](http://www.winwithrebecca.com)  
[rebecca@winwithrebecca.com](mailto:rebecca@winwithrebecca.com)  
415-235-8078

On Mon, Apr 5, 2021 at 4:05 PM Aram James <[abjpd1@gmail.com](mailto:abjpd1@gmail.com)> wrote:

Back on Feb 22, I sent out an extensive public records act request with approximately 34 questions requests for documents re the current status of the PAPD canine unit. I have filed numerous CPRA requests over at least a 15 year period with the PAPD.

2. This is the first time I have failed to receive what I believe is appropriate cooperation with Liz Scheff and the city powers in obtaining the records I've requested so I would have the documents and data to provide, if the information so established, a counter

narrative to the PAPD's report re the current status of the PAPD's canine unit.

3. Interestingly enough the memo from the PAPD for tonight's study session shows the information, at least some of it, is apparently available. The report notes that over the last 24 months the PAPD canine unit inflicted bites on 5 occasions.

4. My request was for data going back 36 months —similar time frame as my 2005 request, and asked for the number of bites, the extent of the injuries, the cost of hospitalization, and, of course, the race of those bitten by the canine unit. None of which has been forthcoming. And this is just one issue, the data on the dog bites issue, I requested ....you will see I've asked for much additional info.

5. This is the 1st time I felt compelled to hire an attorney who specializes in public records law. In a subsequent email I will send you the first correspondence between my attorney and the records department. You are free to share the information or not with anyone you wish.

6. I have read the Palo Alto canine policy several times .....see Palo Alto canine policy manual pages 130-139 ( Policy 318)

7. Similarly I have reviewed the PERF ( Police Executive Research Forum) policy from 2020 pages, approximately 27 pages, several times.

8. I'm for banning canine units altogether, no reason to hide my position, except for search and rescue, bomb disclosure and other non apprehension reasons. Absolutely should be banned to capture and bite alleged criminals.

9. If the council disagrees I believe the canine policy of the PAPD should be amended to add policies from the PERF model guidelines to include: point# 20, page 24, of the PERF report:

*“Canine usage data should be published annually, at a minimum. This may be a part of the agency's use-of force report.....Agencies should be transparent with the public by publishing their canine units usage statistics. this should include all statistics listed in Recommendation # 17 above. At minimum, agencies should publish these statistics annually in their website.”*

10. Finally, I'm hopeful that all members of the Palo Alto City Council, the city manager, and at least all members of the command staff of the PAPD will review the Marshall Project ( named afterThurgood Marshall)  
2020 .....12 part series re the epidemic of police canine attacks across this country.

<https://www.themarshallproject.org/2020/10/15/mauled-when-police-dogs-are-weapons>

Sincerely,

Aram James

--

**Chuck**

# ZOOM DISCUSSION ABOUT THE WOMEN IN BLUE

*Come join the virtual conversation! You will receive further information in a confirmation email after registering on the link below.*



**APRIL 10TH  
12:00PM**

Register in advance for this meeting by clicking [HERE](#)

## **WOMEN IN BLUE**

**AT THE INTERSECTION OF GENDER, RACE & VIOLENCE**

**A FILM BY DEIRDRE FISHEL / AN ITVS INDEPENDENT LENS DOCUMENTARY**

Executive Produced by Sally Jo Fifer Gini Reticker Lois Vossen

Original Score Chad Cannon Directors of Photography Tom Bergmann Eric Phillips-Horst

Cinematography Sean Mattison Mike Shum Editors Sunita Prasad Christopher White

Supervising Producer ITVS Shana Swanson Producers Deirdre Fishel Aideen Kane

Produced by Beth Levison Directed by Deirdre Fishel





**From:** [Rebecca Eisenberg](#)  
**To:** [Aram James](#); [Council, City](#)  
**Cc:** [Jeff Moore](#); [Raj](#); [Richard Konda](#); [Mark Petersen-Perez](#); [Planning Commission](#); [chuck jagoda](#); [Dave Price](#); [Human Relations Commission](#)  
**Subject:** Re: ( April 5, 2021 ...release additional video of police dog attack on victim of mistaken identity - Palo Alto Daily Post  
**Date:** Tuesday, April 6, 2021 2:11:19 AM

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Thank you for sharing the Daily Post article (<https://padailypost.com/2021/04/05/police-release-additional-video-of-police-dog-attack-on-victim-of-mistaken-identity>), Aram.

It is impossible not to be concerned by this timing -- a move that unavoidably creates a perception of concealment. While Jonsen was putting on a dog and pony show before City Council, claiming clean hands and a stellar record, the City revealed that all along it had been intentionally withholding incriminating video evidence which proves without a reasonable doubt that Jonsen's officers intentionally (and gleefully) commanded a PAPD police dog to repeatedly bite a man whom they had absolutely no rational reason to believe was the suspect they sought.

Given the lack of interest by our local govt to protect our community, it is even more intolerable that our DA refuses to seek justice. It is incomprehensible that Jeffrey Rosen could view the official videos released by Palo Alto and Mountain View without recognizing serious crimes being committed without any reasonable doubt. Here in Palo Alto, the violent crime rate is very low -- except for violent crime perpetrated by police officers.

Had Dave Price of the Palo Alto Daily News not worked so tirelessly over so much time to demand that the City of Palo Alto comply with state and local law regarding body camera footage, I wonder if any of us would know how truly inhumanely Nick Enberg behaved.

How many other felonies has the PAPD committed and hidden from us? Given that the Palo Alto City Council still refuses to demand more transparency and accountability from the PAPD, which reports to them, no City Council or city staff member can claim truthfully that Enberg's dog attack was anything different from the norm. For all we know, PAPD officers violently attack innocent people every week, or every night. Any one of us could be next.

Best,  
Rebecca

Rebecca L. Eisenberg Esq.  
[www.linkedin.com/in/eisenberg](http://www.linkedin.com/in/eisenberg)  
[www.winwithrebecca.com](http://www.winwithrebecca.com)  
[rebecca@winwithrebecca.com](mailto:rebecca@winwithrebecca.com)  
415-235-8078

On Tue, Apr 6, 2021 at 12:52 AM Aram James <[abjpd1@gmail.com](mailto:abjpd1@gmail.com)> wrote:

FYI More tape of dog attack released tonight by city of Palo Alto ( April 5,) check it out

<https://padailypost.com/2021/04/05/police-release-additional-video-of-police-dog-attack-on-victim-of-mistaken-identity/>

Sent from my iPhone

**From:** [Aram James](#)  
**To:** [Binder, Andrew](#); [paloaltofreepress@gmail.com](mailto:paloaltofreepress@gmail.com); [Planning Commission](#); [Human Relations Commission](#); [Rebecca Eisenberg](#); [chuckjagoda1@gmail.com](mailto:chuckjagoda1@gmail.com); [Jeff Moore](#); [Jeff Rosen](#); [Stump, Molly](#); [Roberta Ahlquist](#); [Molly](#); [Kaloma Smith](#)  
**Subject:** Encryption debate  
**Date:** Tuesday, April 6, 2021 12:40:14 AM

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<https://www.paloaltoonline.com/news/2021/04/06/city-council-not-sold-on-police-radio-encryption>

Shared via the [Google app](#)

Sent from my iPhone

**From:** [Aram James](#)  
**To:** [WILPF Peninsula Palo Alto](#)  
**Cc:** [Rebecca Eisenberg](#); [Council, City](#); [Greer Stone](#); [Dave Price](#); [Human Relations Commission](#); [Planning Commission](#); [Roberta Ahlquist](#); [chuck jagoda](#); [Richard Konda](#); [Raj](#); [Jeff Moore](#); [Mark Petersen-Perez](#); [Kaloma Smith](#); [ParkRec Commission](#); [DuBois, Tom](#); [Binder, Andrew](#); [Sunita de Turrell](#); [Jonsen, Robert](#); [Jeff Rosen](#); [Tanner, Rachael](#); [Charisse Domingo](#); [mark weiss](#); [Anna Griffin](#); [Kou, Lydia](#); [Greg Tanaka](#); [Stump, Molly](#); [Pat Burt](#); [Shikada, Ed](#); [Winter Dellenbach](#); [Filseth, Eric \(Internal\)](#); [Cormack, Alison](#); [Perron, Zachary](#); [Joe Simitian](#); [Cecilia Taylor](#); [David Moss](#); [David Angel](#); [O'Neal, Molly](#); [Josh Becker](#)  
**Subject:** Re: Mr. Jonsen's deceptive remarks regarding police radio transmissions  
**Date:** Monday, April 5, 2021 6:32:17 PM

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Rebecca,  
Thanks for speaking truth to power! Your comments all on the mark —excellent!  
Aram

On Mon, Apr 5, 2021 at 6:25 PM Rebecca Eisenberg  
<[rebecca@winwithrebecca.com](mailto:rebecca@winwithrebecca.com)> wrote:

All:

I am an attorney who, having spent more than 2 decades at financial technology companies (PayPal, Vouch Financial, Trulia), has expertise and experience in privacy laws, regulations, policies, and best practices. Additionally, I come from an immigrant Jewish family that relied on police scanners for protection against police brutality decades ago in mostly-minority neighborhoods in Milwaukee. Accordingly, I take the fundamental right of the people and press to access police radio transmissions very seriously.

Mr. Jonsen is misleading the City Council and the community through claiming that there are "no options" other than encryption of radio communications.

Since the beginning of police radio, there has *\*never\** been a compelling reason to share PII (personally identifiable information) by radio, which is why such transmission for the most part has not been done. For anyone who has spent time listening to police radio like I have, it is obvious that specific data like numbers, dates, the reason for that is obvious: scanners are largely used to send the police to locations, not to give DL numbers and criminal histories, and there has never been any reason to share PII or criminal histories by radio. It should require no effort to eliminate a practice that never had reason to exist.

As to the reference to DOJ rules, Jonsen misstates these as well. The DOJ mandates encryption of PII if shared and it actually recommends the easier solution of *\*\*not sharing PII\** to the less-recommended solution of encryption. There is no requirement of contacting the DOJ to obtain permission if the PAPD goes back to the normal state of never transmitting personal information by radio.

In these ways (and many others), Jonsen is misstating the law and facts. Palo

Alto deserves transparency and truth. Jonsen came to the PAPD with a marred history in his previous roles, and since he was hired as the head of the PAPD, the PAPD has declined in transparency and accountability, while it increased in terms of cases of police brutality and concealment. Jonsen has moved the PAPD in the wrong direction and continues to do so.

While I greatly appreciate the words of certain members of the City Council - particularly Greer Stone - in pointing out the inconsistencies and potential problems in the statements made by Jonsen - these words will not matter unless and until the Palo Alto City Council exercises its right and obligation to take control of the PAPD, demand accountability, eliminate immunity, and require transparency of its actions to our community and press.

Best,

Rebecca

Rebecca L. Eisenberg Esq.  
[www.linkedin.com/in/eisenberg](http://www.linkedin.com/in/eisenberg)  
[www.winwithrebecca.com](http://www.winwithrebecca.com)  
[rebecca@winwithrebecca.com](mailto:rebecca@winwithrebecca.com)  
415-235-8078

On Mon, Apr 5, 2021 at 4:05 PM Aram James <[abjpd1@gmail.com](mailto:abjpd1@gmail.com)> wrote:

Back on Feb 22, I sent out an extensive public records act request with approximately 34 questions requests for documents re the current status of the PAPD canine unit. I have filed numerous CPRA requests over at least a 15 year period with the PAPD.

2. This is the first time I have failed to receive what I believe is appropriate cooperation with Liz Scheff and the city powers in obtaining the records I've requested so I would have the documents and data to provide, if the information so established, a counter narrative to the PAPD's report re the current status of the PAPD's canine unit.

3. Interestingly enough the memo from the PAPD for tonight's study session shows the information, at least some of it, is apparently available. The report notes that over the last 24 months the PAPD canine unit inflicted bites on 5 occasions.

4. My request was for data going back 36 months —similar time frame as my 2005 request, and asked for the number of bites, the extent of the injuries, the cost of hospitalization, and, of course, the race of those bitten by the canine unit. None of which has been forth coming. And this is just one issue, the data on the dog bites issue, I requested ....you will see I've asked for much additional info.

5. This is the 1st time I felt compelled to hire an attorney who specializes in

public records law. In a subsequent email I will send you the first correspondence between my attorney and the records department. You are free to share the information or not with anyone you wish.

6. I have read the Palo Alto canine policy several times .....see Palo Alto canine policy manual pages 130-139 ( Policy 318)

7. Similarly I have reviewed the PERF ( Police Executive Research Forum) policy from 2020 pages, approximately 27 pages, several times.

8. I'm for banning canine units altogether, no reason to hide my position, except for search and rescue, bomb disclosure and other non apprehension reasons. Absolutely should be banned to capture and bite alleged criminals.

9. If the council disagrees I believe the canine policy of the PAPD should be amended to add policies from the PERF model guidelines to include: point# 20, page 24, of the PERF report:

*“Canine usage data should be published annually, at a minimum. This may be a part of the agency’s use-of force report.....Agencies should be transparent with the public by publishing their canine units usage statistics. this should include all statistics listed in Recommendation # 17 above. At minimum, agencies should publish these statistics annually in their website.”*

*10. Finally, I'm hopeful that all members of the Palo Alto City Council, the city manager, and at least all members of the command staff of the PAPD will review the Marshall*

*Project ( named afterThurgood Marshall)*

*2020 .....12 part series re the epidemic of police canine attacks across this country.*

<https://www.themarshallproject.org/2020/10/15/mauled-when-police-dogs-are-weapons>

Sincerely,

Aram James

**From:** [WILPF Peninsula Palo Alto](#)  
**To:** [Rebecca Eisenberg](#)  
**Cc:** [Aram James](#); [Council, City](#); [Greer Stone](#); [Dave Price](#); [Human Relations Commission](#); [Planning Commission](#); [Roberta Ahlquist](#); [chuck jagoda](#); [Richard Konda](#); [Raj](#); [Jeff Moore](#); [Mark Petersen-Perez](#); [Kaloma Smith](#); [ParkRec Commission](#); [DuBois, Tom](#); [Binder, Andrew](#); [Sunita de Turrell](#); [Jonsen, Robert](#); [Jeff Rosen](#); [Tanner, Rachael](#); [Charisse Domingo](#); [mark weiss](#); [Anna Griffin](#); [Kou, Lydia](#); [Greg Tanaka](#); [Stump, Molly](#); [Pat Burt](#); [Shikada, Ed](#); [Winter Dellenbach](#); [Filseth, Eric \(Internal\)](#); [Cormack, Alison](#); [Perron, Zachary](#); [Joe Simitian](#); [Cecilia Taylor](#); [David Moss](#); [David Angel](#); [O'Neal, Molly](#); [Josh Becker](#)  
**Subject:** Re: Mr. Jonsen's deceptive remarks regarding police radio transmissions  
**Date:** Monday, April 5, 2021 6:29:24 PM

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excellent comments/responses from Rebecca and Aram!

Judy Adams

**From:** [Aram James](#)  
**To:** [Council, City](#); [Jeff Moore](#); [Raj](#); [Rebecca Eisenberg](#); [Human Relations Commission](#); [chuckjagoda1@gmail.com](#); [Planning Commission](#); [Roberta Ahlquist](#); [ParkRec Commission](#); [Kaloma Smith](#); [Greer Stone](#); [DuBois, Tom](#); [wilpf.peninsula.paloalto@gmail.com](#); [Binder, Andrew](#); [Jonsen, Robert](#); [Jeff Rosen](#); [Sunita de Tourreil](#); [Fellissa Richard](#); [Joe Simitian](#); [Charisse Domingo](#); [paloaltofreepress@gmail.com](#); [Dave Price](#)  
**Subject:** Aram's attorney re compliance on the CPRA request for info on the PAPD canine unit  
**Date:** Monday, April 5, 2021 4:09:58 PM

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Ms. Scheff,

I hope this finds you well. I am writing on behalf of my client Aram James (cc'd) regarding his CPRA request W002788-022221. Please direct future communications regarding this matter to me.

I have reviewed the agency's 3/18/21 response in which it provided the canine policy and indicated that it would produce additional responses and records "as they become available." I'm writing to obtain some clarification.

As you know, the CPRA requires that an agency, within 10 days, provide a determination of disclosability and estimated date of production. Cal. Gov. Code § 6243(c). That time can be extended by no more than 14 days under certain statutorily identified "special circumstances." Id.

I am writing to obtain a determination of disclosability and estimated date of production with respect to this request. Please confirm which of the 34 items the City intends to respond to by producing records and/or information, and which of the requests (if any) the City is denying based on claim of statutory exemption (with identification of the claimed exemption). Additionally, please provide an estimated date when the City will be producing records. If the City will be producing records on a rolling basis, please respond with the multiple production dates the City has in mind.

Please let me know if you need any further information or clarification related to this request.

Thank you for your ongoing assistance with this matter. I appreciate it.

Best,  
Abenicio Cisneros



CApublicrecordslaw.com  
acisneros@CApublicrecordslaw.com  
(707) 653-0438

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The information contained in this communication may contain confidential and/or privileged information. It is intended solely for use by the recipient and others authorized to receive it. If you are not an intended recipient you must not use, copy, disclose or take any action based on this message or any information herein. If you have received this message in error, please advise the sender immediately by reply e-mail and delete this message. Thank you for your cooperation

**From:** [Palo Alto Free Press](#)  
**To:** [Aram James](#)  
**Cc:** [Binder, Andrew](#); [Council, City](#); [Human Relations Commission](#); [Rebecca Eisenberg](#); [Dave Price](#); [kmartin@padailypost.com](#); [Greer Stone](#); [Pat Burt](#); [Jonsen, Robert](#); [Planning Commission](#); [ParkRec Commission](#); [Roberta Ahlquist](#); [Kaloma Smith](#); [Raj](#); [Jeff Moore](#); [Joe Simitian](#); [Emily Milbach](#); [DuBois, Tom](#); [Raven Malone](#); [Sunita de Tourrell](#); [wilpf.peninsula.paloalto@gmail.com](#); [Jeff Rosen](#); [Tanner, Rachael](#); [mark weiss](#); [Greg Tanaka](#); [Kou, Lydia](#); [Charisse Domingo](#); [Stump, Molly](#); [Shikada, Ed](#); [Filseth, Eric \(Internal\)](#); [Winter Dellenbach](#); [chuck jagoda](#); [Cormack, Alison](#); [Perron, Zachary](#); [David Angel](#); [griffinam@sbcglobal.net](#); [Cecilia Taylor](#); [Molly ONeal@pdo.sccgov.org](#); [Lewis James](#); [Josh Becker](#)  
**Subject:** Re: Can you point me to the section of your policies and procedures manuel ..700 plus pages where your current interview -interrogation protocol is located ?  
**Date:** Sunday, April 4, 2021 11:56:39 PM

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Aram,

Related to question #4 and for those who would be interested in what the PAPD interview / interrogation room looks like. BTW first time published photo.





The PAPD tactics are are very well known and consist of the following:

"In most instances these interrogations, particularly of the suspect, must be conducted under conditions of privacy and for a reasonable period of time.

They also frequently require the use of psychological tactics and techniques that could well be classified as "unethical,"\_if evaluated in terms of ordinary, everyday social behavior".

Fred E. InBau and John E. Reid sum up the behavior of the PAPD investigation team rather nicely..... Unethical

Another PAPD infamous case, David Carlson

<https://www.sfgate.com/bayarea/article/Child-molestation-charges-dismissed-in-Palo-Alto-2878276.php>

In this case the PAPD lied saying they has physical proof as evidence.....proving his guilt....

I don't believe the PAPD has changed any of it's modus operandi past or current.... I would suspect the tempering of evidence would go hand in hand with current events as well.....

Best,

Palo Alto Free Press

Sent from my iPad

On Apr 4, 2021, at 10:46 PM, Aram James <abjpd1@gmail.com> wrote:

Sunday April 4, 2021 start e-mail at 10:04

Hi Andrew, ( Assistant Palo Alto Police Chief)

Hope you are doing well. I was scanning your online policies and procedures manual ....and could not locate ...I'm sure it is there —current policy on interviews and interrogations of crime suspects.

Here are a few questions u might be able to answer for me:

1. Do you require all felony interrogations to be taped? Misdemeanor interrogations?
2. Does your department allow or disallow off the camera ....so called softening up interrogations ....that take place off the camera before a taped interview proceeds?
3. Is your training for interviews and interrogations tactics done in-house or using the old school tactics taught by InBau and Reed? ( see in that regard Criminal Interrogation and Confessions ( I have the 4th edition...may be a later ones) by Fred E. ImBau, John E. Reid, Joseph P. Buckley, Brian C. Jayne
4. Since the Jorge Hernandez case -case of alleged coerced confession by former PAPD officer Natasha Powers —case settled for \$75 000.... has the PAPD changed any interrogation policy or training?

\*\*\*side note: ( Hernandez case was national news at the time and still used as a teaching model re how not to conduct interrogations. Jorge Hernandez was a Gunn HS student at the time he falsely confessed. Many years later the true suspect was captured and ultimately plead guilty to the brutal rape of a 94 years woman living at the Palo Alto Commons at the time of the rape.

5. Unless there is case law I'm not familiar with the U.S. Supreme Court still allows police to lie to crime suspects in order to obtain confessions. Of course local police agencies can have interrogation policies that prohibit officers from lying to suspects during interviews/ interrogations. See question at # 6.
6. Can you tell me what the PAPD policy is re officers lying to suspects to obtain confessions? Can lie? Prohibited? Some gray area in between?
7. Any current cases where the PAPD is being sued for using coercive interrogation tactics?
8. Does the current contract with the IPA include reviewing claims ....complaints that the PAPD engaged in impermissible interrogation tactics?
9. Any other information you might have that is instructive re the current interview interrogation tactics used by the PAPD.

Ok, as always I would appreciate discussing this issue with you when you time permits.

Best regards,

Aram James

P.S. I don't know whether this issue can be discussed at tomorrow's study session -given my late notice re my interest in the topic....but on the off chance you can address these issue at tomorrow's study session..... I will CC my e-mail to the city council and other potentially interested parties.

**From:** [Erin Wood](#)  
**To:** [Planning Commission](#)  
**Subject:** Re: Old International School Of The Peninsula Property  
**Date:** Sunday, April 4, 2021 4:22:26 PM

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Hi!

I don't know if this is the right place to start, but I've heard from neighbors that the old International School Of The Peninsula property at 3233 Cowper St might become an active school again?

How can I find out more, or where on your site can I track any hearings you might be having about this?

~ Erin Wood ~  
Classic Design Reimagined  
Member AISD

**From:** [chuck jagoda](#)  
**To:** [Jethroe Moore](#)  
**Cc:** [Rosen, Jeff](#); [William Armaline](#); [Raj Jayadev](#); [EXT.Richard.Konda](#); [<abjpd1@gmail.com>](mailto:<abjpd1@gmail.com>); [walter wilson](#); [Derek Grasty](#); [Roxana Marachi](#); [Micael "mica" Estremera](#); [Elizabeth Kamyra](#); [Angelica Cortez](#); [Kyle Dacallos](#); [Virginia Groce-Roberts](#); [Raven Malone](#); [revray](#); [Khalid White](#); [Robert Salonga](#); [rebecca@winwithrebecca.com](mailto:rebecca@winwithrebecca.com); [Robert Ahlquist](#); [Jeff Moore](#); [rkonda@asianlawalliance.org](mailto:rkonda@asianlawalliance.org); [Council, City](#); [citycouncil@mountainview.gov](mailto:citycouncil@mountainview.gov); [city.council@menlopark.org](mailto:city.council@menlopark.org); [GRP-City Council](#); [Anna Griffin](#); [Jonsen, Robert](#); [Binder, Andrew](#); [Shikada, Ed](#); [Eduardo Guilarte](#); [Cecilia](#); [Donald Mendoza](#); [WILPF Peninsula Palo Alto](#); [Steven D. Lee](#); [Human Relations Commission](#); [Kaloma Smith](#); [Planning Commission](#); [ParkRec Commission](#); [pat@patburt.org](mailto:pat@patburt.org); [Josh Becker](#); [Charisse Domingo](#); [Stump, Molly](#); [O'Neal, Molly](#); [Bill Johnson](#); [Gennady Sheyner](#); [Greg Tanaka](#); [Greer Stone](#); [Chavez, Cindy](#); [Simitian, Joe](#); [Ellenberg, Supervisor](#); [Sean James](#); [Perron, Zachary](#); [DuBois, Tom](#); [Filseth, Eric \(Internal\)](#); [Tanner, Rachael](#); [Rodriguez, Miguel](#); [Bains, Paul](#); [mark weiss](#); [Michael Gennaco](#); [Michele](#); [yolanda](#); [Patrice Ventresca](#); [Palo Alto Free Press](#); [Curtis Smolar](#); [Blanca Bosquez](#); [Gregorio, Rose](#)  
**Subject:** Re: [EXTERNAL] Meeting Request Regarding K9 use  
**Date:** Sunday, April 4, 2021 2:09:22 PM

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Happy Easter and Passover to All!

Thank you for responding DA Rosen. Thank you for the Peel Principles Rev. Moore.

There's a definite trend or obvious pattern to the events so far. Too often in the past and in this case, there appears to be a strongly held belief in the values of obfuscation, hiding, covering up. As we know from Watergate and other political disasters, the cover up can get you in more trouble than what you're covering up.

In Palo Alto, police have not been forthcoming about complaints of police abuse of civilians. Two obvious examples: the surveillance camera outside Happy Donuts disagreed quite a bit with the offending officer's initial much less self-incriminating written report. This disagreement would suggest that the officer lied. The second example is in this very case: Officer Enberg clumsily added two "stop resisting" commands to Senor Alejo at the end of his commanding the dog to bite several times. There may be other explanations for those additions, but the obvious interpretation is the officer was trying to paint his attack activities as responses to Senor Alejo's resisting the officers (which there seems to be no evidence of). In other words, with his words, he was trying to immunize himself from actions he recognized as illegal and indefensible. Police know their attacks are wrong, illegal, and indensible

In taking so long to admit to the existence of the problem, taking no action to question or respond to the attack actions of Officer Enberg in this instance or the attack on the high school student when he was also the controlling officer, the length of time for the DA to respond, and the decision NOT to prosecute are all consistent with a philosophy of denial, silence, and waiting for it all to go away. That's been the story in this and ALL cases where police have attacked civilians without justifiable cause in the city of Palo Alto.

I suggest if any of the slow-to-respond institutions (PAPD, SCCDA) would really like to change their image and the way we all look at them, they need to take remedial and communication actions immediately. Police-- charge officers like Enberg who commit repeated acts of attack. Don't prejudge the futility of prosecution, DA Rosen-- DO your job, bring the charges, and let the court do its job.

Thank you,

**Chuck Jagoda**

On Sun, Apr 4, 2021 at 11:40 AM Jethroe Moore <[moore2j@att.net](mailto:moore2j@att.net)> wrote:

April 4, 2021

Jeff Rosen DA of Santa Clara County

West Wing, 70 W Hedding St,

San Jose, CA 95110

Re: Meeting Request

Dear Mr. Rosen:

A letter is not a meeting. The police had a chance to meet with you before your charging decision in the Alejo case. The community only heard about the attack 6-7 months after it occurred and because Mr. Alejo filed a claim for 20 million dollars with the city of Mountain View and the city of Palo Alto and because the Daily Post discovered the complaint and then acted to expose the attack.

The Post then filed a California Public Records Request for release of the video footage of the incident from both involved police departments(PAPD and MVPD). Both departments delayed release of the video footage in violation of the CPRA (California Public Records Act). Your office had the opportunity to review the video footage and the law enforcement version of the incident before the public even heard of the canine attack.

Your office reviewed the video footage and case without input from community members and your office had already decided Not to file charges long before the community even knew of this incident (all done behind closed doors and with the hope the public would never even know the incident occurred). (As an aside, this secrecy and lack of transparency by your office is counter to your prior promises to be a forwarding thinking and transparent public official. Your apparent complicity with the PAPD in keeping this matter buried is not acceptable and must not be repeated.)

We still demand a meeting where we can give you our input in person let you hear how we view the video footage, the stop resisting ploy, the DA's outrageous claim that Alejo deserved what he got because his first reaction to being awoken by an unknown animal was to try to get the animal off of him. And even if the police can make some plausible argument that a first bite of Mr. Alejo was appropriate certainly the additional bites were unjustified and constitute excessive force.

In fact, under *People v Sears* 62 Cal. 2d 737 (1965) the prosecution is entitled to submit to the court a tailored, to the facts of the case, instruction to the jury, as an example:

If you find that the police in this situation were justified in initially releasing the dog on the victim, but subsequently allowed the canine to inflict injury beyond what was necessary to

detain Mr. Alejo (the infliction of unnecessary and gratuitous pain and injury) you can still convict officer Enberg with assault & battery, assault & battery under color of authority and other related crimes.

Similarly, the jury could be instructed as follows:

If you find that Mr. Alejo was not resisting arrest and that the officers on video footage were setting up a defense for their conduct, knowing they were being recorded, by repeatedly saying "stop resisting" "stop resisting " you can infer that the officer or officers had a consciousness of guilty regarding the conduct they were engaged in and you may consider this evidence in determining whether the officer(s) is guilty of the charge or charges in this matter.

We believe you should listen to the community allow us to review the police reports, the video footage, and other evidence and allow us to offer you our input re why a jury of 12 members of our diverse community could in fact return a verdict of guilty in this case.

The police earn public support by respecting community principles. Winning public approval requires hard work to build reputation: enforcing the laws impartially, hiring officers who represent and understand the community, and using force only as a last resort. Not the District Attorney, He is voted on by the people and when he fails, he will be voted out by the people.

Sincerely,

## The Nine Principles of Sir Robert Peel

Sir Robert Peel was instrumental in having the *Act for Improving the Police in and Near the Metropolis* (the Metropolitan Police Act) passed in the English Parliament in 1829. Peel had a specific vision as to the principles under which the police should operate. The nine principles that he penned nearly 200 years ago are just as important to proper police operations today as they were in early nineteenth-century London.

1. **The basic mission for which the police exist is to prevent crime and disorder.**
- **The ability of the police to perform their duties depends on public approval of police actions.**
  - **Police must secure the willing cooperation of the public in voluntary observance of the law to be able to secure and maintain the respect of the public.**
  - **The degree of cooperation of the public that can be secured**



**diminishes proportionately to the necessity to use physical force.**

- **Police seek and preserve public favor not by catering to public opinion but by constantly demonstrating absolute impartial service to the law.**
- **Police use of physical force to the extent necessary to secure observance of the law or to restore order only when the exercise of persuasion, advice and warning is found to be insufficient.**
- **Police, at all times, should maintain a relationship with the public that gives reality to the historic tradition that the police are the public and the public are the police, the police being only members of the public who are paid to give full-time attention to duties which are incumbent on every citizen in the interests of community welfare and existence.**
- **Police should always direct their attention strictly towards their functions and never appear to usurp the powers of the judiciary.**
- **The test of police efficiency is the absence of crime and disorder, not the visible evidence of police action in dealing with it.**

On Friday, April 2, 2021, 01:38:13 PM PDT, Rosen, Jeff <[jrosen@dao.sccgov.org](mailto:jrosen@dao.sccgov.org)> wrote:

Dear Reverend Moore,

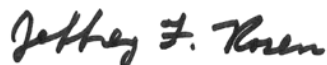
I hope you and your family are well.

I wish you a Happy Easter.

Thank you for your email.

Attached is my response.

Sincerely,



Jeffrey F. Rosen

District Attorney

Santa Clara County

Tel. (408) 792-2855

Pronouns: He/Him/His

<https://outandequal.org/wp-content/uploads/2020/05/Pronouns-Guide.pdf>

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**From:** Jethroe Moore <[moore2j@att.net](mailto:moore2j@att.net)>

**Sent:** Tuesday, March 30, 2021 12:22 PM

**To:** Rosen, Jeff <[rosen@dao.sccgov.org](mailto:rosen@dao.sccgov.org)>; Boyarsky, Jay <[jboyarsky@dao.sccgov.org](mailto:jboyarsky@dao.sccgov.org)>

**Cc:** William Armaline <[warmali@yahoo.com](mailto:warmali@yahoo.com)>; Raj Jayadev <[raj@siliconvalleydebug.org](mailto:raj@siliconvalleydebug.org)>;

EXT.Richard.Konda <[sccala@pacbell.net](mailto:sccala@pacbell.net)>; <[abjpd1@gmail.com](mailto:abjpd1@gmail.com)> <[abjpd1@gmail.com](mailto:abjpd1@gmail.com)>; walter wilson <[walterwilson@hotmail.com](mailto:walterwilson@hotmail.com)>; Derek Grasty <[wmdgrasty@gmail.com](mailto:wmdgrasty@gmail.com)>; Roxana Marachi <[roxana.marachi@gmail.com](mailto:roxana.marachi@gmail.com)>; Micael 'mica' Estremera <[mr.estremera@gmail.com](mailto:mr.estremera@gmail.com)>; Elizabeth Kamyra <[ekamyra@ifpte21.org](mailto:ekamyra@ifpte21.org)>; Angelica Cortez <[angelica@leadfilipino.org](mailto:angelica@leadfilipino.org)>; Kyle Dacallos <[kyledacallos@gmail.com](mailto:kyledacallos@gmail.com)>; Virginia Groce-Roberts <[vgroce\\_roberts@yahoo.com](mailto:vgroce_roberts@yahoo.com)>; Raven Malone <[ravenmalonepa@gmail.com](mailto:ravenmalonepa@gmail.com)>; revray <[revray@pactsj.org](mailto:revray@pactsj.org)>; Khalid White <[khalid.white@sjcc.edu](mailto:khalid.white@sjcc.edu)>;

Robert Salonga <[rsalonga@bayareanewsgroup.com](mailto:rsalonga@bayareanewsgroup.com)>; [rebecca@winwithrebecca.com](mailto:rebecca@winwithrebecca.com); Roberta

Ahlquist <[roberta.ahlquist@sjsu.edu](mailto:roberta.ahlquist@sjsu.edu)>; Jeff Moore <[moorej@esuhsd.org](mailto:moorej@esuhsd.org)>;

[rkonda@asianlawalliance.org](mailto:rkonda@asianlawalliance.org); CityCouncil <[city.council@cityofpaloalto.org](mailto:city.council@cityofpaloalto.org)>;

[citycouncil@mountainview.gov](mailto:citycouncil@mountainview.gov); [city.council@menlopark.org](mailto:city.council@menlopark.org); GRP-City Council

<[council@redwoodcity.org](mailto:council@redwoodcity.org)>; Anna Griffin <[griffinam@sbcglobal.net](mailto:griffinam@sbcglobal.net)>; robert.jonsen

<[robert.jonsen@cityofpaloalto.org](mailto:robert.jonsen@cityofpaloalto.org)>; Andrew <[Andrew.Binder@cityofpaloalto.org](mailto:Andrew.Binder@cityofpaloalto.org)>; ed.shikada

<[ed.shikada@cityofpaloalto.org](mailto:ed.shikada@cityofpaloalto.org)>; Eduardo Guilarte <[eduardoguilarte@gmail.com](mailto:eduardoguilarte@gmail.com)>; Cecilia

<[CTTaylor@menlopark.org](mailto:CTTaylor@menlopark.org)>; Donald Mendoza <[donald.mendoza@menlo.edu](mailto:donald.mendoza@menlo.edu)>; WILPF Peninsula

Palo Alto <[wilpf.peninsula.paloalto@gmail.com](mailto:wilpf.peninsula.paloalto@gmail.com)>; Steven D. Lee <[stevendlee@gmail.com](mailto:stevendlee@gmail.com)>; Human

Relations Commission <[hrc@cityofpaloalto.org](mailto:hrc@cityofpaloalto.org)>; Kaloma Smith <[pastor@universityamez.com](mailto:pastor@universityamez.com)>;

Planning Commission <[Planning.Commission@cityofpaloalto.org](mailto:Planning.Commission@cityofpaloalto.org)>; ParkRec Commission

<[parkrec.commission@cityofpaloalto.org](mailto:parkrec.commission@cityofpaloalto.org)>; [pat@patburt.org](mailto:pat@patburt.org); Josh Becker <[becker.josh@gmail.com](mailto:becker.josh@gmail.com)>;

chuck jagoda <[chuckjagoda1@gmail.com](mailto:chuckjagoda1@gmail.com)>; Charisse Domingo <[charisse@siliconvalleydebug.org](mailto:charisse@siliconvalleydebug.org)>;

Molly <[molly.stump@cityofpaloalto.org](mailto:molly.stump@cityofpaloalto.org)>; O'Neal, Molly <[Molly.ONeal@pdo.sccgov.org](mailto:Molly.ONeal@pdo.sccgov.org)>; Bill Johnson

<[Bjohnson@embarcaderopublishing.com](mailto:Bjohnson@embarcaderopublishing.com)>; Gennady Sheyner <[gsheyner@paweekly.com](mailto:gsheyner@paweekly.com)>; Greg

Tanaka <[greg@gregtanaka.org](mailto:greg@gregtanaka.org)>; Greer Stone <[gstone22@gmail.com](mailto:gstone22@gmail.com)>; Chavez, Cindy

<[Cindy.Chavez@bos.sccgov.org](mailto:Cindy.Chavez@bos.sccgov.org)>; Simitian, Joe <[Joe.Simitian@bos.sccgov.org](mailto:Joe.Simitian@bos.sccgov.org)>; Ellenberg,

Supervisor <[supervisor.ellenberg@BOS.SCCGOV.ORG](mailto:supervisor.ellenberg@BOS.SCCGOV.ORG)>; Sean James <[seanchiba650@gmail.com](mailto:seanchiba650@gmail.com)>;

Perron, Zachary <[Zachary.Perron@CityofPaloAlto.org](mailto:Zachary.Perron@CityofPaloAlto.org)>; tom.dubois <[tom.dubois@cityofpaloalto.org](mailto:tom.dubois@cityofpaloalto.org)>;

eric.filseth <[eric.filseth@cityofpaloalto.org](mailto:eric.filseth@cityofpaloalto.org)>; [rachael.tanner@cityofpaloalto.org](mailto:rachael.tanner@cityofpaloalto.org); Rodriguez, Miguel

<[miguel.rodriguez@pdo.sccgov.org](mailto:miguel.rodriguez@pdo.sccgov.org)>; Paul Bains <[pbains7@projectwehope.com](mailto:pbains7@projectwehope.com)>; mark weiss <[Earwopa@yahoo.com](mailto:Earwopa@yahoo.com)>; Michael Gennaco <[michael.gennaco@oirgroup.com](mailto:michael.gennaco@oirgroup.com)>; Michele <[james\\_michele@hotmail.com](mailto:james_michele@hotmail.com)>; yolanda <[yolanda@rocketmail.com](mailto:yolanda@rocketmail.com)>; Patrice Ventresca <[patriceventresca@gmail.com](mailto:patriceventresca@gmail.com)>; Palo Alto Free Press <[paloaltofreepress@gmail.com](mailto:paloaltofreepress@gmail.com)>; Curtis Smolar <[csmolar@gmail.com](mailto:csmolar@gmail.com)>

**Subject:** [EXTERNAL] Meeting Request Regarding K9 use

Good afternoon, request a meeting with you to discuss why you refuse to press charges/fire the Palo Alto Police Officer Nick Enberg, and explain to us how this is not a prosecutable offense when this is the second time this officer has used his K9 to being harm to the communities of color. Regarding below.

Currently, there are seven canine-specific cases that mandate giving suspects a warning prior to using a police K-9 as a potential use of force tool. *Burrows v. City of Tulsa* (10th Circuit), *Trammel v. Thomason* (11th Circuit), *Sorchini v. City of Covina* (9th Circuit), and *Vathekan v. Prince George's County* (MD, 4th Circuit) Court's findings and rulings pertaining to the K-9 announcement: It is clearly established that it is unreasonable for a police officer to fail to give a verbal warning before releasing police dog to seize someone.

Furthermore *Kuha v. City of Minnetonka* (8th Circuit), *Szabla v. City of Brooklyn Park* (MN, 8th Circuit), and *Rogers v. City of Kennewick* (9th Circuit), Court's findings and rulings pertaining to the K-9 announcement: The court ruled that there was clearly established case law that failing to give a warning before releasing police dog to bite and hold is unreasonable.

Palo Alto Police Officer Nick Enberg failed to announce the use of his dog on a sleeping man is clearly an act of aggression with intent to do harm, shined another light on the systemic failures of policing in Santa Clara County. There is an urgent need to root out and to identify the departmental deficiencies that allowed these officers to remain on the force in the first place.

--

Chuck



SAN JOSE/SILICON VALLEY BRANCH OF THE  
NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE

---

1313 North Milpitas Blvd Suite #163, Milpitas, CA 95035  
Phone 408-991-4610

April 4, 2021

Jeff Rosen DA of Santa Clara County  
West Wing, 70 W Hedding St, San Jose, CA 95110

Re: Meeting Request

Dear Mr. Rosen:

A letter is not a meeting. The police had a chance to meet with you before your charging decision in the Alejo case. The community only heard about the attack 6-7 months after it occurred and because Mr. Alejo filed a claim for 20 million dollars with the city of Mountain View and the city of Palo Alto and because the Daily Post discovered the complaint and then acted to expose the attack.

The Post then filed a California Public Records Request for release of the video footage of the incident from both involved police departments (PAPD and MVPD). Both departments delayed release of the video footage in violation of the CPRA (California Public Records Act). Your office had the opportunity to review the video footage and the law enforcement version of the incident before the public even heard of the canine attack.

Your office reviewed the video footage and case without input from community members and your office had already decided Not to file charges long before the community even knew of this incident (all done behind closed doors and with the hope the public would never even know the incident occurred). (As an aside, this secrecy and lack of transparency by your office is counter to your prior promises to be a forwarding thinking and transparent public official. Your apparent complicity with the PAPD in keeping this matter buried is not acceptable and must not be repeated.)

We still demand a meeting where we can give you our input in person let you hear how we view the video footage, the stop resisting ploy, the DA's outrageous claim that Alejo deserved what he got because his first reaction to being awoken by an unknown animal was to try to get the animal off of him. And even if the police can make some plausible argument that a first bite of Mr. Alejo was appropriate certainly the additional bites were unjustified and constitute excessive force.

In fact, under *People v Sears* 62 Cal. 2d 737 (1965) the prosecution is entitled to submit to the court a tailored, to the facts of the case, instruction to the jury, as an example:

If you find that the police in this situation were justified in initially releasing the dog on the victim, but subsequently allowed the canine to inflict injury beyond what was necessary to detain Mr. Alejo (the infliction of unnecessary and gratuitous pain and injury) you can still convict officer Enberg with assault & battery, assault & battery under color of authority and other related crimes.

Similarly, the jury could be instructed as follows:

If you find that Mr. Alejo was not resisting arrest and that the officers on video footage were setting up a defense for their conduct, knowing they were being recorded, by repeatedly saying "stop resisting" "stop resisting" you can infer that the officer or officers had a consciousness of guilty regarding the conduct they were engaged in and you may consider this evidence in determining whether the officer(s) is guilty of the charge or charges in this matter.

We believe you should listen to the community allow us to review the police reports, the video footage, and other evidence and allow us to offer you our input re why a jury of 12 members of our diverse community could in fact return a verdict of guilty in this case.

The police earn public support by respecting community principles. Winning public approval requires hard work to build reputation: enforcing the laws impartially, hiring officers who represent and understand the community, and using force only as a last resort. Not the District Attorney, He is voted on by the people and when he fails, he will be voted out by the people.

Sincerely,

A handwritten signature in black ink on a white background. The signature reads "REV. Jethroe Moore II" in a cursive script. The signature is enclosed in a thin black rectangular border.

Pastor Jethroe Moore II, President

**Website: <http://www.sanjosenaacp.org>**

**Email: [sjnaacp@sanjosenaacp.org](mailto:sjnaacp@sanjosenaacp.org)**

# County of Santa Clara

Office of the District Attorney

County Government Center, West Wing  
70 West Hedding Street  
San Jose, California 95110  
(408) 299-7400  
www.santaclara-da.org



**Jeffrey Rosen**  
District Attorney

April 2, 2021

The Reverend Jethroe Moore II, President  
San Jose/Silicon Valley Branch  
Of the National Association for the Advancement of Colored People  
1313 North Milpitas Blvd.  
Suite #163  
Milpitas, CA 95035

Dear Pastor Moore:

Thank you for your email of March 30, 2021, inquiring about the decision of the District Attorney's Office to not file criminal charges against Palo Alto Police Agent Enberg.

At the outset, I reiterate that we share both an advocacy for the protection of members of our minority communities and a sense of responsibility when anyone is hurt during a police contact. These are serious matters with implications for all. When police protocol or practicalities demand that we review these cases, we do it seriously and independently, with senior attorneys and a sign-off by executive managers and me.

When the Palo Alto Police Department voluntarily asked us to review this case, which does *not* fall under the officer-involved incident review protocol, we analyzed it thoroughly. Our role was not to determine if the officer's actions were within Palo Alto Police Department protocol, if the officer should be disciplined or fired, or if the case exposes the agency or the city to any civil liability. Our job was solely to determine if the officer could and should be criminally prosecuted.

To prosecute Agent Enberg for a violation of Penal Code section 149, we would have to prove beyond a reasonable doubt to a unanimous jury that he assaulted Mr. Alejo under color of authority without lawful necessity. A trial judge would likely instruct jurors that when deciding whether there was "lawful necessity" for any physical force, they must consider whether the force was reasonable from the perspective of a reasonable officer facing the same circumstances that Agent Enberg faced. The jurors would be told to make that decision based on what the officer knew at the time of the incident. The jurors would be instructed to consider facts such as the need to use force, the extent of the injury to Mr. Alejo, any effort by the officer to temper or to limit the amount of force used, the threat reasonably perceived by the officer, and whether Mr.

Reverend Jethroe Moore, II, President

Page 2 of 2

April 2, 2021

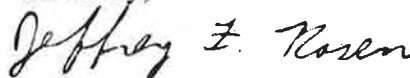
Alejo was actively resisting. The judge might also instruct the jury to consider whether the officer issued a warning before ordering his dog to hold Mr. Alejo, but that is not a certainty. Notwithstanding the disturbing reality of the incident captured on Agent Enberg's body-worn camera video, applying the facts to the likely jury instructions does not support Agent Enberg's prosecution.

You correctly cited a number of *civil* cases addressing claims filed under Section 1983 of the US Code where police dogs injured the plaintiffs. These cases illustrate that the presence or absence of a warning is critical in virtually every excessive force *civil* case involving a police dog. But none of the cited cases involved officers who were also *criminally* prosecuted for using excessive force. The cases you cited involved officers permitting their dogs to search and "hold" suspects where the officer did not issue a warning prior to deployment nor command for the dog to hold anyone in particular. Additionally, the cases you cited addressed when plaintiffs have presented sufficient evidence to survive a motion for summary judgment and when an officer is legally entitled to immunity for deploying a police dog. This body of *civil* case law would have little impact on *criminal* prosecution, especially under the facts of this case, especially given the highest burden of proof in the law that we would have to overcome to attain a conviction. So, although there is no viable *criminal* prosecution, Mr. Alejo has *civil* remedies that he can pursue.

It is undisputed that Agent Enberg received permission from the homeowner to enter the backyard and look for a violent felon who had recently and violently kidnapped a woman. Agent Enberg did not issue a general warning before entering the back yard where Mr. Alejo was asleep in a shed without the homeowner's knowledge, and the failure to do so appears to violate the Palo Alto Police Department policy. But in this case, the dog did not bite Mr. Alejo simply because the dog discovered him asleep in the shed. Instead, when the officer saw Mr. Alejo, he reasonably concluded that he was the violent felon he was searching for, and when he saw Mr. Alejo attempt to kick the dog, he ordered the dog to hold Mr. Alejo. Thus, the question doesn't begin and end with whether the officer failed to issue a warning, but rather, whether the officer acted without lawful necessity when he ordered the dog to hold the person he reasonably believed was responsible for violently kidnapping a woman who attempted to fend off the dog. If we were to prosecute the officer, his attorney would remind the jurors that the officer's decision to use force on Mr. Alejo was made quickly and based on the facts and circumstances known to him at the time without the benefit of 20/20 hindsight.

Based on the facts and circumstances of this unfortunate incident, I have concluded that there is no reasonable likelihood that a jury would convict the officer, and there certainly isn't proof beyond a reasonable doubt. I have made this decision using the same standard I use for every person who may have violated the law, and I make that decision regardless of that person's race or occupation.

Sincerely,



Jeffrey F. Rosen  
District Attorney

JFR/dm

**From:** [Aram James](#)  
**To:** [Jeff Rosen](#); [Jeff Moore](#); [Rebecca Eisenberg](#); [Council, City](#); [chuck jagoda](#); [Planning Commission](#); [ParkRec Commission](#); [Joe Simitian](#); [supervisor.ellenberg@bos.sccgov.org](#); [paloaltofreepress@gmail.com](#); [Human Relations Commission](#); [Binder, Andrew](#); [Jonsen, Robert](#); [Perron, Zachary](#); [Reifschneider, James](#); [mark weiss](#); [Roberta Ahlquist](#); [Greer Stone](#); [wilf.peninsula.paloalto@gmail.com](#); [Kaloma Smith](#); [DuBois, Tom](#); [Raj](#); [Tanner, Rachael](#)  
**Subject:** Rooting out white nationalist from police departments across the country ...pressure grows on police leaders to scrutinize for white nationalist among the ranks of local law enforcement  
**Date:** Saturday, April 3, 2021 9:14:12 PM

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**CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.**

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Sent from my iPhone

Begin forwarded message:

**From:** Aram James <abjpd1@gmail.com>  
**Date:** April 3, 2021 at 9:08:25 PM PDT  
**To:** aram james <abjpd1@gmail.com>  
**Subject: Rooting out white nationalist from police departments across the country ...pressure grows to**

<https://www.washingtonpost.com/nation/2021/04/03/former-utah-police-capitol-riot/?outputType=amp>

Sent from my iPhone



**From:** [John Dawson](#)  
**To:** [Planning Commission](#)  
**Cc:** [dawson](#)  
**Subject:** street closures of Calif and University Ave; traffic flow  
**Date:** Friday, April 2, 2021 12:07:26 PM

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Hi Planning Commission,

I've been a Palo Alto resident since 1964, with a couple of short breaks, and have been underwhelmed by the business district development plans, particularly around California Avenue and University Avenue.

Now, thanks to covid, we have a kind of natural experiment of evicting cars from these areas, and for a lot of us this is great! Less cars, more outdoor seating (after all, with the California climate it is pretty unfortunate that almost all Palo Alto restaurant seating is currently indoors), more walkable and pleasant business districts.

I do understand the arguments in favor of going back to the way it was, but on the balance I think it is better with the outdoor seating areas.

My questions are

- 1 - what is the role of this commission in recommending or deciding what to do about continuing or stopping this change, ie vehicle traffic blocked from these streets?
- 2 - if no role, what part of Palo Alto city government is looking at this, and how does citizen participation work?
- 3 - if this commission does have a role, what is your timeframe, process, and planned outcome (report to the City Council or whatever)
- 4 - Regarding California Avenue, I think with minor changes it would not be a big traffic disruptor, and there is plenty of parking lot space in and around the area. But still, perhaps some parking and traffic changes are necessary, would this fall within the scope of your commission also?
- 5 - For University Avenue, I do see that the traffic issues are quite a bit bigger. Still,

I personally think it is ridiculous to use our nicest walkable business district as an arterial feeder to something outside of Palo Alto (Stanford University).

In low-traffic conditions, the time to get to the El Camino Real/Palm Drive intersection is about the same coming up University Avenue, versus coming up Oregon Expressway and then taking El Camino Real. One of these ways is a 2-3 lane divided highway that is completely unwalkable and has no strollable area; the other is the nicest walkable business district in Palo Alto. I think you should strongly consider what traffic reduction steps could be taken in the University Avenue area, possibly along with traffic light or other changes, that would push the majority of this traffic onto Oregon Expressway/El Camino. Again, if this is outside the scope of your commission, please let me know how citizen participation works on this topic.

Regards, John Dawson

**From:** [Aram James](#)  
**To:** [chuck jagoda](#); [Rebecca Eisenberg](#); [Roberta Ahlquist](#); [Human Relations Commission](#); [Jethroe Moore](#); [paloaltofreepress@gmail.com](#); [Planning Commission](#); [ParkRec Commission](#); [Donna Wallach](#)  
**Subject:** Pnews] Regarding The Farewell Of Romaine "Chip" Fitzgerald  
**Date:** Friday, April 2, 2021 12:37:15 AM

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**CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.**

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Sent to me by my friend and freedom fighter extraordinaire Donna Wallach. A story of institutional cruelty that only drives us harder and more determined to abolish our current prison and police system in this country.

Aram

----- Forwarded message -----

**From:** Prisoner News <[ppnews@freedomarchives.org](mailto:ppnews@freedomarchives.org)>  
**Date:** Thu, Apr 1, 2021 at 7:23 PM  
**Subject:** [Pnews] Regarding The Farewell Of Romaine "Chip" Fitzgerald  
**To:**

## **Regarding The Farewell Of Romaine "Chip" Fitzgerald**

### **On Behalf Of The Family & Committee To Free Chip**

On Sunday, March 28, 2021, at 3:04 p.m., our brother, uncle, cousin, comrade and friend, Romaine "Chip" Fitzgerald, joined the ancestors. For a week, he lay barely conscious in a Los Angeles hospital as he struggled to extend his life after suffering a massive stroke in California's gulag known as Lancaster. Chip's strength and dedication to life remained intact as he defied those doctors who said he would not make it through the night in the hours after his initial arrival at the hospital. A stalwart soldier, he fought until his very last breath. Chip died as he had lived: fighting.

Among the government's many victims, Romaine "Chip" Fitzgerald was a member of the Black Panther Party in Los Angeles. Incarcerated since 1969, he grew old in prison and was disabled many years ago by an earlier, less lethal stroke. Like millions of Black youth during the sixties, Chip, at the age of 17, joined the freedom struggle as the social justice movement rapidly expanded to include massive numbers of urban youth. The government's conduct towards Chip proves that important elements of our society are guided by an irrational

tradition that values vengeance over justice or reconciliation. This failure demonstrates the nation's unwillingness to fully acknowledge historic wrongs perpetrated against Black Americans.

Romaine "Chip" Fitzgerald was a social justice activist and it is inhumane to imprison activists for 50 years or more, particularly while others convicted of comparable crimes have served significantly less time. A closer look reveals the only differences between those serving shorter sentences and those serving longer ones are the political beliefs and affiliations some had with social justice groups like the Black Panther Party.

Chip never compromised, though he continued to the end to seek redress for this egregious wrong by working with his lawyer, family and defense committees to end his half century nightmare of a slow death behind bars. For us the living, Chip's passing is a lesson to keep fighting the good fight. To give when perhaps it's hard to give. And to live when perhaps life seems so empty. Chip's life did not leave us without a clear message. During his final days in the hospital, the authorities felt the need to chain and shackle Chip to his bed. Despite the fact that he was hardly conscious, they saw this demeaning action as necessary. What they failed to understand is that you can neither jail nor shackle the spirit of liberation. May we all aspire to leave this same impression of daring to struggle until our last breath. And may Chip's stalwart example give us the courage to dare to win.

All Power to the People!

Free All Political Prisoners!

A Service is being planned which may be in a month or so due to COVID, followed by a memorial. We want to also thank the many thousands who put their voices together to free Brother Chip.

---

Bruce Richard on behalf of the family and Chairman of the Committee to Free Romaine "Chip" Fitzgerald - [brucer@1199.org](mailto:brucer@1199.org)

Questions and comments may be sent to [info@freedomarchives.org](mailto:info@freedomarchives.org)

To unsubscribe contact:

[http://freedomarchives.org/mailman/options/ppnews\\_freedomarchives.org](http://freedomarchives.org/mailman/options/ppnews_freedomarchives.org)

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**2 books you must read:**

**"Against Our Better Judgement: The hidden history of how the U.S. was used to create Israel"** by Alison Weir

<http://www.againstourbetterjudgment.com/>

**"State of Terror: How Terrorism Created Modern Israel"** by Thomas Suarez  
<http://thomassuarez.com/SoT.html>

**Other important websites to visit**

<http://www.ifamericansknew.org>

<http://www.councilforthenationalinterest.org/new/>

<https://wearenotnumbers.org/>

**End the Blockade/Siege on Gaza!**

**Tear down the Apartheid Walls in West Bank & Gaza!**

**End the War Criminal Israeli collective punishment on the Palestinian people!**

**End the illegal Apartheid Israeli Occupation of all of Palestine!**

**Right to Return to their homes and land in Palestine for all Palestinians!**

**End all U.S. aid to Israel**

**Free Palestine! Long Live Palestine!**

**Support Boycott, Divestment, Sanctions (BDS) & Palestinian Campaign for the Academic and Cultural Boycott of Israel (PACBI) Campaigns!**

<http://www.bdsmovement.net>

<http://www.WhoProfits.org>

<http://www.pacbi.org>

**Support Solidarity with Gaza Fishers**

<https://sgf.freedomflotilla.org/>

<https://freedomflotilla.org/>

<https://sgf.freedomflotilla.org/category/we-are-not-numbers>

**Support ISM volunteers in West Bank and Gaza Strip!**

<http://www.palsolidarity.org>

Donna Wallach

[cats4jazz@gmail.com](mailto:cats4jazz@gmail.com)

Skype: palestinewillbe

Twitter: @PalestineWillBe

(h) 408-289-1522

(cell) 408-569-6608

**From:** [Aram James](#)  
**To:** [Jonsen, Robert](#); [Perron, Zachary](#); [Binder, Andrew](#); [Tony Dixon](#); [Donald Mendoza](#); [Planning Commission](#); [Council, City](#); [Human Relations Commission](#); [ParkRec Commission](#); [chuck jagoda](#); [Greer Stone](#); [Roberta Ahlquist](#); [DuBois, Tom](#); [eric.filseth@cityofpaloalto.com](#); [Alison Cormack](#); [Cecilia](#); [mark weiss](#); [Rebecca Eisenberg](#); [wilpf.peninsula.paloalto@gmail.com](#); [Jeff Moore](#); [city.council@menlopark.org](#)  
**Subject:** THE GUARDIAN: Chauvin"s supervisor says there was no justification to keep knee on George Floyd's neck  
**Date:** Thursday, April 1, 2021 11:25:30 PM

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## **Chauvin's supervisor says there was no justification to keep knee on George Floyd's neck**

Sgt David Pleoger tells trial that Chauvin and the other officers should have stopped using force once Floyd stopped resisting

Read in The Guardian: <https://apple.news/A7UjpQMV6QpSXqhXdBMIkrQ>

Shared from [Apple News](#)

Sent from my iPhone

**From:** [Hannah Lu](#)  
**To:** [Planning Commission](#)  
**Subject:** League of Women Voters of Palo Alto - April Newsletter  
**Date:** Thursday, April 1, 2021 6:12:54 PM

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**CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.**

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Dear Planning and Transportation Commission,

My name is Hannah Lu and I am the Communications Director at League of Women Voters of Palo Alto.

I'd like to send you our [April VOTER](#) and add you to our newsletter mailing list to keep you updated with the important work that the League does. Our monthly newsletters highlight the work our Voter Services and Advocacy teams do, and list engaging and educational League and community events on topics such as equity in education, the climate crisis, and racial justice.

By sharing our newsletters with important community partners, we hope to make a bigger impact in our work on vital issues concerning our community. We look forward to our partnership and welcome any suggestions or feedback.

Best regards,

Hannah Lu

Communications Director  
League of Women Voters of Palo Alto





On Mar 31, 2021, at 2:37 PM, Richard Konda <scala@pacbell.net> wrote:

Dear District Attorney Rosen:

I have been made aware of Palo Alto Police Officer Nick Enberg's use of his dog to bring harm to communities of color. He should be prosecuted for the use of his dog on a sleeping man. His aggressive use of his dog cannot be tolerated. This is not the first instance that Enberg has used his dog to do harm to a Palo Alto resident.

We understand the Pastor Jethroe Moore II of the NAACP has requested a meeting with you to further discuss Enberg and we hope that you will honor this request for a meeting.

Sincerely,

Richard Konda  
Executive Director  
Asian Law Alliance

On Tuesday, March 30, 2021, 12:22:11 PM PDT, Jethroe Moore <moore2j@att.net> wrote:

Good afternoon, request a meeting with you to discuss why you refuse to press charges/fire the Palo Alto Police Officer Nick Enberg, and explain to us how this is not a prosecutable offense when this is the second time this officer has used his K9 to bring harm to the communities of color. Regarding below.

Currently, there are seven canine-specific cases that mandate giving suspects a warning prior to using a police K-9 as a potential use of force tool. *Burrows v. City of Tulsa* (10th Circuit), *Trammel v. Thomason* (11th Circuit), *Sorchini v. City of Covina* (9th Circuit), and *Vathekan v. Prince George's County* (MD, 4th Circuit) Court's findings and rulings pertaining to the K-9 announcement: It is clearly established that it is unreasonable for a police officer to fail to give a verbal warning before releasing police dog to seize someone.

Furthermore *Kuha v. City of Minnetonka* (8th Circuit), *Szabla v. City of Brooklyn Park* (MN, 8th Circuit), and *Rogers v. City of Kennewick* (9th Circuit), Court's findings and rulings pertaining to the K-9 announcement: The court ruled that there was clearly established case law that failing to give a warning before releasing police dog to bite and hold is unreasonable.

Palo Alto Police Officer Nick Enberg failed to announce the use of his dog on a sleeping man is clearly an act of aggression with intent to do harm, shined another light on the systemic failures of policing in Santa Clara County. There is an urgent need to root out and to identify the departmental deficiencies that allowed these officers to remain on the force in the first place.

**From:** [Carol Scott](#)  
**To:** [Planning Commission](#)  
**Subject:** Fwd: Please require Speed Bumps in front of Peers Park  
**Date:** Wednesday, March 31, 2021 8:59:52 PM  
**Attachments:** [PTC - Peers Park Traffic Calming.pdf](#)

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**CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.**

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Dear Commissioners,

I am disappointed that I was unable to show you my slides regarding Peers Park and the lack of traffic calming devices there. I think the photos illustrate the problem quite well. What doesn't show is the number of cars who know that this is a speedway and who use it as such. I have never seen any City effort to measure traffic and speeds along this stretch of Park Blvd.

I am including a copy of the presentation that I prepared with this email.

I hope that you will agree that we need a City policy with respect to safety at public parks. All children deserve to be safe from traffic, and especially from speeding traffic.

Thank you.  
Carol Scott

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Carol Scott

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Carol Scott

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Carol Scott

# Traffic Calming Devices for All Parks in Palo Alto

Especially Peers Park in Evergreen Park

Carol Scott

MARCH 31, 2021

# This is Park Blvd in Evergreen Park

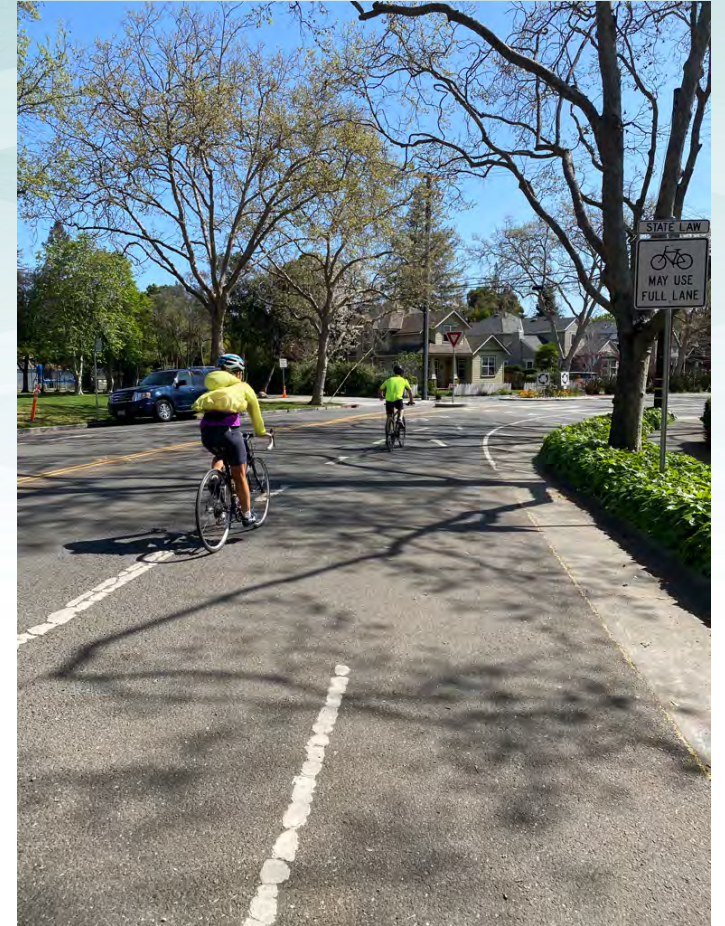


*Driving down Park Blvd from El Camino  
Real toward Stanford Ave and California  
Ave*

This is what is behind those trees . . .



# Peers Park - at afternoon “pick up time”



# Current traffic “calming”



# Hoover Park





Please require speed bumps at  
all parks –

And Especially At Peers Park



Thank you