



City Manager
707-822-5953

Environmental Services
707-822-8184

Police
707-822-2428

Recreation
707-822-7091

Community Development
707-822-5955

Finance
707-822-5951

Engineering
707-825-2128

Transportation
707-822-3775

October 1, 2020

Honorable Joyce Hinrichs, Presiding Judge
Humboldt County Superior Court
825 Fifth Street
Eureka, CA 95501

Electronic Transmission via Email to:

grandjury@co.humboldt.ca.us
gelvinekreis@humboldtcourt.ca.gov
debrar@humboldtcourt.ca.gov
kimb@humboldtcourt.ca.gov

Please find below the City of Arcata City Manager's requested response to the Humboldt County Civil Grand Jury's report A COMMUNITY DIVIDED, The Ripples of a Homicide in Arcata, CA. The requested response is from the City Manager.

FINDINGS

F9. The City of Arcata police officers lacked effective leadership and received insufficient training during the later tenure of Chief Chapman. (R1, R4)

City Manager Response to F9: This finding is the subject of pending litigation in which the City, Arcata Police Department, and several City employees have been named as Defendants. The lawsuits [Lawson v. City of Arcata, et al, N.D. Case No. 4:18-cv-07238-TGR and Zoellner v. City of Arcata, et al, N.D. Case No. 3:18-cv-04471] concern the same homicide investigation that the Humboldt County Civil Grand Jury investigated. The lawsuits will resolve many of the issues investigated by the Humboldt County Civil Grand Jury, and the lawsuits are the appropriate legal vehicle for such a response. The respondent appreciates the hard work of the Humboldt County Civil Grand Jury on this matter. On advice of legal counsel for the pending lawsuits, respondent cannot respond to this finding.

F10. A retired FBI agent provided pro bono investigative consultation to the City of Arcata and Arcata Police Department. The Civil Grand Jury independently evaluated the agent's public assessments that the APD had poor management, lack of training, inadequate staffing and demonstrated a lack of transparency. We found these conclusions to be accurate.

City Manager Response to F10: This finding is the subject of pending litigation in which the City, Arcata Police Department, and several City employees have been named as Defendants. The lawsuits [Lawson v. City of Arcata, et al, N.D. Case No. 4:18-cv-07238-TGR and Zoellner v. City of Arcata, et al, N.D. Case No. 3:18-cv-04471] concern the same homicide investigation that the Humboldt County Civil Grand Jury investigated. The lawsuits will resolve many of the issues investigated by the Humboldt County Civil Grand Jury, and the lawsuits are the appropriate legal vehicle for such a response. The respondent appreciates the hard work of the Humboldt County Civil Grand Jury on this matter. On advice of legal counsel for the pending lawsuits, respondent cannot respond to this finding.

F11. The current Arcata Chief of Police is focusing on strengthening community relationships, substantially increasing training, and diversifying the pool of officers and staff. He has also begun community policing and leadership development as part of the nationwide effort to reform policing. (R2, R3, R6, R7)

City Manager Response to F11: The respondent agrees with the finding.

RECOMMENDATIONS

R1. The Humboldt County Civil Grand Jury recommends the City of Arcata ensure sufficient funds are available to APD to continue training and maintain critical core staff such as evidence technicians. (F3, F5, F9, F12)

City Manager Response to R1: This recommendation has been implemented. Even during the most significant economic crises the City has faced in the past 20 years, the Evidence Technician position has been retained. Public Safety is funded 95%+ from General Fund taxes and revenues. When the City is in periods of declining sales and hotel taxes there are not alternate funding sources to ensure prior year funding levels.

R2. The Humboldt County Civil Grand Jury recommends the City of Arcata and Arcata Police Department, even in the case of economic downturns and budgetary constraints, to continue pursuing Cultural and Bias Education, Diversification of Staff and Community Engagement. (F11)

City Manager Response to R2: The respondent agrees with this recommendation and it has been implemented. Work on racial equity in Arcata began (in formal ways) in 2016 and through the formation of equity arcata in 2017. Details of trainings attended by the Police Department are listed in the Police Chief's response. Full City staff trainings have included the four dimensions of racism and micro aggressions.

R3. The Humboldt County Civil Grand Jury recommends the City of Arcata and Arcata Police Department should engage in community outreach by creating brief biographies for law enforcement officers, on their website. (F11)

City Manager Response to R3: This recommendation is not warranted, reasonable or supported by the respondent and will not be recommended for implementation. Arcata Police Department is committed to community policing. This form of policing brings officers working side-by-side with community members at special clean up days, in classrooms, and community events and neighborhood meetings. In these settings I have often seen officers share professional and personal stories with the community. The decisions to share personal aspects of their life must remain a choice for all city employees including police officers. The City is actively engaged in process to identify improved ways to connect with the community we serve, however the City also has a responsibility to ensure the safety of all of our personnel and I believe this recommendation could work counter to that responsibility.

I would like to acknowledge that the pending litigation that concerns the same homicide investigation that was reviewed by the Civil Grand Jury in this investigation made participation in this process challenging. I acknowledge the importance of continuing to seek justice for David Josiah Lawson and appreciate the work of the Humboldt County Civil Grand Jury.

Sincerely,



Karen Diemer, City Manager
City of Arcata