

## Orozco, Norma

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**From:** Felicity Figueroa <info@email.actionnetwork.org>  
**Sent:** Wednesday, April 06, 2022 10:40 AM  
**To:** eComment  
**Subject:** Public Comment on Agenda Item 38: Police Oversight Ad Hoc Committee Informational Report

Council Member City Council,

To: Mayor Sarmiento and the Santa Ana City Council,

I believe the City Council Ad Hoc Committee's majority recommendation for a hybrid investigation-focused and auditor/monitor-focused model and the outlined oversight functions provides the infrastructure for a meaningful and effective police oversight model.

One of the core tenets of effective police oversight is independence. The police department is currently the only agency responsible for investigating excessive and deadly force and civilian-complaints against officers. An independent investigative-auditor/monitor model will enable a civilian-led inquiry and findings into deadly use of force and misconduct allegations separate from the police department's investigation and findings. Civilian-led oversight of law enforcement ensures that those who are subject to the power of the police department lend their expertise to shaping it, and empowers residents to correct injustices that they and their neighbors suffer at the hands of police.

In order to be effective, the Board/Commission must not only be independent, but it must also have the authority to receive, investigate, and make findings of fact regarding all incidents and practices of the Police Department.

To ensure the full and prompt implementation of such a model, I urge the Mayor and City Council to take action on Agenda Item 38. I urge the Council to direct staff to prepare an ordinance to establish the oversight model to be considered by City Council before the end of the 2021-22 Fiscal Year as well as charter amendments that enshrine police oversight in the city's charter and strengthen its powers. Several City surveys to residents of Santa Ana have indicated that police oversight has broad support and the effort to establish a strong oversight model must not be delayed further.

Felicity Figueroa

felicitynf@aol.com

36 Blazing Star

Irvine, California 92604-3003

## Orozco, Norma

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**From:** Marlene Buitron <info@email.actionnetwork.org>  
**Sent:** Wednesday, April 06, 2022 1:28 PM  
**To:** eComment  
**Subject:** Public Comment on Agenda Item 38: Police Oversight Ad Hoc Committee Informational Report

Council Member City Council,

To: Mayor Sarmiento and the Santa Ana City Council,

I believe the City Council Ad Hoc Committee's majority recommendation for a hybrid investigation-focused and auditor/monitor-focused model and the outlined oversight functions provides the infrastructure for a meaningful and effective police oversight model.

One of the core tenets of effective police oversight is independence. The police department is currently the only agency responsible for investigating excessive and deadly force and civilian-complaints against officers. An independent investigative-auditor/monitor model will enable a civilian-led inquiry and findings into deadly use of force and misconduct allegations separate from the police department's investigation and findings. Civilian-led oversight of law enforcement ensures that those who are subject to the power of the police department lend their expertise to shaping it, and empowers residents to correct injustices that they and their neighbors suffer at the hands of police.

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Marlene Buitron  
malene.buitron89@gmail.com  
1408 W. 2nd St  
Santa Ana, California 92703



April 4, 2022

Santa Ana Mayor and City Council  
20 Civic Center Plaza  
Santa Ana, CA 92701  
[ecomment@santa-ana.org](mailto:ecomment@santa-ana.org)

*Via Email*

RE: Agenda Item 38 “Police Oversight Ad Hoc Committee Informational Report”

Dear Mayor and City Council,

I write on behalf of the Rise Up Willowick Coalition to express our strong support for a robust Police Oversight model in the City of Santa Ana.

The Rise Up Willowick Coalition is a community led group advocating for the creation and preservation of open space in the City of Santa Ana. Since 2019, RUW has focused on protecting the Willowick golf course site, 102 acres of precious publicly-owned open space, from being disposed of without community input and sold off to developers without regard to the generational environmental and social impact. RUW supports intentional policies that not only protect the community but also help empower us by sharing the decision making power over institutions that directly interact and affect our daily lives.

The core purposes of civilian-led oversight of law enforcement are to increase transparency, ensure accountability for misconduct, and expand public safety. Given the nationwide and local civic engagement for racial justice and the reimagining of the role of police, the City of Santa Ana’s effort to examine police oversight models is an important step forward. Since 2017, Santa Ana community-based organizations have advocated for a police oversight model that is independent of law enforcement, community-led, transparent, fully funded, and empowered with auditing, investigative, and disciplinary authority. We believe the City Council Ad Hoc Committee’s majority recommendation for a hybrid investigation-focused and

auditor/monitor-focused model and the outlined oversight functions<sup>1</sup> provide the infrastructure for a meaningful and effective police oversight model. To ensure the full and prompt implementation of such a model, we urge the Mayor and City Council to direct staff to (1) prepare an ordinance to establish the oversight model to be considered by City Council before the end of the 2021-22 Fiscal Year and (2) prepare a Charter amendment to further strengthen the authority of the police oversight Board/ Commission, to be submitted to voters at the November 2022 election.

When high-profile police killings occur locally or nationwide, calls for police accountability and transparency grow louder. In fact, the very origins and advancements of police oversight are rooted in civil rights movements' response to excessive and deadly force by law enforcement.<sup>2</sup> **Given the recent high-profile killing of Santa Ana resident Brandon Lopez by Anaheim Police Department officers in September 2021, it is imperative that the City of Santa Ana build an effective police oversight model to help avert future unjustified use of deadly force against civilians, hold police officers accountable for misconduct, and intervene in systemic problems within the Santa Ana Police Department.** An investigative-auditor/monitor model will accomplish these tasks and pave the way to a more holistic approach to public safety for communities that are under-resourced and over-policed.

One of the core tenets of effective police oversight is independence. The police department is currently the only agency responsible for investigating excessive and deadly force and civilian-complaints against officers. An independent investigative-auditor/monitor model will enable a civilian-led inquiry and findings into deadly use of force and misconduct allegations separate from the police department's investigation and findings. By excluding current and former law enforcement from serving on the oversight board and commission, the City will retain the core tenet of independence and thereby ensure public trust in the model. Civilian-led oversight of law enforcement ensures that those who are subject to the power of the police department lend their expertise to shaping it, and empowers residents to correct injustices that they and their neighbors suffer at the hands of police.

As the City Council further discusses police oversight, it must also address the issues of staffing and scope of authority. First, it is imperative that the Police Oversight Commission (Commission) tasked with conducting independent investigations is properly staffed to handle the number and breadth of investigations into civilian complaints, allegations of serious misconduct, and uses of deadly force. **At least one attorney-investigator per fifty officers will**

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<sup>2</sup> Vitoroulis, Michael, Cameron McEllhiney, and Liana Perez. 2021. *The Evolution and Growth of Civilian Oversight: Key Principles and Practices for Effectiveness and Sustainability*. Washington, DC: Office of Community Oriented Policing Services.

**enable impartial and thorough investigations; this ratio would amount to eight attorney-investigators for the City of Santa Ana, as it has roughly 380 sworn officers.**

**Moreover, we recommend that attorneys working for the Commission not provide legal advice or representation to any department or function of the City of Santa Ana other than the Commission.** We also recommend that all financial, personnel and administrative functions of all Commission attorneys be under the jurisdiction of the City Manager or Commission Director, and not under the jurisdiction of the City Attorney, as the City Attorney provides counsel to the Santa Ana Police Department. This structure ensures the City has departmental authority over the Police Oversight Board/Commission and the Board/Commission is fully independent from the Police Department and that the City Attorney's office does not encounter any conflicts of interest.

In order to be effective, the Board/Commission must not only be independent, but it must also have the authority to receive, investigate, and make findings of fact regarding all incidents and practices of the Police Department. **Because the Board/Commission cannot rely on the Police Department alone to investigate officer-involved deaths, the Board/Commission must have the authority to respond to the scene of critical incidents, including police uses of deadly force.** Another core component of efficacy is the authority to make binding findings of fact; mere recommendations or advisory opinions cannot change police behavior. **Absent clear error, Board/Commission's findings of fact must be binding and accepted by the Police Department and Police Chief.** Clear error only exists when the Board/Commission's findings of fact are based upon obvious and indisputable errors and cannot be supported by any reasonable interpretation of the evidence.

We urge the Mayor and City Council to take two actions on Agenda Item 38. First, we urge the Council to direct staff to prepare an ordinance to establish the Police Oversight Board/Commission, with the support of community-based organizations, and consider the ordinance before the end of the 2021-22 Fiscal Year. Several City surveys of Santa Ana residents have shown that police oversight has broad support and the effort to establish a strong oversight model must not be delayed further. If the Council considers and approves an ordinance to establish a Board/Commission model before the end of the Fiscal Year, we can begin an implementation process that can take up to a year or longer. In order for the Board/Commission to have the powers that efficacy requires, the City Charter must be amended. The ordinance that establishes the infrastructure of an effective police oversight body can be written and passed in parallel with the efforts to amend the Charter. To that end, we also recommend that the Council direct staff to prepare a Charter amendment, to be submitted to voters at the November 2022 election, that authorizes the Board to impose discipline upon the Chief of Police and Santa Ana Police Department officers for cause. The Charter amendment should also enshrine a sustainable budget to fully fund the Board/Commission with public safety funds derived from cost-savings

measures from the Police Department budget. The consideration of an ordinance and Charter amendment must happen concurrently to ensure police oversight is promptly enacted and that residents of the City of Santa Ana are empowered to remediate and prevent police violence.

Sincerely,  
The Rise Up Willowick Coalition



*Advancing social justice and building power with working-class Vietnamese and immigrant communities in Orange County.*

Garden Grove, CA 92843 | [www.vietrise.org](http://www.vietrise.org) | [general@vietrise.org](mailto:general@vietrise.org) | @vietriseoc

April 5, 2022

Santa Ana Mayor and City Council  
20 Civic Center Plaza  
Santa Ana, CA 92701  
[ecomment@santa-ana.org](mailto:ecomment@santa-ana.org)

*Via Email*

RE: Agenda Item 38 “Police Oversight Ad Hoc Committee Informational Report”

Dear Mayor and City Council,

I write on behalf of VietRISE to express our strong support for a robust Police Oversight model in the City of Santa Ana.

VietRISE is a non-profit organization based in Garden Grove, California. Our mission is to advance social justice and build power with working-class Vietnamese and immigrant communities in Orange County. We build leadership and create systemic change through organizing, narrative change, cultural empowerment, and civic engagement. In Santa Ana, VietRISE has worked with many residents in Ward 1 and throughout the city who have expressed strong support for civilian-led oversight of law enforcement in the city.

The core purposes of civilian-led oversight of law enforcement are to increase transparency, ensure accountability for misconduct, and expand public safety. Given the nationwide and local civic engagement for racial justice and the reimagining of the role of police, the City of Santa Ana’s effort to examine police oversight models is an important step forward. Since 2017, Santa Ana community-based organizations have advocated for a police oversight model that is independent of law enforcement, community-led, transparent, fully funded, and empowered with auditing, investigative, and disciplinary authority. We believe the City Council Ad Hoc Committee’s majority recommendation for a hybrid investigation-focused and auditor/monitor-focused model and the outlined oversight functions<sup>1</sup> provide the infrastructure for a meaningful and effective police oversight model. To ensure the full and prompt implementation of such a model, we urge the Mayor and City Council to direct staff to (1)

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prepare an ordinance to establish the oversight model to be considered by City Council before the end of the 2021-22 Fiscal Year and (2) prepare a Charter amendment to further strengthen the authority of the police oversight Board/ Commission, to be submitted to voters at the November 2022 election.

When high-profile police killings occur locally or nationwide, calls for police accountability and transparency grow louder. In fact, the very origins and advancements of police oversight are rooted in civil rights movements' response to excessive and deadly force by law enforcement.<sup>2</sup> **Given the recent high-profile killing of Santa Ana resident Brandon Lopez by Anaheim Police Department officers in September 2021, it is imperative that the City of Santa Ana build an effective police oversight model to help avert future unjustified use of deadly force against civilians, hold police officers accountable for misconduct, and intervene in systemic problems within the Santa Ana Police Department.** An investigative-auditor/monitor model will accomplish these tasks and pave the way to a more holistic approach to public safety for communities that are under-resourced and over-policed.

One of the core tenets of effective police oversight is independence. The police department is currently the only agency responsible for investigating excessive and deadly force and civilian-complaints against officers. An independent investigative-auditor/monitor model will enable a civilian-led inquiry and findings into deadly use of force and misconduct allegations separate from the police department's investigation and findings. By excluding current and former law enforcement from serving on the oversight board and commission, the City will retain the core tenet of independence and thereby ensure public trust in the model. Civilian-led oversight of law enforcement ensures that those who are subject to the power of the police department lend their expertise to shaping it, and empowers residents to correct injustices that they and their neighbors suffer at the hands of police.

As the City Council further discusses police oversight, it must also address the issues of staffing and scope of authority. First, it is imperative that the Police Oversight Commission (Commission) tasked with conducting independent investigations is properly staffed to handle the number and breadth of investigations into civilian complaints, allegations of serious misconduct, and uses of deadly force. **At least one attorney-investigator per fifty officers will enable impartial and thorough investigations; this ratio would amount to eight attorney-investigators for the City of Santa Ana, as it has roughly 380 sworn officers.**

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**Moreover, we recommend that attorneys working for the Commission not provide legal advice or representation to any department or function of the City of Santa Ana other than the Commission.** We also recommend that all financial, personnel and administrative functions of all Commission attorneys be under the jurisdiction of the City Manager or Commission Director, and not under the jurisdiction of the City Attorney, as the City Attorney provides counsel to the Santa Ana Police Department. This structure ensures the City has departmental authority over the Police Oversight Board/Commission and the Board/Commission is fully independent from the Police Department and that the City Attorney's office does not encounter any conflicts of interest.

In order to be effective, the Board/Commission must not only be independent, but it must also have the authority to receive, investigate, and make findings of fact regarding all incidents and practices of the Police Department. **Because the Board/Commission cannot rely on the Police Department alone to investigate officer-involved deaths, the Board/Commission must have the authority to respond to the scene of critical incidents, including police uses of deadly force.** Another core component of efficacy is the authority to make binding findings of fact; mere recommendations or advisory opinions cannot change police behavior. **Absent clear error, Board/Commission's findings of fact must be binding and accepted by the Police Department and Police Chief.** Clear error only exists when the Board/Commission's findings of fact are based upon obvious and indisputable errors and cannot be supported by any reasonable interpretation of the evidence.

We urge the Mayor and City Council to take two actions on Agenda Item 38. First, we urge the Council to direct staff to prepare an ordinance to establish the Police Oversight Board/Commission, with the support of community-based organizations, and consider the ordinance before the end of the 2021-22 Fiscal Year. Several City surveys of Santa Ana residents have shown that police oversight has broad support and the effort to establish a strong oversight model must not be delayed further. If the Council considers and approves an ordinance to establish a Board/Commission model before the end of the Fiscal Year, we can begin an implementation process that can take up to a year or longer. In order for the Board/Commission to have the powers that efficacy requires, the City Charter must be amended. The ordinance that establishes the infrastructure of an effective police oversight body can be written and passed in parallel with the efforts to amend the Charter. To that end, we also recommend that the Council direct staff to prepare a Charter amendment, to be submitted to voters at the November 2022 election, that authorizes the Board to impose discipline upon the Chief of Police and Santa Ana



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Police Department officers for cause. The Charter amendment should also enshrine a sustainable budget to fully fund the Board/Commission with public safety funds derived from cost-savings measures from the Police Department budget. The consideration of an ordinance and Charter amendment must happen concurrently to ensure police oversight is promptly enacted and that residents of the City of Santa Ana are empowered to remediate and prevent police violence.

Sincerely,

Tracy La  
Executive Director  
VietRISE

CC: [VSarmiento@santa-ana.org](mailto:VSarmiento@santa-ana.org)  
[PBacerra@santa-ana.org](mailto:PBacerra@santa-ana.org)  
[TPhan@santa-ana.org](mailto:TPhan@santa-ana.org)  
[DPenaloz@santa-ana.org](mailto:DPenaloz@santa-ana.org)  
[JessieLopez@santa-ana.org](mailto:JessieLopez@santa-ana.org)  
[JRyanHernandez@santa-ana.org](mailto:JRyanHernandez@santa-ana.org)  
[NMendoza@santa-ana.org](mailto:NMendoza@santa-ana.org)



April 4, 2022

Santa Ana Mayor and City Council  
20 Civic Center Plaza  
Santa Ana, CA 92701  
[ecomment@santa-ana.org](mailto:ecomment@santa-ana.org)

*Via Email*

RE: Agenda Item 38 “Police Oversight Ad Hoc Committee Informational Report”

Dear Mayor and City Council,

I write on behalf of Chispa to express our strong support for a robust Police Oversight model in the City of Santa Ana.

Chispa is a brave organizing political home for young Latinx in Orange County. Chispa seeks to engage with excluded peoples to uproot systems of oppression and cultivate systems grounded in community accountability, solidarity, and self-determination for our communities to thrive.

The core purposes of civilian-led oversight of law enforcement are to increase transparency, ensure accountability for misconduct, and expand public safety. Given the nationwide and local civic engagement for racial justice and the reimagining of the role of police, the City of Santa Ana’s effort to examine police oversight models is an important step forward. Since 2017, Santa Ana community-based organizations have advocated for a police oversight model that is independent of law enforcement, community-led, transparent, fully funded, and empowered with auditing, investigative, and disciplinary authority. We believe the City Council Ad Hoc Committee’s majority recommendation for a hybrid investigation-focused and auditor/monitor-focused model and the outlined oversight functions<sup>1</sup> provide the infrastructure for a meaningful and effective police oversight model. To ensure the full and prompt implementation of such a model, we urge the Mayor and City Council to direct staff to (1) prepare an ordinance to establish the oversight model to be considered by City Council before the end of the 2021-22 Fiscal Year and (2) prepare a Charter amendment to further strengthen the authority of the police oversight Board/ Commission, to be submitted to voters at the November 2022 election.

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When high-profile police killings occur locally or nationwide, calls for police accountability and transparency grow louder. In fact, the very origins and advancements of police oversight are rooted in civil rights movements' response to excessive and deadly force by law enforcement.<sup>2</sup> **Given the recent high-profile killing of Santa Ana resident Brandon Lopez by Anaheim Police Department officers in September 2021, it is imperative that the City of Santa Ana build an effective police oversight model to help avert future unjustified use of deadly force against civilians, hold police officers accountable for misconduct, and intervene in systemic problems within the Santa Ana Police Department.** An investigative-auditor/monitor model will accomplish these tasks and pave the way to a more holistic approach to public safety for communities that are under-resourced and over-policed.

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As the City Council further discusses police oversight, it must also address the issues of staffing and scope of authority. First, it is imperative that the Police Oversight Commission (Commission) tasked with conducting independent investigations is properly staffed to handle the number and breadth of investigations into civilian complaints, allegations of serious misconduct, and uses of deadly force. **At least one attorney-investigator per fifty officers will enable impartial and thorough investigations; this ratio would amount to eight attorney-investigators for the City of Santa Ana, as it has roughly 380 sworn officers.**

**Moreover, we recommend that attorneys working for the Commission not provide legal advice or representation to any department or function of the City of Santa Ana other than the Commission.** We also recommend that all financial, personnel and administrative functions of all Commission attorneys be under the jurisdiction of the City Manager or Commission Director, and not under the jurisdiction of the City Attorney, as the City Attorney provides counsel to the Santa Ana Police Department. This structure ensures the City has departmental authority over the Police Oversight Board/Commission and the Board/Commission is fully

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Sincerely,



Hairo Cortes  
Executive Director

Chispa

CC: [VSarmiento@santa-ana.org](mailto:VSarmiento@santa-ana.org)  
[PBacerra@santa-ana.org](mailto:PBacerra@santa-ana.org)  
[TPhan@santa-ana.org](mailto:TPhan@santa-ana.org)  
[DPenalosa@santa-ana.org](mailto:DPenalosa@santa-ana.org)  
[JessieLopez@santa-ana.org](mailto:JessieLopez@santa-ana.org)  
[JRyanHernandez@santa-ana.org](mailto:JRyanHernandez@santa-ana.org)  
[NMendoza@santa-ana.org](mailto:NMendoza@santa-ana.org)



## Santa Ana Building Healthy Communities

1505 E 17<sup>th</sup> St, Suite 117, Santa Ana, CA 92705

PHONE: (714) 617-8891 | [www.sa-bhc.org](http://www.sa-bhc.org)

April 5, 2022

Santa Ana Mayor and City Council  
20 Civic Center Plaza  
Santa Ana, CA 92701  
[ecomment@santa-ana.org](mailto:ecomment@santa-ana.org)

*Via Email*

RE: Agenda Item 38 “Police Oversight Ad Hoc Committee Informational Report”

Dear Mayor and City Council,

I write on behalf of Santa Ana Building Healthy Communities to express our strong support for a robust Police Oversight model in the City of Santa Ana.

Santa Ana Building Healthy Communities (SABHC) is committed to addressing health inequities and improving opportunities for a healthy and thriving community. SABHC understands that health is directly shaped by the circumstances in which people are born, raised, live, and work. Improving these circumstances is a collective responsibility and one that must be led by those directly affected. While culturally rich, youthful, and hardworking, Santa Ana struggles with an array of challenges and hardships. Residents, youth, organizations, and systems collaborate in multisectoral spaces to achieve systems and policy changes that advance human rights, such as improved health, safety, youth development, education, economic development, land use, and community engagement.

The core purposes of civilian-led oversight of law enforcement are to increase transparency, ensure accountability for misconduct, and expand public safety. Given the nationwide and local civic engagement for racial justice and the reimagining of the role of police, the City of Santa Ana’s effort to examine police oversight models is an important step forward. Since 2017, Santa Ana community-based organizations have advocated for a police oversight model that is independent of law enforcement, community-led, transparent, fully funded, and empowered with auditing, investigative, and disciplinary authority. We believe the City Council Ad Hoc Committee’s majority recommendation for a hybrid investigation-focused and auditor/monitor-

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<sup>2</sup> Vitoroulis, Michael, Cameron McEllhiney, and Liana Perez. 2021. *The Evolution and Growth of Civilian Oversight: Key Principles and Practices for Effectiveness and Sustainability*. Washington, DC: Office of Community Oriented Policing Services.

**Moreover, we recommend that attorneys working for the Commission not provide legal advice or representation to any department or function of the City of Santa Ana other than the Commission.** We also recommend that all financial, personnel and administrative functions of all Commission attorneys be under the jurisdiction of the City Manager or Commission Director, and not under the jurisdiction of the City Attorney, as the City Attorney provides counsel to the Santa Ana Police Department. This structure ensures the City has departmental authority over the Police Oversight Board/Commission and the Board/Commission is fully independent from the Police Department and that the City Attorney's office does not encounter any conflicts of interest.

In order to be effective, the Board/Commission must not only be independent, but it must also have the authority to receive, investigate, and make findings of fact regarding all incidents and practices of the Police Department. **Because the Board/Commission cannot rely on the Police Department alone to investigate officer-involved deaths, the Board/Commission must have the authority to respond to the scene of critical incidents, including police uses of deadly force.** Another core component of efficacy is the authority to make binding findings of fact; mere recommendations or advisory opinions cannot change police behavior. **Absent clear error, Board/Commission's findings of fact must be binding and accepted by the Police Department and Police Chief.** Clear error only exists when the Board/Commission's findings of fact are based upon obvious and indisputable errors and cannot be supported by any reasonable interpretation of the evidence.

We urge the Mayor and City Council to take two actions on Agenda Item 38. First, we urge the Council to direct staff to prepare an ordinance to establish the Police Oversight Board/Commission, with the support of community-based organizations, and consider the ordinance before the end of the 2021-22 Fiscal Year. Several City surveys of Santa Ana residents have shown that police oversight has broad support and the effort to establish a strong oversight model must not be delayed further. If the Council considers and approves an ordinance to establish a Board/Commission model before the end of the Fiscal Year, we can begin an implementation process that can take up to a year or longer. In order for the Board/Commission to have the powers that efficacy requires, the City Charter must be amended. The ordinance that establishes the infrastructure of an effective police oversight body can be written and passed in parallel with the efforts to amend the Charter. To that end, we also recommend that the Council direct staff to prepare a Charter amendment, to be submitted to voters at the November 2022 election, that authorizes the Board to impose discipline upon the Chief of Police and Santa Ana Police Department officers for cause. The Charter amendment should also enshrine a sustainable budget to fully fund the Board/Commission with public safety funds derived from cost-savings measures from the Police Department budget. The consideration of an ordinance and Charter

amendment must happen concurrently to ensure police oversight is promptly enacted and that residents of the City of Santa Ana are empowered to remediate and prevent police violence.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joel Cazares', written over a horizontal line.

Joel Cazares  
Director of Operations  
Santa Ana Building Healthy Communities  
In'Lakesh Relief Fund

**Orozco, Norma**

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**From:** Maria Ceja <ceja.maria95@gmail.com>  
**Sent:** Tuesday, April 05, 2022 1:13 PM  
**To:** eComment  
**Subject:** Item 38

Mayor and City Council Members,

It has never been more clear that the City of Santa Ana's Police Department needs to be held accountable for inexcusable and unjust acts of misconduct. Creating a police oversight commission is the first step to doing so. I personally believe that we cannot afford to wait until the voters decide on the future of police accountability in our community, especially if our police department has a failing grade, according to Police Scorecard, despite spending the majority of our budget on police. However, if it is in the best judgment to allow the public to decide via a charter amendment, I support its preparation for the minimum requirements for the structure and scope of authority for police oversight to be submitted to the voters. I fully support the mechanics and procedures related to police oversight being established via an Ordinance by the City Council in compliance with the charter amendment.

Thank you,  
Maria Ceja  
Santa Ana resident



April 5, 2022

Mayor Sarmiento and City Councilmembers  
20 Civic Center Plaza  
Santa Ana, CA 92701  
[ecomment@santa-ana.org](mailto:ecomment@santa-ana.org)

*Via Email*

RE: Agenda Item 38 “Police Oversight Ad Hoc Committee Informational Report”

Dear Mayor Sarmiento and City Councilmembers,

I write on behalf of the ACLU of Southern California to express our strong support for a robust police oversight model in the City of Santa Ana. It is imperative that the City Council heed the will of the community and the majority recommendations of the City Council Ad Hoc Committee by adopting a hybrid investigation-focused and auditor and monitor-focused model of oversight. Accordingly, we urge the Mayor and City Councilmembers to direct staff to (1) prepare a civilian oversight ordinance that will be considered by the Council before the end of the 2021-22 fiscal year and (2) prepare a Charter amendment to further strengthen the authority of the Police Oversight Commission (Commission), which will be submitted to voters at the November 2022 election.

### **Community-Led Calls for Civilian Oversight in Santa Ana**

Since 2017, Santa Ana community-based organizations have advocated for a police oversight model that is independent of law enforcement, community-led, transparent, fully funded, and empowered with auditing, investigative, and disciplinary authority. Recent police murders both locally and nationwide, including the most recent murder of Santa Ana resident Brandon Lopez by the Anaheim Police Department, have served to strengthen the community’s calls for police accountability and transparency through oversight. **We are at a critical moment, and it is imperative that the City of Santa Ana build an effective police oversight model to help avert future unjustified use of deadly force against civilians, hold police officers accountable for misconduct, and intervene in systemic problems within the Santa Ana Police Department.** As discussed in further detail below, a hybrid investigation-focused and

**EXECUTIVE DIRECTOR** Hector O. Villagra

**CHAIR** Michele Goodwin **VICE CHAIRS** Rob Hennig and Stacy Horth-Neubert

**CHAIRS EMERITI** Marla Stone Shari Leinwand Stephen Rohde Danny Goldberg Allan K. Jonas\* Burt Lancaster\* Irving Lichtenstein, MD\* Jarl Mohn Laurie Ostrow\* Stanley K. Sheinbaum\*

\*deceased

auditor and monitor-focused model of oversight will accomplish these tasks and pave the way to a more holistic approach to public safety for communities that are under-resourced and over-policed.

### **Recommendations for the Core Elements of Santa Ana's Police Oversight**

The core purposes of civilian-led oversight of law enforcement are to increase transparency and ensure accountability for misconduct. However, the Commission cannot effectuate those purposes without the following core components.

#### *Independence*

One of the central tenets of effective police oversight is independence. The police department is currently the only agency responsible for investigating excessive and deadly force and civilian complaints against officers. An independent investigative-auditor/monitor model will enable a civilian-led inquiry and findings into deadly use of force and misconduct allegations separate from the police department's investigation and findings. **By excluding current and former law enforcement from serving on the Commission, the City of Santa Ana will retain the central tenet of independence and thereby ensure public trust in the model.** Civilian-led oversight of law enforcement ensures that those who are subject to the power of the police department lend their expertise to shaping it and empowers residents to correct injustices that they and their neighbors suffer at the hands of police.

**Moreover, we recommend that attorneys working for the Commission not provide legal advice or representation to any department or function of the City of Santa Ana other than the Commission.** We also recommend that all financial, personnel and administrative functions of all Commission attorneys be under the jurisdiction of the City Manager or Commission Director, and not under the jurisdiction of the City Attorney, as the City Attorney provides counsel to the Santa Ana Police Department. This structure ensures the City has departmental authority over the Commission, the Commission is fully independent from the Police Department, and that the City Attorney's office does not encounter any conflicts of interest.

#### *Sufficient Staffing*

It is imperative that the Commission tasked with conducting independent investigations is properly staffed to handle the number and breadth of investigations into civilian complaints, allegations of serious misconduct, and uses of deadly force. **At least one investigator, preferably a licensed attorney, per fifty sworn officers will enable impartial and thorough investigations; this ratio would amount to eight attorney-investigators for the City of Santa Ana, as it has roughly 380 sworn officers.**

#### *Investigative Authority and Authority to Make Binding Findings of Facts*

The Commission must have the authority to receive, investigate, and make findings of fact regarding all incidents and practices of the Police Department. **Because the Commission cannot rely on the Police Department alone to investigate officer-involved deaths, the Commission**

**must have the authority to respond to the scene of critical incidents, including police uses of deadly force.** Another core component of efficacy is the authority to make binding findings of fact; mere recommendations or advisory opinions cannot change police behavior. **Absent clear error, Commission's findings of fact must be binding and accepted by the Police Department and Police Chief.** Clear error only exists when the Commission's findings of fact are based upon obvious and indisputable errors and cannot be supported by any reasonable interpretation of the evidence.

We urge the Mayor and City Council to take two actions on Agenda Item 38. First, we urge the Council to direct staff to prepare an ordinance to establish the Commission, with the support of community-based organizations, and consider the ordinance before the end of the 2021-22 fiscal year. Several City surveys of Santa Ana residents have shown that police oversight has broad support and the effort to establish a strong oversight model must not be delayed further. If the Council considers and approves an ordinance to establish a Commission model before the end of the fiscal year, we can begin an implementation process that can take up to a year or longer. In order for the Commission to have the powers that efficacy requires, the City Charter must be amended. The ordinance that establishes the infrastructure of an effective Commission can be written and passed in parallel with the efforts to amend the Charter. To that end, we also recommend that the City Council direct staff to prepare a Charter amendment, to be submitted to voters at the November 2022 election, that authorizes the Commission to impose discipline upon the Chief of Police and Santa Ana Police Department officers for cause. The Charter amendment should also enshrine a sustainable budget to fully fund the Commission with public safety funds derived from cost-savings measures from the Santa Ana Police Department budget. The consideration of an ordinance and Charter amendment must happen concurrently to ensure police oversight is promptly enacted and that residents of the City of Santa Ana are empowered to remediate and prevent police violence.

Sincerely,

Jennifer Rojas  
Senior Policy Advocate and Organizer  
ACLU of Southern California

CC: [VSarmiento@santa-ana.org](mailto:VSarmiento@santa-ana.org)  
[PBacerra@santa-ana.org](mailto:PBacerra@santa-ana.org)  
[TPhan@santa-ana.org](mailto:TPhan@santa-ana.org)  
[DPenalosa@santa-ana.org](mailto:DPenalosa@santa-ana.org)  
[JessieLopez@santa-ana.org](mailto:JessieLopez@santa-ana.org)  
[JRyanHernandez@santa-ana.org](mailto:JRyanHernandez@santa-ana.org)  
[NMendoza@santa-ana.org](mailto:NMendoza@santa-ana.org)

## Orozco, Norma

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**From:** Monica Bermudez <me@monicabermudez.com>  
**Sent:** Tuesday, April 05, 2022 1:05 PM  
**To:** eComment  
**Subject:** Public Comment on Agenda Item 38: Police Oversight Ad Hoc Committee Informational Report

Council Member City Council,

To: Mayor Sarmiento and the Santa Ana City Council,

I believe the City Council Ad Hoc Committee's majority recommendation for a hybrid investigation-focused and auditor/monitor-focused model and the outlined oversight functions provides the infrastructure for a meaningful and effective police oversight model.

One of the core tenets of effective police oversight is independence. The police department is currently the only agency responsible for investigating excessive and deadly force and civilian-complaints against officers. An independent investigative-auditor/monitor model will enable a civilian-led inquiry and findings into deadly use of force and misconduct allegations separate from the police department's investigation and findings. Civilian-led oversight of law enforcement ensures that those who are subject to the power of the police department lend their expertise to shaping it, and empowers residents to correct injustices that they and their neighbors suffer at the hands of police.

In order to be effective, the Board/Commission must not only be independent, but it must also have the authority to receive, investigate, and make findings of fact regarding all incidents and practices of the Police Department.

To ensure the full and prompt implementation of such a model, I urge the Mayor and City Council to take action on Agenda Item 38. I urge the Council to direct staff to prepare an ordinance to establish the oversight model to be considered by City Council before the end of the 2021-22 Fiscal Year as well as charter amendments that enshrine police oversight in the city's charter and strengthen its powers. Several City surveys to residents of Santa Ana have indicated that police oversight has broad support and the effort to establish a strong oversight model must not be delayed further.

Monica Bermudez  
me@monicabermudez.com  
1015 W 2nd st,  
SANTA ANA, California 92703

## Orozco, Norma

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**From:** Alkaid Ramirez <info@email.actionnetwork.org>  
**Sent:** Tuesday, April 05, 2022 12:53 PM  
**To:** eComment  
**Subject:** Public Comment on Agenda Item 38: Police Oversight Ad Hoc Committee Informational Report

Council Member City Council,

To: Mayor Sarmiento and the Santa Ana City Council,

I believe the City Council Ad Hoc Committee's majority recommendation for a hybrid investigation-focused and auditor/monitor-focused model and the outlined oversight functions provides the infrastructure for a meaningful and effective police oversight model.

One of the core tenets of effective police oversight is independence. The police department is currently the only agency responsible for investigating excessive and deadly force and civilian-complaints against officers. An independent investigative-auditor/monitor model will enable a civilian-led inquiry and findings into deadly use of force and misconduct allegations separate from the police department's investigation and findings. Civilian-led oversight of law enforcement ensures that those who are subject to the power of the police department lend their expertise to shaping it, and empowers residents to correct injustices that they and their neighbors suffer at the hands of police.

In order to be effective, the Board/Commission must not only be independent, but it must also have the authority to receive, investigate, and make findings of fact regarding all incidents and practices of the Police Department.

To ensure the full and prompt implementation of such a model, I urge the Mayor and City Council to take action on Agenda Item 38. I urge the Council to direct staff to prepare an ordinance to establish the oversight model to be considered by City Council before the end of the 2021-22 Fiscal Year as well as charter amendments that enshrine police oversight in the city's charter and strengthen its powers. Several City surveys to residents of Santa Ana have indicated that police oversight has broad support and the effort to establish a strong oversight model must not be delayed further.

Alkaid Ramirez  
alkaidramirez@yahoo.com  
709 S Anaheim Blvd  
Anaheim, California 92805

## Orozco, Norma

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**From:** Maria Valencia <mariaevalencia@ymail.com>  
**Sent:** Tuesday, April 05, 2022 11:14 AM  
**To:** eComment  
**Subject:** Public Comment on Agenda Item 38: Police Oversight Ad Hoc Committee Informational Report

Council Member City Council,

To: Mayor Sarmiento and the Santa Ana City Council,

I believe the City Council Ad Hoc Committee's majority recommendation for a hybrid investigation-focused and auditor/monitor-focused model and the outlined oversight functions provides the infrastructure for a meaningful and effective police oversight model.

One of the core tenets of effective police oversight is independence. The police department is currently the only agency responsible for investigating excessive and deadly force and civilian-complaints against officers. An independent investigative-auditor/monitor model will enable a civilian-led inquiry and findings into deadly use of force and misconduct allegations separate from the police department's investigation and findings. Civilian-led oversight of law enforcement ensures that those who are subject to the power of the police department lend their expertise to shaping it, and empowers residents to correct injustices that they and their neighbors suffer at the hands of police.

In order to be effective, the Board/Commission must not only be independent, but it must also have the authority to receive, investigate, and make findings of fact regarding all incidents and practices of the Police Department.

To ensure the full and prompt implementation of such a model, I urge the Mayor and City Council to take action on Agenda Item 38. I urge the Council to direct staff to prepare an ordinance to establish the oversight model to be considered by City Council before the end of the 2021-22 Fiscal Year as well as charter amendments that enshrine police oversight in the city's charter and strengthen its powers. Several City surveys to residents of Santa Ana have indicated that police oversight has broad support and the effort to establish a strong oversight model must not be delayed further.

Maria Valencia  
mariaevalencia@ymail.com  
1440 E First St Apt 206  
Santa Ana, California 92701

## Orozco, Norma

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**From:** Jackie Cordova <jcordova4@msn.com>  
**Sent:** Tuesday, April 05, 2022 10:03 AM  
**To:** eComment  
**Subject:** Public Comment on Agenda Item 38: Police Oversight Ad Hoc Committee Informational Report

Council Member City Council,

To: Mayor Sarmiento and the Santa Ana City Council,

In the richest country in human history, we have given the majority of our societal funds and resources to law enforcement/incarceration model. When it came down to it, we had to put our money where our mouth was and prove the investment. There was an investigation.

Where are the results of that investigation?

Sheriff-turned-Councilman Juan Villegas never met with us Mothers of Santa Ana regarding the violence we were going through in Santa Ana during the Trump regime of 2017, yet he rode all the way to the White House on our backs! Where are we at on previous charges as the results of all those FBI investigations Santa Ana? The police brutality charges, domestic terrorism; the list is long! What ever became of the crimes committed in office for decades? Who will answer to the trauma and violence our own police department put our Community through as we defended ourselves in multiple planned attacks against us by white supremacists, as SAPD covered in the corner, while they stood by and watched and laughed.

In this Sanctuary City, We can not move forward until these outstanding issues are resolved.

These are just some of the lingering questions I have which garner my support of a Police Oversight Committee in Santa Ana as a necessity, a requirement. We've been talking about this since the 1960's. It's high time to take action.

We urge the Mayor and City Council to take action on Agenda Item 38. We also urge the Council to direct staff to prepare an ordinance to establish the oversight model to be considered by City Council before the end of the 2021-22 Fiscal Year as well as charter amendments that enshrine police oversight in the city's charter and strengthen its powers.

Thank you,

Jackie

Santa Ana

Jackie Cordova

[jcordova4@msn.com](mailto:jcordova4@msn.com)

1800 N Bristol St #C116

Santa Ana, California 92706

## Orozco, Norma

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**From:** Nathan Taft <nathan@stand.earth>  
**Sent:** Tuesday, April 05, 2022 9:33 AM  
**To:** eComment  
**Subject:** Public Comment on Agenda Item 38: Police Oversight Ad Hoc Committee Informational Report

Council Member City Council,

To: Mayor Sarmiento and the Santa Ana City Council,

We desperately need better oversight of our police in order to protect vulnerable communities.

I believe the City Council Ad Hoc Committee's majority recommendation for a hybrid investigation-focused and auditor/monitor-focused model and the outlined oversight functions provides the infrastructure for a meaningful and effective police oversight model.

One of the core tenets of effective police oversight is independence. The police department is currently the only agency responsible for investigating excessive and deadly force and civilian-complaints against officers. An independent investigative-auditor/monitor model will enable a civilian-led inquiry and findings into deadly use of force and misconduct allegations separate from the police department's investigation and findings. Civilian-led oversight of law enforcement ensures that those who are subject to the power of the police department lend their expertise to shaping it, and empowers residents to correct injustices that they and their neighbors suffer at the hands of police.

In order to be effective, the Board/Commission must not only be independent, but it must also have the authority to receive, investigate, and make findings of fact regarding all incidents and practices of the Police Department.

To ensure the full and prompt implementation of such a model, I urge the Mayor and City Council to take action on Agenda Item 38. I urge the Council to direct staff to prepare an ordinance to establish the oversight model to be considered by City Council before the end of the 2021-22 Fiscal Year as well as charter amendments that enshrine police oversight in the city's charter and strengthen its powers. Several City surveys to residents of Santa Ana have

indicated that police oversight has broad support and the effort to establish a strong oversight model must not be delayed further.

Nathan Taft, Ward 3

Nathan Taft

nathan@stand.earth

1919 Sherry Ln

Santa Ana, California 92705



April 5, 2022

Santa Ana Mayor and City Council  
20 Civic Center Plaza  
Santa Ana, CA 92701  
[ecomment@santa-ana.org](mailto:ecomment@santa-ana.org)

*Via Email*

RE: Agenda Item 38 “Police Oversight Ad Hoc Committee Informational Report”

Dear Mayor and City Council,

I write on behalf of Alianza TransLatinx to express our strong support for a robust Police Oversight model in the City of Santa Ana.

Alianza TransLatinx (ATL) is the very first trans led organization in Orange County addressing the needs of the local transgender community. Since its inception in 2020 ATL has been intentional in creating programs specifically designed and informed by the local transgender community to support other members of the trans community in most need. ATL is based in Santa Ana California and is located at 206 W. Fourth St. Suite 420 in Santa Ana California. The mission of our organization is to protect, defend and advocate for the needs and the rights of the transgender and gender non-conforming (TGNC) Latinx community as well as other marginalized communities. Our vision is to uplift disproportionate TGNC communities of color through education, community empowerment, and social justice so that we can ensure and foster community inclusion and unity.

The core purposes of civilian-led oversight of law enforcement are to increase transparency, ensure accountability for misconduct, and expand public safety. Given the nationwide and local civic engagement for racial justice and the reimagining of the role of police, the City of Santa Ana’s effort to examine police oversight models is an important step forward. Since 2017, Santa Ana community-based organizations have advocated for a police oversight model that is independent of law enforcement, community-led, transparent, fully funded, and empowered with auditing, investigative, and disciplinary authority. We believe the City Council Ad Hoc Committee’s majority recommendation for a hybrid investigation-focused and auditor/monitor-focused model and the outlined oversight functions provide the infrastructure for a meaningful and effective police oversight model. To ensure the full and prompt implementation of such a model, we urge the Mayor and City Council to direct staff to (1) prepare an ordinance to establish the oversight model to be considered by City Council before the end of the 2021-22 Fiscal Year and (2) prepare a Charter amendment to further strengthen the authority of the police oversight Board/ Commission, to be submitted to voters at the November 2022 election.

When high-profile police killings occur locally or nationwide, calls for police accountability and transparency grow louder. In fact, the very origins and advancements of police oversight are rooted in

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<sup>1</sup>Ridge, K. (2022). *Police Oversight Ad Hoc Committee Informational Report*. Santa Ana City Manager’s Office. <https://santa-ana.primegov.com/portal/viewer?id=2579&type=0>

<sup>2</sup> Vitoroulis, Michael, Cameron McElhiney, and Liana Perez. 2021. *The Evolution and Growth of Civilian Oversight: Key Principles and Practices for Effectiveness and Sustainability*. Washington, DC: Office of Community Oriented Policing Services.



civil rights movements' response to excessive and deadly force by law enforcement. **Given the recent high-profile killing of Santa Ana resident Brandon Lopez by Anaheim Police Department officers in September 2021, it is imperative that the City of Santa Ana build an effective police oversight model to help avert future unjustified use of deadly force against civilians, hold police officers accountable for misconduct, and intervene in systemic problems within the Santa Ana Police Department.** An investigative-auditor/monitor model will accomplish these tasks and pave the way to a more holistic approach to public safety for communities that are under-resourced and over-policed.

One of the core tenets of effective police oversight is independence. The police department is currently the only agency responsible for investigating excessive and deadly force and civilian-complaints against officers. An independent investigative-auditor/monitor model will enable a civilian-led inquiry and findings into deadly use of force and misconduct allegations separate from the police department's investigation and findings. By excluding current and former law enforcement from serving on the oversight board and commission, the city will retain the core tenet of independence and thereby ensure public trust in the model. Civilian-led oversight of law enforcement ensures that those who are subject to the power of the police department lend their expertise to shaping it, and empowers residents to correct injustices that they and their neighbors suffer at the hands of police.

As the City Council further discusses police oversight, it must also address the issues of staffing and scope of authority. First, it is imperative that the Police Oversight Commission (Commission) tasked with conducting independent investigations is properly staffed to handle the number and breadth of investigations into civilian complaints, allegations of serious misconduct, and uses of deadly force. **At least one attorney-investigator per fifty officers will enable impartial and thorough investigations; this ratio would amount to eight attorney-investigators for the City of Santa Ana, as it has roughly 380 sworn officers.**

**Moreover, we recommend that attorneys working for the Commission not provide legal advice or representation to any department or function of the City of Santa Ana other than the Commission.** We also recommend that all financial, personnel and administrative functions of all Commission attorneys be under the jurisdiction of the City Manager or Commission Director, and not under the jurisdiction of the City Attorney, as the City Attorney provides counsel to the Santa Ana Police Department. This structure ensures the City has departmental authority over the Police Oversight Board/Commission and the Board/Commission is fully independent from the Police Department and that the City Attorney's office does not encounter any conflicts of interest.

In order to be effective, the Board/Commission must not only be independent, but it must also have the authority to receive, investigate, and make findings of fact regarding all incidents and practices of the Police Department. **Because the Board/Commission cannot rely on the Police Department alone to investigate officer-involved deaths, the Board/Commission must have the authority to respond to the scene of critical incidents, including police uses of deadly force.** Another core component of efficacy is the authority to make binding findings of fact; mere recommendations or advisory opinions

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<sup>2</sup> Vitoroulis, Michael, Cameron McElhiney, and Liana Perez. 2021. *The Evolution and Growth of Civilian Oversight: Key Principles and Practices for Effectiveness and Sustainability*. Washington, DC: Office of Community Oriented Policing Services.



cannot change police behavior. **Absent clear error, Board/Commission’s findings of fact must be binding and accepted by the Police Department and Police Chief.** Clear error only exists when the

Board/Commission’s findings of fact are based upon obvious and indisputable errors and cannot be supported by any reasonable interpretation of the evidence.

We urge the Mayor and City Council to take two actions on Agenda Item 38. First, we urge the Council to direct staff to prepare an ordinance to establish the Police Oversight Board/Commission, with the support of community-based organizations, and consider the ordinance before the end of the 2021-22 Fiscal Year. Several City surveys of Santa Ana residents have shown that police oversight has broad support and the effort to establish a strong oversight model must not be delayed further. If the Council considers and approves an ordinance to establish a Board/Commission model before the end of the Fiscal Year, we can begin an implementation process that can take up to a year or longer. In order for the Board/Commission to have the powers that efficacy requires; the City Charter must be amended. The ordinance that establishes the infrastructure of an effective police oversight body can be written and passed in parallel with the efforts to amend the Charter. To that end, we also recommend that the Council direct staff to prepare a Charter amendment, to be submitted to voters at the November 2022 election, that authorizes the Board to impose discipline upon the Chief of Police and Santa Ana Police Department officers for cause. The Charter amendment should also enshrine a sustainable budget to fully fund the Board/Commission with public safety funds derived from cost-savings measures from the Police Department budget. The consideration of an ordinance and Charter amendment must happen concurrently to ensure police oversight is promptly enacted and that residents of the City of Santa Ana are empowered to remediate and prevent police violence.

Sincerely,  
Khloe Rios-Wyatt  
President/CEO  
Alianza Translating

CC: [VSarmiento@santa-ana.org](mailto:VSarmiento@santa-ana.org)  
[PBacerra@santa-ana.org](mailto:PBacerra@santa-ana.org)  
[TPhan@santa-ana.org](mailto:TPhan@santa-ana.org)  
[DPenaloza@santa-ana.org](mailto:DPenaloza@santa-ana.org)  
[JessieLopez@santa-ana.org](mailto:JessieLopez@santa-ana.org)  
[JRvanHernandez@santa-ana.org](mailto:JRvanHernandez@santa-ana.org)  
[NMendoza@santa-ana.org](mailto:NMendoza@santa-ana.org)

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<sup>1</sup>Ridge, K. (2022). *Police Oversight Ad Hoc Committee Informational Report*. Santa Ana City Manager’s Office. <https://santa-ana.primegov.com/portal/viewer?id=2579&type=0>

<sup>2</sup> Vitoroulis, Michael, Cameron McElhiney, and Liana Perez. 2021. *The Evolution and Growth of Civilian Oversight: Key Principles and Practices for Effectiveness and Sustainability*. Washington, DC: Office of Community Oriented Policing Services.

## Orozco, Norma

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**From:** Karen Hernandez <info@email.actionnetwork.org>  
**Sent:** Monday, April 04, 2022 11:07 PM  
**To:** eComment  
**Subject:** Public Comment on Agenda Item 38: Police Oversight Ad Hoc Committee Informational Report

Council Member City Council,

To: Mayor Sarmiento and the Santa Ana City Council,

I believe the City Council Ad Hoc Committee's majority recommendation for a hybrid investigation-focused and auditor/monitor-focused model and the outlined oversight functions provides the infrastructure for a meaningful and effective police oversight model.

One of the core tenets of effective police oversight is independence. The police department is currently the only agency responsible for investigating excessive and deadly force and civilian-complaints against officers. An independent investigative-auditor/monitor model will enable a civilian-led inquiry and findings into deadly use of force and misconduct allegations separate from the police department's investigation and findings. Civilian-led oversight of law enforcement ensures that those who are subject to the power of the police department lend their expertise to shaping it, and empowers residents to correct injustices that they and their neighbors suffer at the hands of police.

In order to be effective, the Board/Commission must not only be independent, but it must also have the authority to receive, investigate, and make findings of fact regarding all incidents and practices of the Police Department.

To ensure the full and prompt implementation of such a model, I urge the Mayor and City Council to take action on Agenda Item 38. I urge the Council to direct staff to prepare an ordinance to establish the oversight model to be considered by City Council before the end of the 2021-22 Fiscal Year as well as charter amendments that enshrine police oversight in the city's charter and strengthen its powers. Several City surveys to residents of Santa Ana have indicated that police oversight has broad support and the effort to establish a strong oversight model must not be delayed further.

Karen Hernandez  
karenghernandez@gmail.com  
500 E. Pinehurst Ave.  
La Habra, California 90631

## Orozco, Norma

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**From:** Jesus Santana <jesus@resilienceoc.org>  
**Sent:** Monday, April 04, 2022 7:27 PM  
**To:** eComment  
**Subject:** Public Comment on Agenda Item 38: Police Oversight Ad Hoc Committee Informational Report

Council Member City Council,

To: Mayor Sarmiento and the Santa Ana City Council,

I believe the City Council Ad Hoc Committee's majority recommendation for a hybrid investigation-focused and auditor/monitor-focused model and the outlined oversight functions provides the infrastructure for a meaningful and effective police oversight model.

One of the core tenets of effective police oversight is independence. The police department is currently the only agency responsible for investigating excessive and deadly force and civilian-complaints against officers. An independent investigative-auditor/monitor model will enable a civilian-led inquiry and findings into deadly use of force and misconduct allegations separate from the police department's investigation and findings. Civilian-led oversight of law enforcement ensures that those who are subject to the power of the police department lend their expertise to shaping it, and empowers residents to correct injustices that they and their neighbors suffer at the hands of police.

In order to be effective, the Board/Commission must not only be independent, but it must also have the authority to receive, investigate, and make findings of fact regarding all incidents and practices of the Police Department.

To ensure the full and prompt implementation of such a model, I urge the Mayor and City Council to take action on Agenda Item 38. I urge the Council to direct staff to prepare an ordinance to establish the oversight model to be considered by City Council before the end of the 2021-22 Fiscal Year as well as charter amendments that enshrine police oversight in the city's charter and strengthen its powers. Several City surveys to residents of Santa Ana have indicated that police oversight has broad support and the effort to establish a strong oversight model must not be delayed further.

Jesus Santana  
jesus@resilienceoc.org  
2104 W. Dahl Ln  
Santa Ana, California 92704

## Orozco, Norma

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**From:** Alex Cerna <info@email.actionnetwork.org>  
**Sent:** Monday, April 04, 2022 4:49 PM  
**To:** eComment  
**Subject:** Public Comment on Agenda Item 38: Police Oversight Ad Hoc Committee Informational Report

Council Member City Council,

To: Mayor Sarmiento and the Santa Ana City Council,

I believe the City Council Ad Hoc Committee's majority recommendation for a hybrid investigation-focused and auditor/monitor-focused model and the outlined oversight functions provides the infrastructure for a meaningful and effective police oversight model.

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Alex Cerna  
cernagtz@gmail.com  
PO box 28073  
Santa ana, California 92799



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April 1, 2022

Santa Ana Mayor and City Council  
20 Civic Center Plaza  
Santa Ana, CA 92701  
[ecomment@santa-ana.org](mailto:ecomment@santa-ana.org)

*Via Email*

RE: Agenda Item 38 “Police Oversight Ad Hoc Committee Informational Report”

Dear Mayor and City Council,

I write on behalf of Ahri for Justice to express our strong support for a robust Police Oversight model in the City of Santa Ana. Our organization serves low-income individuals and families, undocumented workers, young people, and survivors of domestic violence through our many programs such as civic engagement, youth organizing, and direct legal services.

The core purposes of civilian-led oversight of law enforcement are to increase transparency, ensure accountability for misconduct, and expand public safety. Given the nationwide and local civic engagement for racial justice and the reimagining of the role of police, the City of Santa Ana’s effort to examine police oversight models is an important step forward. Since 2017, Santa Ana community-based organizations have advocated for a police oversight model that is independent of law enforcement, community-led, transparent, fully funded, and empowered with auditing, investigative, and disciplinary authority. We believe the City Council Ad Hoc Committee’s majority recommendation for a hybrid investigation-focused and auditor/monitor-focused model and the outlined oversight functions<sup>1</sup> provide the infrastructure for a meaningful and effective police oversight model. To ensure the full and prompt implementation of such a model, we urge the Mayor and City Council to direct staff to (1) prepare an ordinance to establish the oversight model to be considered by City Council before the end of the 2021-22 Fiscal Year and (2) prepare a Charter amendment to further strengthen the authority of the police oversight Board/ Commission, to be submitted to voters at the November 2022 election.

When high-profile police killings occur locally or nationwide, calls for police accountability and transparency grow louder. In fact, the very origins and advancements of police oversight are

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<sup>1</sup> Ridge, K. (2022). *Police Oversight Ad Hoc Committee Informational Report*. Santa Ana City Manager’s Office. <https://santa-ana.primegov.com/portal/viewer?id=2579&type=0>



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rooted in civil rights movements' response to excessive and deadly force by law enforcement.<sup>2</sup> **Given the recent high-profile killing of Santa Ana resident Brandon Lopez by Anaheim Police Department officers in September 2021, it is imperative that the City of Santa Ana build an effective police oversight model to help avert future unjustified use of deadly force against civilians, hold police officers accountable for misconduct, and intervene in systemic problems within the Santa Ana Police Department.** An investigative-auditor/monitor model will accomplish these tasks and pave the way to a more holistic approach to public safety for communities that are under-resourced and over-policed.

One of the core tenets of effective police oversight is independence. The police department is currently the only agency responsible for investigating excessive and deadly force and civilian-complaints against officers. An independent investigative-auditor/monitor model will enable a civilian-led inquiry and findings into deadly use of force and misconduct allegations separate from the police department's investigation and findings. By excluding current and former law enforcement from serving on the oversight board and commission, the City will retain the core tenet of independence and thereby ensure public trust in the model. Civilian-led oversight of law enforcement ensures that those who are subject to the power of the police department lend their expertise to shaping it, and empowers residents to correct injustices that they and their neighbors suffer at the hands of police.

As the City Council further discusses police oversight, it must also address the issues of staffing and scope of authority. First, it is imperative that the Police Oversight Commission (Commission) tasked with conducting independent investigations is properly staffed to handle the number and breadth of investigations into civilian complaints, allegations of serious misconduct, and uses of deadly force. **At least one attorney-investigator per fifty officers will enable impartial and thorough investigations; this ratio would amount to eight attorney-investigators for the City of Santa Ana, as it has roughly 380 sworn officers.**

**Moreover, we recommend that attorneys working for the Commission not provide legal advice or representation to any department or function of the City of Santa Ana other than the Commission.** We also recommend that all financial, personnel and administrative functions of all Commission attorneys be under the jurisdiction of the City Manager or Commission Director, and not under the jurisdiction of the City Attorney, as the City Attorney provides counsel to the Santa Ana Police Department. This structure ensures the City has departmental authority over the Police Oversight Board/Commission and the Board/Commission is fully

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<sup>2</sup> Vitoroulis, Michael, Cameron McElhiney, and Liana Perez. 2021. The Evolution and Growth of Civilian Oversight: Key Principles and Practices for Effectiveness and Sustainability. Washington, DC: Office of Community Oriented Policing Services.



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independent from the Police Department and that the City Attorney's office does not encounter any conflicts of interest.

In order to be effective, the Board/Commission must not only be independent, but it must also have the authority to receive, investigate, and make findings of fact regarding all incidents and practices of the Police Department. **Because the Board/Commission cannot rely on the Police Department alone to investigate officer-involved deaths, the Board/Commission must have the authority to respond to the scene of critical incidents, including police uses of deadly force.** Another core component of efficacy is the authority to make binding findings of fact; mere recommendations or advisory opinions cannot change police behavior. **Absent clear error, Board/Commission's findings of fact must be binding and accepted by the Police Department and Police Chief.** Clear error only exists when the Board/Commission's findings of fact are based upon obvious and indisputable errors and cannot be supported by any reasonable interpretation of the evidence.

We urge the Mayor and City Council to take two actions on Agenda Item 38. First, we urge the Council to direct staff to prepare an ordinance to establish the Police Oversight Board/Commission, with the support of community-based organizations, and consider the ordinance before the end of the 2021-22 Fiscal Year. Several City surveys of Santa Ana residents have shown that police oversight has broad support and the effort to establish a strong oversight model must not be delayed further. If the Council considers and approves an ordinance to establish a Board/Commission model before the end of the Fiscal Year, we can begin an implementation process that can take up to a year or longer. In order for the Board/Commission to have the powers that efficacy requires, the City Charter must be amended. The ordinance that establishes the infrastructure of an effective police oversight body can be written and passed in parallel with the efforts to amend the Charter. To that end, we also recommend that the Council direct staff to prepare a Charter amendment, to be submitted to voters at the November 2022 election, that authorizes the Board to impose discipline upon the Chief of Police and Santa Ana Police Department officers for cause. The Charter amendment should also enshrine a sustainable budget to fully fund the Board/Commission with public safety funds derived from cost-savings measures from the Police Department budget. The consideration of an ordinance and Charter amendment must happen concurrently to ensure police oversight is promptly enacted and that residents of the City of Santa Ana are empowered to remediate and prevent police violence.

Sincerely,  
Susan Cheng  
Organizing Director



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Ahri For Justice

CC: [VSarmiento@santa-ana.org](mailto:VSarmiento@santa-ana.org)  
[PBacerra@santa-ana.org](mailto:PBacerra@santa-ana.org)  
[TPhan@santa-ana.org](mailto:TPhan@santa-ana.org)  
[DPenalozasanta-ana.org](mailto:DPenalozasanta-ana.org)  
[JessieLopez@santa-ana.org](mailto:JessieLopez@santa-ana.org)  
[JRyanHernandez@santa-ana.org](mailto:JRyanHernandez@santa-ana.org)  
[NMendoza@santa-ana.org](mailto:NMendoza@santa-ana.org)

## Orozco, Norma

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**From:** Marcial Rios <info@email.actionnetwork.org>  
**Sent:** Saturday, April 02, 2022 11:33 PM  
**To:** eComment  
**Subject:** Public Comment on Agenda Item 38: Police Oversight Ad Hoc Committee Informational Report

Council Member City Council,

To: Mayor Sarmiento and the Santa Ana City Council,

I believe the City Council Ad Hoc Committee's majority recommendation for a hybrid investigation-focused and auditor/monitor-focused model and the outlined oversight functions provides the infrastructure for a meaningful and effective police oversight model.

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Marcial Rios  
marcialrios@hotmail.com  
914 e Myrtle st  
Santa Ana , California 92701

## Orozco, Norma

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**From:** Marybel Rios <info@email.actionnetwork.org>  
**Sent:** Saturday, April 02, 2022 9:42 PM  
**To:** eComment  
**Subject:** Public Comment on Agenda Item 38: Police Oversight Ad Hoc Committee Informational Report

Council Member City Council,

To: Mayor Sarmiento and the Santa Ana City Council,

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Marybel Rios  
mvrios37@gmail.com  
2015 N Linwood Ave  
Santa Ana, California 92705

## Orozco, Norma

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**From:** Maria Rios <info@email.actionnetwork.org>  
**Sent:** Saturday, April 02, 2022 9:32 PM  
**To:** eComment  
**Subject:** Public Comment on Agenda Item 38: Police Oversight Ad Hoc Committee Informational Report

Council Member City Council,

To: Mayor Sarmiento and the Santa Ana City Council,

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Maria Rios  
titade8rios@gmail.com  
914 E. Myrtle St.  
Santa Ana, California 92705

## Orozco, Norma

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**From:** Felipe Rios <info@email.actionnetwork.org>  
**Sent:** Saturday, April 02, 2022 9:31 PM  
**To:** eComment  
**Subject:** Public Comment on Agenda Item 38: Police Oversight Ad Hoc Committee Informational Report

Council Member City Council,

To: Mayor Sarmiento and the Santa Ana City Council,

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Felipe Rios  
felipe.rios.soria@gmail.com  
914 E. Myrtle St.  
Santa Ana, California 92705

## Orozco, Norma

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**From:** Roque Rios <info@email.actionnetwork.org>  
**Sent:** Saturday, April 02, 2022 9:30 PM  
**To:** eComment  
**Subject:** Public Comment on Agenda Item 38: Police Oversight Ad Hoc Committee Informational Report

Council Member City Council,

To: Mayor Sarmiento and the Santa Ana City Council,

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Roque Rios  
rios.roque@gmail.com  
914 E. Myrtle St.  
Santa Ana, California 92705

## Orozco, Norma

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**From:** Flor Barajas <info@email.actionnetwork.org>  
**Sent:** Saturday, April 02, 2022 8:46 AM  
**To:** eComment  
**Subject:** Public Comment on Agenda Item 38: Police Oversight Ad Hoc Committee Informational Report

Council Member City Council,

To: Mayor Sarmiento and the Santa Ana City Council,

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Flor Barajas

fbtena@gmail.com

2015 valencia

Santa Ana , California 92706

## Orozco, Norma

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**From:** Roxzel Soto <info@email.actionnetwork.org>  
**Sent:** Saturday, April 02, 2022 7:55 AM  
**To:** eComment  
**Subject:** Public Comment on Agenda Item 38: Police Oversight Ad Hoc Committee Informational Report

Council Member City Council,

To: Mayor Sarmiento and the Santa Ana City Council,

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Roxzel Soto  
roxzelsoto@gmail.com  
2114 peachwood lane  
Santa Ana, California 92705

## Orozco, Norma

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**From:** Greg C <info@email.actionnetwork.org>  
**Sent:** Friday, April 01, 2022 9:20 PM  
**To:** eComment  
**Subject:** Public Comment on Agenda Item 38: Police Oversight Ad Hoc Committee Informational Report

Council Member City Council,

To: Mayor Sarmiento and the Santa Ana City Council,

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Greg C  
gac37@hotmail.com  
811 N Main  
Santa Ana, California 92701

## Orozco, Norma

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**From:** Bryan Zamudio <info@email.actionnetwork.org>  
**Sent:** Friday, April 01, 2022 7:45 PM  
**To:** eComment  
**Subject:** Public Comment on Agenda Item 38: Police Oversight Ad Hoc Committee Informational Report

Council Member City Council,

To: Mayor Sarmiento and the Santa Ana City Council,

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Bryan Zamudio  
bryanzamudio11@gmail.com  
1666 N Main St  
Santa Ana , California 92701

## Orozco, Norma

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**From:** Tanya Navarro <info@email.actionnetwork.org>  
**Sent:** Friday, April 01, 2022 6:24 PM  
**To:** eComment  
**Subject:** Public Comment on Agenda Item 38: Police Oversight Ad Hoc Committee Informational Report

Council Member City Council,

To: Mayor Sarmiento and the Santa Ana City Council,

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Tanya Navarro  
tinytanya7@yahoo.com  
1345 s broadway  
Santa Ana, California 92707

## Orozco, Norma

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**From:** Thomas Hunt-Gibbon <info@email.actionnetwork.org>  
**Sent:** Friday, April 01, 2022 6:24 PM  
**To:** eComment  
**Subject:** Public Comment on Agenda Item 38: Police Oversight Ad Hoc Committee Informational Report

Council Member City Council,

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Thomas Hunt-Gibbon  
thg0320@gmail.com  
1361 El Camino Real  
Tustin, California 92780

## Orozco, Norma

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**From:** Carlos Zamudio <info@email.actionnetwork.org>  
**Sent:** Friday, April 01, 2022 5:07 PM  
**To:** eComment  
**Subject:** Public Comment on Agenda Item 38: Police Oversight Ad Hoc Committee Informational Report

Council Member City Council,

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One of the core tenets of effective police oversight is independence. The police department is currently the only agency responsible for investigating excessive and deadly force and civilian-complaints against officers. An independent investigative-auditor/monitor model will enable a civilian-led inquiry and findings into deadly use of force and misconduct allegations separate from the police department's investigation and findings. Civilian-led oversight of law enforcement ensures that those who are subject to the power of the police department lend their expertise to shaping it, and empowers residents to correct injustices that they and their neighbors suffer at the hands of police.

In order to be effective, the Board/Commission must not only be independent, but it must also have the authority to receive, investigate, and make findings of fact regarding all incidents and practices of the Police Department.

To ensure the full and prompt implementation of such a model, I urge the Mayor and City Council to take action on Agenda Item 38. I urge the Council to direct staff to prepare an ordinance to establish the oversight model to be considered by City Council before the end of the 2021-22 Fiscal Year as well as charter amendments that enshrine police oversight in the city's charter and strengthen its powers. Several City surveys to residents of Santa Ana have indicated that police oversight has broad support and the effort to establish a strong oversight model must not be delayed further.

Carlos Zamudio  
zamudiiii@gmail.com  
2614 west Orion Avenue  
Santa Ana , California 92704

## Orozco, Norma

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**From:** Hector Bustos <info@email.actionnetwork.org>  
**Sent:** Friday, April 01, 2022 5:00 PM  
**To:** eComment  
**Subject:** Public Comment on Agenda Item 38: Police Oversight Ad Hoc Committee Informational Report

Council Member City Council,

To: Mayor Sarmiento and the Santa Ana City Council,

I believe the City Council Ad Hoc Committee's majority recommendation for a hybrid investigation-focused and auditor/monitor-focused model and the outlined oversight functions provides the infrastructure for a meaningful and effective police oversight model.

One of the core tenets of effective police oversight is independence. The police department is currently the only agency responsible for investigating excessive and deadly force and civilian-complaints against officers. An independent investigative-auditor/monitor model will enable a civilian-led inquiry and findings into deadly use of force and misconduct allegations separate from the police department's investigation and findings. Civilian-led oversight of law enforcement ensures that those who are subject to the power of the police department lend their expertise to shaping it, and empowers residents to correct injustices that they and their neighbors suffer at the hands of police.

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Hector Bustos  
hmbustos9@gmail.com  
3502 S Olive St  
Santa Ana, California 92707

## Orozco, Norma

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**From:** Ariel Frias <ariel\_p\_frias@ymail.com>  
**Sent:** Friday, April 01, 2022 4:51 PM  
**To:** eComment  
**Subject:** Public Comment on Agenda Item 38: Police Oversight Ad Hoc Committee Informational Report

Council Member City Council,

To: Mayor Sarmiento and the Santa Ana City Council,

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Ariel Frias

ariel\_p\_frias@ymail.com

426 W 16th St

Santa Ana, California CA

## Orozco, Norma

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**From:** Penelope Lopez <info@email.actionnetwork.org>  
**Sent:** Friday, April 01, 2022 4:46 PM  
**To:** eComment  
**Subject:** Public Comment on Agenda Item 38: Police Oversight Ad Hoc Committee Informational Report

Council Member City Council,

To: Mayor Sarmiento and the Santa Ana City Council,

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Penelope Lopez  
lopezpenelope38@gmail.com  
410 S Falcon St  
Anaheim, California 92804