

DOCUMENTS IN THIS PACKET INCLUDE:

LETTERS FROM CITIZENS TO THE  
MAYOR OR CITY COUNCIL

RESPONSES FROM STAFF TO LETTERS FROM CITIZENS

ITEMS FROM MAYOR AND COUNCIL MEMBERS

ITEMS FROM OTHER COMMITTEES AND AGENCIES

ITEMS FROM CITY, COUNTY, STATE, AND REGIONAL AGENCIES



**1/23/12**

**SET 1**

Note: Documents for every category may not have been received for packet reproduction in a given week.

CITY OF PALO ALTO, CA  
CITY CLERK'S OFFICE

12 JAN 18 AM 10:07

January 12, 2012

Mayor Yeh  
City Council Members  
Palo Alto City Hall  
250 Hamilton Avenue  
Palo Alto, CA 94301

Dear Mayor Yeh and City Council Members,

As long-standing residents of the City of Palo Alto, this is to express concern over the possible changes to the Palo Alto Golf Course.


Palo Alto has so much to offer its residents and therefore it is a most desirable place to live. One of the city's assets is the golf course. It is understood that there are necessary changes that need to be made to the course due to the reconstruction of the San Francisquito Creek. However, it is very concerning to hear our present city council discuss possible major changes to the golf course that may include reducing it to nine holes to build additional soccer fields or even eliminating it completely.

Five members of our immediate family are Palo Alto residents and four are members of the golf clubs and play regularly at the course. Our clubs are very active and do much to support the course, the driving range and pro shop. The course also has an active junior community. It is a game for all age groups and can be played well into our senior years. In addition it is a pay to play sport unlike tennis, soccer and baseball. Not only is the course supported by the Palo Alto golfing community, it is also supported by our neighboring communities who contribute important green fee and tournament revenue. Our city should continue to encourage non-resident support as it does with all other local businesses.

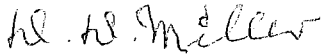
Should the decision be made to reduce the course to nine holes to use the land for additional soccer fields, it would no longer be competitive for our clubs, tournaments and the golfing community. Many of the current soccer fields in Palo Alto are not used much of the time and therefore building additional fields does not appear to be necessary. In contrast, the golf course is used seven days a week from sun up to sun down. It also should be noted that a member of our family, signing below, served on the Golf Course Corporation Committee and approved the swap of golf course land to save the Winter Club skating rink. Use of that land was an important decision and saved the sport of skating for the city.

A decision to reduce the course to nine holes and not maintain it, or possibly eliminate it, would negatively impact the golfing community.

Sincerely yours,

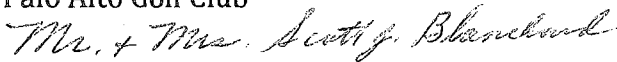


Bonnie C. Miller  
Women's Golf Club

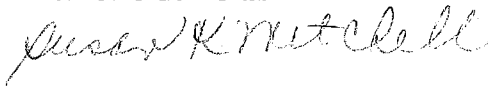


Donald D. Miller  
Senior Men's Golf Club

Mr. and Mrs. Scott J. Blanchard  
Palo Alto Golf Club



Susan K. Mitchell  
Women's Golf Club



**Minor, Beth**

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**From:** Anderson, Jennifer [AndersJ@pamf.org]  
**Sent:** Wednesday, January 11, 2012 12:44 PM  
**To:** Council, City

Dear Council Members:

We are writing to ask for your help in a matter that is very concerning to us, as well as the other people in our condominium complex (The Hamlet on El Camino Way).

We live in the building across the street - a very small street - from the former Dan Brown's bar (4141 El Camino Real). It is certainly an eyesore of a building, but that is not the problem. The problem is that prior to it's closing a little over a year ago, it was operating as a night club until 2am every night. Imagine your across the street neighbor, on a tiny two lane street, being a night club.

We spent countless nights not only listening to a d.j. play loud music until 2am, but then listening to drunk people pour out into the street, yelling and sometimes fighting. There were several occasions when we had to call the police because of assaults we witnessed FROM OUR BEDROOMS! And even when they weren't fighting, they were hanging out on the sidewalk, smoking and having extremely loud conversations - as intoxicated people tend to do. As this building has absolutely no parking lot of it's own, the patrons parked on the sidewalk directly under our bedroom windows. So, aside from being disturbed by the loud, obnoxious music and patrons on a daily basis, we got to witness people drinking and driving down our street all the time. The entire situation was absolutely horrible and nothing that any resident of this city should have to endure. This building, now, while it is VACANT, should be rezoned. It should not allow ANY business to operate past 10pm, considering it's proximity to the bedrooms of the residents of The Hamlet. None of the other businesses in the area operate late into the evening.

The day that bar closed down was one we celebrated. Unfortunately, we recently received notice that someone has applied for a liquor license to operate a "lounge" until 2am again in that building. Many of the residents of our complex sent protests to the ABC in San Jose. However, we don't want to assume that this will work. We ask that you put yourself in our position and imagine how you would feel living in such a situation. Please do not allow this to happen. Additionally, there is a tutoring center for children in the building next door to them, and I worry about what they will be exposed to in the early evening hours as they are coming and going.

We have seen many articles recently about other local cities fighting the kinds of activities that bars bring into their neighborhoods. There is no doubt in my mind that the SAME business in the SAME location is going to draw the SAME crowd that we were exposed to in the past. It is certainly not a crowd ANYONE would want near their home on a daily basis. We can only hope that this movement extends to our city. We believe that the residents of Palo Alto deserve it.

Please help!

Thank you

17

COUNCIL MEETING

1-17-12

Placed Before Meeting

Received at Meeting

Office of the City Council  
M E M O R A N D U M

TO: City Council Members

FROM: Ronna Gonsalves, Deputy City Clerk

DATE: January 17, 2012

SUBJECT: Applicant Interview Cancellation

Ivan Kisyov, Architectural Review Board Applicant, informed me late this afternoon that he is out of town and will not participate in the interviews this evening. I am working with him to determine if he will withdraw his application or not. I will let you know what his decision is as soon as I hear from him.

Thanks!

**Minor, Beth**CITY OF PALO ALTO, CA  
CITY CLERK'S OFFICE

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**From:** Gonsalves, Ronna  
**Sent:** Wednesday, January 11, 2012 3:28 PM  
**To:** Council, City  
**Cc:** Grider, Donna; Fong, Valerie; Gonsalves, Ronna; Bill Berry  
**Subject:** Resignation of a UAC Commissioner  
**Attachments:** Bill Berry's Resignation Letter.pdf

12 JAN 17 AM 8:30

**Council Members,**

Bill Berry, Commissioner on the Utilities Advisory Commission, is relocating out of the state. As such he has submitted his resignation effective immediately. I have attached his letter for your reference. I will open a new recruitment next week for this position. Please let me know if you have any questions. As always, if you know anyone that would be interested in applying please let me know.

Thanks!

Ronna Jojola Gonsalves  
Deputy City Clerk | City of Palo Alto  
250 Hamilton Avenue | Palo Alto, CA 94301  
650-329-2267 | [ronna.gonsalves@cityofpaloalto.org](mailto:ronna.gonsalves@cityofpaloalto.org) | [www.cityofpaloalto.org/clerk](http://www.cityofpaloalto.org/clerk)

1300 OAK CREEK DR APT 319 PALO ALTO, CA 94304

TEL 650-523-4955

EMAIL wtberry@gmail.com

# BILL BERRY

January 6, 2012

Honorable Council Members  
City of Palo Alto  
250 Hamilton Avenue  
Palo Alto, CA 94301

Dear Council Members:

I have accepted an employment offer for a position that requires my relocation to the Tacoma, Washington area. As a result, I am resigning from the Utilities Advisory Commission, effective immediately.

I would like to thank all of you for the great opportunity to serve, and for the trust you had in me to act as an advisor on Utilities matters. I thoroughly enjoyed my role as a Commissioner including the opportunity to engage with my fellow Commissioners and Utilities Staff regarding important strategic issues facing the utility and Palo Alto.

I have tremendous respect for my fellow Commissioners and appreciate the courtesies they have shown me. I know that they will continue to advise you well.

Sincerely,



Bill Berry

cc: Utilities Advisory Commissioners

Chairman Jon Foster  
James Cook  
Steve Eglash  
Marilyn Keller  
John Melton  
Asher Waldfogel  
Donna Grider  
Valerie Fong  
Jane Ratchye

Minor, Beth

CITY OF PALO ALTO, CA  
CITY CLERK'S OFFICE Placed Before Meeting  
 Received at Meeting

From: Tucker, Sheila  
 Sent: Tuesday, January 17, 2012 4:47 PM  
 To: Council Agenda Email; Council, City  
 Cc: Stump, Molly; Keene, James; Emslie, Steve; Antil, Pamela; Sartor, Mike; Grider, Donna; Minor, Beth; Fehrenbach, Thomas; Hackmann, Richard  
 Subject: Item 3: Infrastructure Blue Ribbon Commission Report

12 JAN 17 PM 4:54

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Mayor and Council Members:

On behalf of City Manager Keene, please see staff's response below to questions that have been raised by Councilmember Shepherd regarding tonight's Council Agenda, *Item #3: Infrastructure Blue Ribbon Commission (IBRC) Report, Acknowledgment of IBRC for Outstanding Work, and Discussion of Potential Next Steps.*

Sheila Tucker  
 Assistant to City Manager  
 City of Palo Alto, CA  
 Office: (650) 329-2452  
 Cell: (408) 313-6219

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From: Bobel, Phil  
 Sent: Tuesday, January 17, 2012 2:44 PM  
 To: Sartor, Mike; Ames, Elizabeth; Tucker, Sheila  
 Cc: Raymond Bacchetti; leland.levy@wellsfargoadvisors.com; Emslie, Steve; Perez, Lalo; Tucker, Sheila  
 Subject: Response/ Advanced questions from Councilmember Shepherd for tonight's meeting  
 Importance: High

Below are responses to Councilmember Shepherd's questions:

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-----Original Message-----

From: Nancy Shepherd [mailto:nlshep@pacbell.net]  
 Sent: Monday, January 16, 2012 3:01 PM  
 To: Keene, James; Emslie, Steve  
 Subject: IBRC

Hi Steve and Jim,

I'm returning from Florida on Tuesday so I'm asking a few questions regarding our meeting now:

Pg 17, what is meant by the term "advanced health care"?

**Staff Response:** Staff will ask the co-chairs to define the term during their presentation to Council this evening.

Overall, was there a consideration by the IBRC for ongoing staffing of the IMS, and if so what would those costs be, ie how many FTE's?

1/17/2012

**Staff Response:** The IBRC did discuss the need for additional staff, but did not attempt to quantify the FTE need. City staff can investigate options for an IMS data system without additional staff, but there would be a need for Consultant time and/or additional Staff time to implement it. Exploring this staffing need will be part of the process as staff considers optional approaches to an IMS data system.

Can staff provide some recent examples of "pop up" infrastructure items. I assume Pardee Park trees would be one recent example, can u produce a few more.

**Staff Response:** Examples of projects added to the CIP Program without having been on a pervious 5-year Plan ("pop-ups") include the Magical Bridge (children's playground), emergency repairs resulting from a vehicle accident, and the Newell Bridge re-build project which was triggered by newly available grant money. Page 65 of the link below has a summary of pop-ups staff included during the FY 2011 CIP year-end report.

<http://www.cityofpaloalto.org/civica/filebank/blobdload.asp?BlobID=29669>. Public Works and the Administrative Services Department staff started reviewing demos of Technology Systems that could address our Infrastructure Management needs, but it is too early to provide specifics. Staff will continue to evaluate systems to generate a scope of service and then issue an RFP to acquire a system.

Page 33: why \$548k for libraries? We are just rebuilding all our sites, why more \$\$?

**Staff Response:** \$500 K in projects was moved from the "catch-up" category to the "keep-up" category, but the report had already gone to press at that time. The "catch-up" number for libraries now in the data system supporting the Report is \$ 48K. The difference between the Report and the supporting data system is noted in footnote "e" on p.31, so that this difference is documented.

Please provide lease terms for the DC at \$400k/ year and Elwell Ct at \$875k/yr. I'd like to understand exit timing if we decide to make a move here.

**Staff Response:** The Elwell court lease expires 8/31/2013 and has no early termination clause. Development Center 1st floor expires January 31, 2014 and has no early termination clause. Development Center 2nd Floor expires November 30, 2014 with a one year early termination clause effective November 30, 2013.

Thank you. I am happy to take some of these as answers in the presentation.

Nancy Shepherd

Sent from my iPad

1-7-12

3

Minor, Beth

Placed Before Meeting

Received at Meeting

CITY OF PALO ALTO, CA  
CITY CLERK'S OFFICE

**From:** wushujia [wushujia@earthlink.net]  
**Sent:** Monday, January 16, 2012 9:56 PM  
**To:** Council, City  
**Subject:** Table the IRBC Cubberley recommendation

12 JAN 17 AM 8:21

Please do not approve or act on the IRBC recommendation for Cubberley. Allow the school district to complete its planning process.

Thank you.

Sincerely,  
Marie Anthony  
Palo Alto resident since 1965

1-17-12 Placed Before Meeting Received at Meeting

3

CITY OF PALO ALTO  
MEMORANDUM FROM THE MAYOR

DATE: January 12, 2012  
TO: City Council Members  
FROM: Mayor Yeh *Yeh*  
SUBJECT: Infrastructure Blue Ribbon Commission Report Review

With 2012 as the Year of Infrastructure Investment and Renewal, I write to colleagues to outline a review process of the Infrastructure Blue Ribbon Commission's (IBRC) report. This process will enable us to discuss and take action on the report's findings and recommendations as effectively and efficiently as possible.

I have had discussions with the IBRC Co-Chairs and the City Manager, and would recommend that colleagues plan for review of the IBRC report – initially – over two meetings: (1) the Special January 17<sup>th</sup> City Council meeting and (2) our January 21<sup>st</sup> City Council retreat.

**January 17<sup>th</sup> City Council Meeting**

This first meeting will be an opportunity for the IBRC to present its report to the public and City Council. Questions from the City Council should be directed to IBRC members. Discussion should take advantage of the presence of all members of the IBRC, including leadership and working group chairs.

The IBRC's presentation will cover the report and be broken out according to the following topics. Following the presentation, City Council questions and discussion will be taken by subject area as outlined below:

1. Background
2. Deferred and On-going Maintenance
  - Catch-up
  - Keep-up
3. Public Safety
4. Consultant Study: Municipal Services Center/Animal Services Center/Embarcadero Corridor
5. Infrastructure Management and Accountability
  - Management System
  - Oversight and Policies
    - Centralization of Staff Management Responsibility
    - Council-appointed Commission
    - Dedicated Funding for Infrastructure
6. Finance
7. The Future

The Special Council meeting on January 17<sup>th</sup> will allow time for Council questions and comments. The item is listed as an Action Item, so the Council can conceivably take some

action, but given the depth and thoroughness of the report, the Council and the public will need time to discuss the report. For that reason, I am recommending that we carry further discussion of the IBRC report into our January 21<sup>st</sup> Council retreat (see below).

Following the presentation and discussion with the IBRC, the City Council must discharge the IBRC from its official role. With members attending literally hundreds of meetings and thousands of hours over the course of 13 months, the evening will also be a time to celebrate and acknowledge the tremendous service of all of the IBRC members and staff who supported their efforts.

### **January 21<sup>st</sup> City Council Retreat**

While our annual Council Retreat is typically focused on setting of Council Priorities, it is my recommendation that we rollover our current five priorities and maintain them through 2012. We have also asked the City Manager to add a few more retreat-like meetings throughout the year for strategic issue discussions by the Council, outside of the typical Council meeting setting. The Vice-Mayor and I met with the City Manager to discuss how we might discuss those new meetings and potential topics at our retreat on January 21<sup>st</sup> also. Our initial thought was to reserve some time at the retreat to discuss those potential topics with Council.

It quickly became clear, however, that our first strategic discussion needed to be the subject of infrastructure and the IBRC's report and recommendations. This was especially clear given the very tight timeframe Council has to put any kind of measure before the voters in November 2012. Further, given the range of issues included within the IBRC report, the need for public discussion and transparency, and the choices and implementation decisions the Council will need to make, we must begin working through the IBRC report right away. Thus, I recommend we devote the majority of our time at the retreat to begin our work in response to the IBRC report.

At the same time, we should consider whether we can add subsequent retreat subjects to our plate, or whether we should plan on a series of Saturday retreats beyond our January 21<sup>st</sup> meeting, devoted solely to infrastructure. Please think of the value such meetings could have as we operate under a tight timeline. If we want a 2012 ballot measure of any kind, we must place such a measure on the ballot by the end of July 2012. Further, I think we will need time and multiple opportunities for Council deliberation.

While we can spend time at the retreat identifying other important topics, I suggest we plan on reserving any other retreat meeting time through July for the infrastructure issue. We have other important initiatives underway during that same time frame, placing time and resource demands on Council Members and staff:

- The Housing Committee will be launched, addressing issues and strategy related to the RHNA Housing number process and the regional Sustainable Communities Strategy.
- The Cubberley Committees we agreed to last fall will require extensive work by the City, School District, and the community throughout 2012.
- During the first half of this year, staff and Finance Committee and later the full Council will be consumed with work on the FY 2013 Budget.

A series of retreat meetings planned for infrastructure through the winter/spring could provide Council important planning time. Such meetings also will allow referral of special issues to

Council standing committees or other venues as needed, while keeping the public informed and involved.

Lastly, in light of the IBRC report recommendations regarding Cubberley, I think we should clarify that the City Council has already established a process to work with the School District throughout 2012, with Council/School District discussion on the lease renewal and covenant-not-to-develop taking place in 2013.

With due thanks to our friends on the IBRC, we need to acknowledge that their recommendations on Cubberley need to be reconciled with adopted Council direction. It is the Council's responsibility to review and consider IBRC report recommendations along with other considerations and policy objectives in the City. This reality in no way undermines the value and importance and relevance of the IBRC report.

In summary, for our January 21<sup>st</sup> retreat, I propose the following:

- City Council rollover our existing five Council priorities to kickoff the Council retreat.
- Develop a potential schedule for the first half of 2012 that establishes a series of retreats to help steer the discussion and implementation decisions needed following the IBRC report.
- Alternatively, spend time discussing other topics for a series of Quarterly Strategic Planning meetings for the remainder of 2012 that will fit under the five Council priorities. (If we were to do this, I would recommend limiting our discussion to one hour).
- Use the remaining and the major portion of our time at our City Council retreat to begin our work on the IBRC report and the solving of our infrastructure problems.

Cc: IBRC Commission Members

City Manager

City Attorney

City Auditor

City Clerk

Minor, Beth

CITY OF PALO ALTO, CA  
CITY CLERK'S OFFICE

**From:** Grider, Donna  
**Sent:** Thursday, January 12, 2012 5:17 PM  
**To:** Council, City; Shepherd, Nancy  
**Cc:** Executive Leadership Team; ORG - Clerk's Office  
**Subject:** FW: IBRC Memo

12 JAN 17 AM 8:30

**Importance:** High

**Attachments:** IBRC Report Review Memo.pdf

Attached please find a copy of a memo from the Mayor regarding the Infrastructure Blue Ribbon Commission Report Review scheduled on the agenda for Tuesday, January 17, 2012.

Copies will be at places Tuesday evening.

Donna J. Grider, MMC  
City Clerk  
City of Palo Alto  
250 Hamilton Ave., 7th Floor, Palo Alto, CA 94301  
650-329-2226



*Think Before You Print!*

Minor, Beth

**From:** Barry Katz [bkatz@stanford.edu]  
**Sent:** Sunday, January 15, 2012 1:46 PM  
**To:** Council, City  
**Subject:** attn: Policy and Services Committee  
To the Policy and Services Committee:

CITY OF PALO ALTO, CA  
CITY CLERK'S OFFICE

12 JAN 17 AM 8:29

This is in response to a report in the Palo Alto *Daily News*, "Foot Spa at Odds with Palo Alto Ordinance" (Jan. 12, 2012).

As a long-distance runner, it's hard to imagine a better place to live: We have miles of beautiful trails in the Foothills and along the Bay, and wonderful local businesses that support this healthful, environmentally benign, and thoroughly enjoyable activity: Zombie Runner on California Avenue, Sportissimo in the Town & Country Shopping Center, world-class podiatrists at PAMF, and Happy Feet on El Camino. I am dismayed to learn that Happy Feet is under scrutiny and may be subject to closure.

I happen also to be a resident of the Ventura district and the parent of a Terman middle-schooler, and as such I have been active in ongoing efforts to keep sexually-oriented businesses out of this pleasant, kid-friendly residential neighborhood. Having dragged my unhappy feet into Happy Feet after many a long-distance run, I can state categorically that I have never seen even the slightest indication that anything other than exactly the reflexology services they advertise are being offered. It would be more than an injustice to sweep up this unquestionably legitimate business under a catch-all ordinance that has other intent; it would be downright silly.

I write in support of Happy Feet. It would disappoint me greatly if the Policy and Services Committee insisted upon using a sledge hammer to achieve an objective that should be addressed with a scalpel. May I respectfully suggest that you try it yourselves? At \$25 per hour, it's probably the best deal in town.

(Prof.) Barry M. Katz  
233 Margarita Avenue  
Palo Alto, CA 94306  
650.856.2022

Minor, Beth

CITY OF PALO ALTO, CA  
CITY CLERK'S OFFICE

**From:** Nat Fisher [sukiroo@hotmail.com]  
**Sent:** Saturday, January 14, 2012 1:08 PM  
**To:** Furman, Sheri; Rodriguez, Jaime  
**Cc:** Council, City; Keene, James; Glanckopf, Annette  
**Subject:** RE: hazardous intersection in Midtown Palo Alto

12 JAN 17 AM 8:28

A great idea, Sheri!!

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**Date:** Fri, 13 Jan 2012 19:11:40 -0800  
**From:** sheri11@earthlink.net  
**To:** jaime.rodriguez@cityofpaloalto.org  
**Subject:** Re: Fwd: hazardous intersection in Midtown Palo Alto  
**CC:** city.council@cityofpaloalto.org; james.keene@cityofpaloalto.org; sukiroo@hotmail.com; annette\_g@att.net

Hi all,

The Midtown Residents Association would like to echo Ms. Fisher's concerns about this intersection. Between cars trying to cross or turn onto Middlefield from Colorado, pedestrians crossing and people speeding up to get through the light, it's a wonder there aren't more "interactions." The problems are exacerbated by cars coming out of Starbucks, 7-11 and Safeway. One truly has to look in 6 directions. Because the light on Colorado is on a short cycle, people are frustrated trying to get through the intersection.

One solution is to have a 4-way pedestrian only crossing signal. Jaime, perhaps we can meet to discuss some potential mitigations.

Regards,  
 Sheri Furman  
 MRA & Traffic Chair

----- Original Message -----

**Subject:** hazardous intersection in Midtown Palo Alto  
**Date:** Fri, 13 Jan 2012 13:32:56 -0800  
**From:** Nat Fisher <sukiroo@hotmail.com>  
**To:** jaime rodriguez <jaime.rodriguez@cityofpaloalto.org>  
**CC:** city council <city.council@cityofpaloalto.org>, James Keene <james.keene@cityofpaloalto.org>

Mr. Rodriguez:

I haven't received a call back from you yet, so am sending an email.

Using the crosswalk and cross signal on Middlefield Rd. at the intersection of Colorado is extremely dangerous. I think I may have told you about this

1/16/2012

early last year, when I was almost killed.

It happened again yesterday. It just isn't safe to cross there and I would be better off driving although many of my errands could be done on foot. Drivers turning left onto Middlefield from Colorado often do not look where they are going. Instead of looking left, where the crosswalk is, they look right for other vehicles, perhaps afraid of a vehicle crashing the light. Last year the driver of a very large vehicle never did see me. I saved my life by jumping out of his way. I'm 72 years old now and don't think I can jump like that anymore.

Yesterday, the young woman driving the SUV was again looking to her right, but luckily she turned her head at the last moment and saw me and was able to stop in time. She was going more slowly than the man last year, who was really driving fast for a left turn.

What is needed there is to make the crosswalk much more visible but in addition, more importantly, is to put up a large sign on Colorado at that intersection warning left turning drivers to **WATCH OUT FOR PEDESTRIANS!!!** Perhaps the crosswalk could even be moved further away from the intersection.

This is a neighborhood, Midtown, where there are many seniors with walkers and many young families.

One cannot see that a car on Colorado is going to turn left on Middlefield until one is already in the crosswalk! I see no alternative but to drive instead of walk when I need to do errands on both sides of Middlefield. It is far safer. But many people, young and old and inbetween, cross there! And what is the good of a walkable neighborhood if it is dangerous to cross a major street, forcing one to drive!

Please examine how you can improve pedestrian safety at that intersection.

Sincerely,

Natalie Fisher  
326-6359

Minor, Beth

**From:** Nat Fisher [sukiroo@hotmail.com]  
**Sent:** Friday, January 13, 2012 1:33 PM  
**To:** Rodriguez, Jaime  
**Cc:** Council, City; Keene, James  
**Subject:** hazardous intersection in Midtown Palo Alto

CITY OF PALO ALTO, CA  
CITY CLERK'S OFFICE

12 JAN 17 AM 8:24

Mr. Rodriguez:

I haven't received a call back from you yet, so am sending an email.

Using the crosswalk and cross signal on Middlefield Rd. at the intersection of Colorado is extremely dangerous. I think I may have told you about this early last year, when I was almost killed.

It happened again yesterday. It just isn't safe to cross there and I would be better off driving although many of my errands could be done on foot. Drivers turning left onto Middlefield from Colorado often do not look where they are going. Instead of looking left, where the crosswalk is, they look right for other vehicles, perhaps afraid of a vehicle crashing the light. Last year the driver of a very large vehicle never did see me. I saved my life by jumping out of his way. I'm 72 years old now and don't think I can jump like that anymore.

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Please examine how you can improve pedestrian safety at that intersection.

Sincerely,

1/16/2012

Minor, Beth

CITY OF PALO ALTO, CA  
CITY CLERK'S OFFICE

**From:** Sheri Furman [sheri11@earthlink.net]  
**Sent:** Friday, January 13, 2012 7:12 PM  
**To:** Rodriguez, Jaime  
**Cc:** Council, City; Keene, James; sukiroo@hotmail.com; Glanckopf, Annette  
**Subject:** Re: Fwd: hazardous intersection in Midtown Palo Alto

12 JAN 17 AM 8:24

Hi all,

The Midtown Residents Association would like to echo Ms. Fisher's concerns about this intersection. Between cars trying to cross or turn onto Middlefield from Colorado, pedestrians crossing and people speeding up to get through the light, it's a wonder there aren't more "interactions." The problems are exacerbated by cars coming out of Starbucks, 7-11 and Safeway. One truly has to look in 6 directions. Because the light on Colorado is on a short cycle, people are frustrated trying to get through the intersection.

One solution is to have a 4-way pedestrian only crossing signal. Jaime, perhaps we can meet to discuss some potential mitigations.

Regards,  
 Sheri Furman  
 MRA & Traffic Chair

----- Original Message -----

**Subject:** hazardous intersection in Midtown Palo Alto  
**Date:** Fri, 13 Jan 2012 13:32:56 -0800  
**From:** Nat Fisher <sukiroo@hotmail.com>  
**To:** jaime rodriguez <jaime.rodriguez@cityofpaloalto.org>  
**CC:** city council <city.council@cityofpaloalto.org>, James Keene <james.keene@cityofpaloalto.org>

Mr. Rodriquez:

I haven't received a call back from you yet, so am sending an email.

Using the crosswalk and cross signal on Middlefield Rd. at the intersection of Colorado is extremely dangerous. I think I may have told you about this early last year, when I was almost killed.

It happened again yesterday. It just isn't safe to cross there and I would be better off driving although many of my errands could be done on foot. Drivers turning left onto Middlefield from Colorado often do not look where they are going. Instead of looking left, where the crosswalk is, they look right for other vehicles, perhaps afraid of a vehicle crashing the light. Last year the driver of a very large vehicle never did see me. I saved my life by jumping out of his way. I'm 72 years old now and don't think I can jump like that anymore.

Yesterday, the young woman driving the SUV was again looking to her right,

but luckily she turned her head at the last moment and saw me and was able to stop in time. She was going more slowly than the man last year, who was really driving fast for a left turn.

What is needed there is to make the crosswalk much more visible but in addition, more importantly, is to put up a large sign on Colorado at that intersection warning left turning drivers to WATCH OUT FOR PEDESTRIANS!!! Perhaps the crosswalk could even be moved further away from the intersection.

This is a neighborhood, Midtown, where there are many seniors with walkers and many young families.

One cannot see that a car on Colorado is going to turn left on Middlefield until one is already in the crosswalk! I see no alternative but to drive instead of walk when I need to do errands on both sides of Middlefield. It is far safer. But many people, young and old and inbetween, cross there! And what is the good of a walkable neighborhood if it is dangerous to cross a major street, forcing one to drive!

Please examine how you can improve pedestrian safety at that intersection.

Sincerely,

Natalie Fisher  
326-6359

**Minor, Beth**

CITY OF PALO ALTO, CA  
CITY CLERK'S OFFICE

**From:** Steve Reyna [akscr@earthlink.net]

**Sent:** Sunday, January 15, 2012 3:22 PM

**To:** Transportation

**Cc:** Council, City

12 JAN 17 AM 8:23

**Subject:** Concerns about the proposed removal of the Waverley-Channing traffic light

To City of Palo Alto, and City Council Members,

Both as parents of an elementary school aged child and as residents of Palo Alto, we have questions and issues about the proposed conversion of the traffic light at Channing & Waverley to stop signs. These can be summarized in the following points.

- **Pedestrian (Child) Safety.** This is a significant pedestrian crossing, especially for school children at Addison and users of Heritage Park. Channing is a recognized bypass for University Avenue, and traffic tends to move fast down this road to get past downtown. We have always taught our son to use this light as the safest place to cross Channing. Lots of other children also use this light as a preferred safe crossing. Removing the traffic light and replacing it with stop signs significantly degrades the crossing safety of this intersection.
- **Stop Signs Are Not The Same.** Pick almost any stop sign controlled intersection. It takes an appallingly short amount of time to see a random driver execute a rolling stop. The intersection of Waverley & Homer is controlled by stop signs and is the twin to Waverley & Channing. Rolling stops are a common occurrence at this intersection. These just don't happen the same way at traffic lights. There is an additional safety issue for children with respect to stop sign versus traffic light controlled intersections. With traffic lights, there are clear unambiguous signals that indicate when it is your turn to cross: green lights, white "Walk" signs, or red lights. With stop signs, you have to be monitoring when each car arrives at the stop sign and fully understand the rules of the road to figure out when it is your turn to cross. For child pedestrians, traffic lights are significantly safer than stop signs because of the clear signals.
- **Budget Priorities.** Why are we trying to spend money for removing a working piece of infrastructure when the city finances are already under so much stress. There are lots of other significant infrastructure and projects that desperately need the funds. How is it that this proposal rates such a high priority in the current fiscal environment? Note: The question of budget priority is independent of whether a particular traffic study supports or doesn't support a possible change of status for a traffic light.

For all of the reasons above, we strongly urge that the traffic light at Waverley and Channing not be removed.

There is, however, a Channing crossing that does need at least stop sign control, and that is the pedestrian crossing at Webster and Channing. This is also a major child pedestrian crossing to and from Addison Elementary. Traffic moves fast through this intersection. Even if one car stops, all too often traffic in the other lane is not clearly aware of crossing pedestrians and drives through or has to execute late braking. Actual stop sign control of this intersection would be a significant improvement over the current pedestrian crosswalk. This would also help overall traffic calming on Channing. Something greatly needed.

Sincerely,

Steve Reyna

**Minor, Beth**CITY OF PALO ALTO, CA  
CITY CLERK'S OFFICE**From:** Aysen Kutlu [aysenkutlu@gmail.com]**Sent:** Friday, January 13, 2012 12:50 PM

12 JAN 17 AM 8:24

**To:** Transportation**Cc:** Council, City**Subject:** Channing Ave. and Waverley St. Traffic Signal Removal Project

We do not think removing/replacing the traffic light at Channing Avenue & Waverley Street is a good idea given the number of children who use this particular intersection as a safe crossing on their way to school. Those of us who live in the neighborhood know that Channing and Homer Avenues are considered by many to be a fast alternative to University or Hamilton to get across downtown. We see a lot of speeding and rolling stops on Channing and Homer. We taught our child from early on to always use this light on the way to school to cross Channing Avenue. Like many other kids, he feels safer using this light, and like many other parents, we feel safer, too, knowing he has a traffic light to cross Channing. This light, which works just fine as is, should not be removed if for no other reason than the safety of our kids.

Regards,

Aysen Kutlu

1/16/2012

**Minor, Beth**CITY OF PALO ALTO, CA  
CITY CLERK'S OFFICE**From:** Mark Petersen-Perez [paloaltofreepress@gmail.com]**Sent:** Sunday, January 15, 2012 8:29 AM

12 JAN 17 AM 8:28

**To:** Tony Ciampi**Cc:** Stump, Molly; Burns, Dennis; Council, City; HRC; <abjpd1@gmail.com>**Subject:** Re: Illegal stop by PAPD?

This law is applicable to new bikes only. This officer in my opinion performed an illegal harassing stop. Tony, please consider filing an official complaint.

## V C Section 21201.5 Reflectorized Equipment

### Reflectorized Equipment

21201.5. (a) No person shall sell, or offer for sale, a reflex reflector or reflectorized tire of a type required on a bicycle unless it meets requirements established by the department. If there exists a federal Consumer Product Safety Commission regulation applicable to bicycle reflectors, the provisions of that regulation shall prevail over provisions of this code or requirements established by the department pursuant to this code relative to bicycle reflectors.

(b) No person shall sell, or offer for sale, a new bicycle that is not equipped with a red reflector on the rear, a white or yellow reflector on each pedal visible from the front and rear of the bicycle, a white or yellow reflector on each side forward of the center of the bicycle, and a white or red reflector on each side to the rear of the center of the bicycle, except that bicycles which are equipped with reflectorized tires on the front and rear need not be equipped with these side reflectors.

(c) Area reflectorizing material meeting the requirements of Section 25500 may be used on a bicycle.

Amended Ch. 399, Stats. 1980. Effective July 11, 1980 by terms of an urgency clause.

Sent from my iPad

On Jan 15, 2012, at 2:05 AM, Tony Ciampi <[t.ciampi@hotmail.com](mailto:t.ciampi@hotmail.com)> wrote:

Molly Stump  
Palo Alto City Attorney,

Ms. Stump,

At approximately 1:15am Sunday 1/15/2012 Palo Alto Police Officer Thomas Destefano stopped me and demanded identification from me in part because I did not have reflectors on my bicycle pedals. Ofc. Destefano claims that it is a state law.

He remarked that the stopped was being recorded by the in car camera. I asked him to identify the state law but he did not.

1/16/2012

Minor, Beth

CITY OF PALO ALTO, CA  
CITY CLERK'S OFFICE

**From:** Tony Ciampi [t.ciampi@hotmail.com]  
**Sent:** Sunday, January 15, 2012 2:06 AM  
**To:** Stump, Molly; Burns, Dennis; Council, City; HRC  
**Cc:** abjpd1@gmail.com  
**Subject:** Illegal stop by PAPD?

12 JAN 17 AM 8:28

Molly Stump  
Palo Alto City Attorney,

Ms. Stump,

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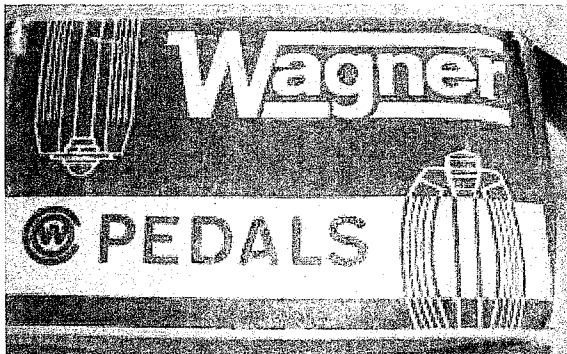
Please identify all state and local laws that require reflectors on bicycle pedals. Additionally I officially request a copy of the entire MAV video from the moment that Ofc. Destefano began to follow me.

Joseph Tony Ciampi  
650-248-1634

Minor, Beth

---

**From:** Mark Petersen-Perez [paloaltofreepress@gmail.com]  
**Sent:** Sunday, January 15, 2012 8:47 AM  
**To:** Mark Petersen-Perez  
**Cc:** Tony Ciampi; Stump, Molly; Burns, Dennis; Council, City; HRC; <abjpd1@gmail.com>; Wagner, April  
**Subject:** Re: Illegal stop by PAPD?



Try these.....

Sent from my iPad

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Sent from my iPad

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Palo Alto City Attorney,

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Joseph Tony Ciampi  
650-248-1634

Minor, Beth

CITY OF PALO ALTO, CA  
CITY CLERK'S OFFICE**From:** Palo Alto Free Press [paloaltofreepress@gmail.com]**Sent:** Sunday, January 15, 2012 5:03 PM

12 JAN 17 AM 8:29

**To:** abjpd1@juno.com; liz.kniss@bos.co.santa-clara.ca.us; Yeh, Yiaway; Scharff, Greg; gail.price3@gmail.com**Cc:** svdebug@newamericamedia.org; alphonse9947@gmail.com; shankar.ramamoorthy@gmail.com; griffinam@sbcglobal.net; dminkler@dminkler.com; witcoh@gmail.com; sukiroo@hotmail.com; ericdiesel1@yahoo.com; mqbaylon@stanford.edu; Council, City; chuckjagoda1@gmail.com; mary.p.stuart@gmail.com; swagstaffe@co.sanmateo.ca.us; molly.o'neal@pdo.sccgov.org; ash.kalra@sanjoseca.gov; timothygray@sbcglobal.net; sam.ho@sjeccd.org; sam.liccardo@sanjoseca.gov; george.gascon@sfgov.org; MyraW@smcba.org; rdavis@cityofepa.org; ronworm@sbcglobal.net; jrosen@da.sccgov.org; HRC; raybac@earthlink.net; Van Der Zwaag, Minka; claude@ezran.com; dprice@padailypost.com; jmorrow@baydailypost.com; gsheyner@pawekly.com; Sue Dremann; Tony Ciampi; Burns, Dennis; Bonilla, Robert**Subject:** Re: Stop-school to prison pipeline--a must read

Thanks for sharing Aram. Not only is our judicial and prison system broken, but our schools also, so it appears. As I have pointed out time and time again before city council and the HRC, they need for once, to place our local youth as an agenda item before the public. And invite our youth to participate and engage the community. i.e. An oral communications night for our youth....Our future depends upon it!!!

On Sun, Jan 15, 2012 at 2:09 PM, [abjpd1@juno.com](mailto:abjpd1@juno.com) <[abjpd1@juno.com](mailto:abjpd1@juno.com)> wrote:

<http://www.truth-out.org/stop-school-prison-pipeline/1326636604>

## Stop the School-to-Prison Pipeline

Sunday 15 January 2012

by: Staff, [Rethinking Schools](#) | News Analysis

*"Every man in my family has been locked up. Most days I feel like it doesn't matter what I do, how hard I try - that's my fate, too."*

-11th-grade African American student,  
Berkeley, California

This young man isn't being cynical or melodramatic; he's articulating a terrifying reality for many of the children and youth sitting in our classrooms—a reality that is often invisible or misunderstood. Some have seen the growing numbers of security guards and police in our schools as unfortunate but necessary responses to the behavior of children from poor, crime-ridden neighborhoods. But what if something more ominous is happening? What if many of our students—



Minor, Beth

---

**From:** abjpd1@juno.com  
**Sent:** Sunday, January 15, 2012 2:09 PM  
**To:** svdebug@newamericamedia.org; paloaltofreepress@gmail.com; alphonse9947@gmail.com  
**Cc:** shankar.ramamoorthy@gmail.com; griffinam@sbcglobal.net; dminkler@dminkler.com; witcoh@gmail.com; sukiroo@hotmail.com; Yeh, Yiaway; ericdiesel1@yahoo.com; mqbaylon@stanford.edu; Council, City; chuckjagoda1@gmail.com; mary.p.stuart@gmail.com; swagstaffe@co.sanmateo.ca.us; molly.o'neal@pdo.sccgov.org; ash.kalra@sanjoseca.gov; timothygray@sbcglobal.net; sam.ho@sjeccd.org; sam.liccardo@sanjoseca.gov; george.gascon@sfgov.org; MyraW@smcba.org; rdavis@cityofepa.org; ronworm@sbcglobal.net; jrosen@da.sccgov.org  
**Subject:** Stop-school to prison pipeline--a must read

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This young man isn't being cynical or melodramatic; he's articulating a terrifying reality for many of the children and youth sitting in our classrooms—a reality that is often invisible or misunderstood. Some have seen the growing numbers of security guards and police in our schools as unfortunate but necessary responses to the behavior of children from poor, crime-ridden neighborhoods. But what if something more ominous is happening? What if many of our students—particularly our African American, Latina/o, Native American, and Southeast Asian children—are being channeled toward prison and a lifetime of second-class status?



Students take a break between class at Locke High School, in Los Angeles, May 14, 2010. (Photo: Michal Czerwonka / The New York Times)

We believe that this is the case, and there is ample evidence to support that claim. What has come to be called the "school-to-prison pipeline" is turning too many schools into pathways to incarceration rather than opportunity. This trend has extraordinary implications for teachers and education activists. It affects everything from what we teach to how we build community in our classrooms, how we deal with conflicts with and among our students, how we build coalitions, and what demands we see as central to the fight for social justice education.

### What Is the School-to-Prison Pipeline?

The school-to-prison pipeline begins in deep social and economic inequalities, and has taken root

in the historic shortcomings of schooling in this country. The civil and human rights movements of the 1960s and '70s spurred an effort to “rethink schools” to make them responsive to the needs of all students, their families, and communities. This rethinking included collaborative learning environments, multicultural curriculum, student-centered, experiential pedagogy—we were aiming for education as liberation. The back-to-basics backlash against that struggle has been more rigid enforcement of ever more alienating curriculum.

The “zero tolerance” policies that today are the most extreme form of this punishment paradigm were originally written for the war on drugs in the early 1980s, and later applied to schools. As Annette Fuentes explains, the resulting extraordinary rates of suspension and expulsion are linked nationally to increasing police presence, checkpoints, and surveillance inside schools.

As police have set up shop in schools across the country, the definition of what is a crime as opposed to a teachable moment has changed in extraordinary ways. In one middle school we're familiar with, a teacher routinely allowed her students to take single pieces of candy from a big container she kept on her desk. One day, several girls grabbed handfuls. The teacher promptly sent them to the police officer assigned to the school. What formerly would have been an opportunity to have a conversation about a minor transgression instead became a law enforcement issue.

Children are being branded as criminals at ever-younger ages. *Zero Tolerance in Philadelphia*, a recent report by Youth United for Change and the Advancement Project, offers an example:

Robert was an 11-year-old in 5th grade who, in his rush to get to school on time, put on a dirty pair of pants from the laundry basket. He did not notice that his Boy Scout pocketknife was in one of the pockets until he got to school. He also did not notice that it fell out when he was running in gym class. When the teacher found it and asked whom it belonged to, Robert volunteered that it was his, only to find himself in police custody minutes later. He was arrested, suspended, and transferred to a disciplinary school.

Early contact with police in schools often sets students on a path of alienation, suspension, expulsion, and arrests. George Galvis, an Oakland, Calif., prison activist and youth organizer, described his first experience with police at his school: “I was 11. There was a fight and I got called to the office. The cop punched me in the face. I looked at my principal and he was just standing there, not saying anything. That totally broke my trust in school as a place that was safe for me.”

Galvis added: “The more police there are in the school, walking the halls and looking at surveillance tapes, the more what constitutes a crime escalates. And what is seen as ‘how kids act’ vs. criminal behavior has a lot to do with race. I always think about the fistfights that break out between fraternities at the Cal campus, and how those fights are seen as opposed to what the police see as gang-related fights, even if the behavior is the same.”

### **Mass Incarceration: A Civil Rights Crisis**

The growth of the school-to-prison pipeline is part of a larger crisis. Since 1970, the U.S. prison population has exploded from about 325,000 people to more than 2 million today. According to Michelle Alexander, author of *The New Jim Crow: Mass Incarceration in the Age of Color Blindness*, this is a phenomenon that cannot be explained by crime rates or drug use. According to Human Rights Watch (*Punishment and Prejudice: Racial Disparities in the War on Drugs*, 2000) although whites are more likely to violate drug laws than people of color, in some states black men have been admitted to prison on drug charges at rates 20 to 50 times greater than those of white men. Latina/os, Native Americans, and other people of color are also imprisoned at rates far higher than their representation in

the population. Once released, former prisoners are caught in a web of laws and regulations that make it difficult or impossible to secure jobs, education, housing, and public assistance—and often to vote or serve on juries. Alexander calls this permanent second-class citizenship a new form of segregation.

The impact of mass incarceration is devastating for children and youth. More than 7 million children have a family member incarcerated, on probation, or on parole. Many of these children live with enormous stress, emotional pain, and uncertainty. Luis Esparza describes the impact on his life in Project WHAT!'s *Resource Guide for Teens with a Parent in Prison or Jail*:

After [my dad] went to jail I kept to myself a lot—became the quiet kid that no one noticed and no one really cared about. At one point I didn't even have any friends. No one talked to me, so I didn't have to say anything about my life. . . . Inside I feel sad and angry. In this world, no one wants to see that, so I keep it all to myself. (See [Haniyah's Story](#) and [Sokolower](#).)

## Revising the Curriculum

As we at Rethinking Schools began to study and discuss these issues, we realized the huge implications for curriculum. Many of us, as social justice educators, have developed strong class activities teaching the Civil Rights Movement. But few of us teach regularly about the racial realities of the current criminal justice system. Textbooks mostly ignore the subject. For example, Pearson Prentice Hall's *United States History* is a hefty 1,264 pages long, but says nothing about the startling growth in the prison population in the past 40 years.

Mass incarceration and the school-to-prison pipeline are among the primary forms that racial oppression currently takes in the United States. As such, they deserve a central place in the curriculum. We need to bring this all-too-common experience out of the shadows and make it as visible in the curriculum as it is in so many students' lives. As Alexander begins to explore in our [interview](#), it is a challenge to engage students in these issues in ways that build critical thinking and determination rather than cynicism or despair, but a challenge we urgently need to take on. [Aparna Lakshmi](#), a Boston high school teacher, offers an example.

### 'Accountability' and Criminalization

The school-to-prison pipeline is really a classroom-to-prison pipeline. A student's trajectory to a criminalized life often begins with a curriculum that disrespects children's lives and that does not center on things that matter.

Last spring *Federal Policy, ESEA Reauthorization, and the School-to-Prison Pipeline*, a collaborative study by research, education, civil rights, and juvenile justice organizations, linked the policies of No Child Left Behind and the "accountability" movement to the pipeline. According to George Wood, executive director of the Forum for Education and Democracy:

By focusing accountability almost exclusively on test scores and attaching high stakes to them, NCLB has given schools a perverse incentive to allow or even encourage students to leave.

A FairTest factsheet cites findings that schools in Florida gave low-scoring students longer suspensions than high-scoring students for similar infractions, while in Ohio students with disabilities were twice as likely to be suspended out of school than their peers. A recent report from the Advancement Project

noted that, since the passage of NCLB in 2002, 73 of the largest 100 districts in the United States “have seen their graduation rates decline—often precipitously. Of those 100 districts, which serve 40 percent of all students of color in the United States, 67 districts failed to graduate two-thirds of their students.”

The more that schools—and now individual teachers—are assessed, rewarded, and fired on the basis of student test scores, the more incentive there is to push out students who bring down those scores. And the more schools become test-prep academies as opposed to communities committed to everyone’s success, the more hostile and regimented the atmosphere becomes—the more like prison. (This school-as-prison culture is considerably more common in schools populated by children of color in poor communities as opposed to majority-white, middle-class schools, creating what Jonathan Kozol calls “educational apartheid.”) The rigid focus on test prep and scripted curriculum means that teachers need students to be compliant, quiet, in their seats, and willing to learn by rote for long periods of time. Security guards, cops in the hall, and score-conscious administrations suspend and expel “problem learners.”

Schools without compassion or understanding occupy communities instead of serve them. As our society accelerates punishment as a central paradigm—from death penalty executions to drone strikes in Pakistan and Yemen—the regimentation and criminalization of our children, particularly children of color, can only be seen as training for the future.

Linda Christensen describes the dangerous pull of high-stakes testing on even the most seasoned teachers, and the powerful role of student-centered curriculum as resistance.

### **Education Activists and the Pipeline**

As teachers and education activists, many of us are active in the fight to save and transform public schools—building campaigns to end standardized testing, to protect our union rights, to prevent the privatization of the public school system. At education conferences, there are often well-attended workshops on the criminalization of youth or related topics.

But the movement to end the school-to-prison pipeline and the movement to defend and transform public education are too often separate. This must be one movement—for social justice education—that encompasses both an end to the school-to-prison pipeline and the fight to save and transform public education. We cannot build safe, creative, nurturing schools and criminalize our children at the same time.

Teachers, students, parents, and administrators have begun to fight back against zero tolerance policies—pushing to get rid of zero tolerance laws, and creating alternative approaches to safe school communities that rely on restorative justice and community building instead of criminalization. (See Haga.) A critical piece of that struggle is defying the regimen of scripted curriculum and standardized tests, and building in its place creative, empowering school cultures centered on the lives and needs of our students and their families.

Some of the most exciting work with youth is being built around campaigns to stop police harassment in schools and on the streets, stop gang injunction legislation that criminalizes young people on the basis of what they wear or where they live, and increase budgets for education and social services instead of law and order. Youth provide leadership in these movements in ways that are different from what we often see in classrooms. Learning from these campaigns and making the critical connections to our own work will enable us to build a viable, principled movement for public education.

Minor, Beth

CITY OF PALO ALTO, CA  
CITY CLERK'S OFFICE

**From:** abjpd1@juno.com

**Sent:** Friday, January 13, 2012 11:18 PM

12 JAN 17 AM 8:24

**To:** dminkler@dminkler.com; alphonse9947@gmail.com; ericdiesel1@yahoo.com;  
paloaltofreepress@gmail.com; claude@ezran.com; aatito@gmail.com; Donald.R.Mendoza@nasa.gov;  
Williams, Curtis; t.ciampi@hotmail.com; Yeh, Yiaway; Price, Gail (internal); earwopa@yahoo.com;  
dpine@co.sanmateo.ca.us

**Cc:** MyraW@smcba.org; mgreenwood@pdo.sccgov.org; gmunks@co.sanmateo.ca.us;  
george.gascon@sfgov.org; jrosen@da.sccgov.org; swagstaff@co.sanmateo.ca.us; witcoh@gmail.com;  
HRC; City Attorney; Council, City

**Subject:** The Power of Symbols: The Need to Close Guantanamo 10 yrs after

<http://www.huffingtonpost.com/rev-richard-l-killmer/the-power-of-symbols-the-b-1200222.html>

Minor, Beth

**From:** paloaltofreepress@gmail.com  
**Sent:** Saturday, January 14, 2012 10:57 AM  
**To:** Reichental, Jonathan; Keene, James; Larkin, Donald; Stump, Molly  
**Cc:** Council, City  
**Subject:** Re: Undeliverable: Ms. Kara Apple please confirm receipt of email Jonathan,

CITY OF PALO ALTO, CA  
 CITY CLERK'S OFFICE

12 JAN 17 AM 8:24

At some point in time I will be writing a feature on this subject. A person with your background and technological knowledge any savvy in computer science I find your answers incomprehensible in that your not able to identify the system issues associated with this blocking or filtering of this email address.

Or is it in reality an unwillingness or are you technologically challenged and thus embarrassed? However, given city attorney Donald Larkins history of ordering email addresses blocked or filtered coupled with the fact that this email continues to be blocked / filtered lends weight to city attorney Donald Larkins continued involvement. I hope the later is not the case. I will be sending the error syntax message codes directly to Microsoft for review and will publish these results as well.

All the best to you as Chief Technology Officer for the City of Palo Alto but you get an "F" thus far in performance, knowledge and ability.

Ps. Your not alone. Molly Stumps takes the lead on California Public Records request response time. Triple FFF's.

Mark

Sent from my iPhone

On Jan 13, 2012, at 2:20 PM, "Reichental, Jonathan"  
 <[Jonathan.Reichental@CityofPaloAlto.org](mailto:Jonathan.Reichental@CityofPaloAlto.org)> wrote:

Hi Mark:

We've confirmed that her email is functioning correctly. We don't know why you are getting bounced. Sorry I can't assist further.

All the best.

---

Jonathan Reichental, Ph.D. :: Chief Information Officer :: City of Palo Alto :: @Reichental  
 Assistant: [jeanny.weatherford@cityofpaloalto.org](mailto:jeanny.weatherford@cityofpaloalto.org) :: 650-329-2182

**From:** [paloaltofreepress@gmail.com](mailto:paloaltofreepress@gmail.com) [mailto:paloaltofreepress@gmail.com]  
**Sent:** Friday, January 13, 2012 11:15 AM  
**To:** Reichental, Jonathan  
**Cc:** Stump, Molly; Keene, James; Larkin, Donald  
**Subject:** Fwd: Undeliverable: Ms. Kara Apple please confirm receipt of email

Hi Jonathan:

Still rejected. Have any idea?

Thanks

Ps. Would you run an additional test on your side so we can get to the bottom of

1/16/2012

this? Perhaps have this employee send me an email. I'm surprised this was not done. Lastly do employees have the capability to set there own spam filters. Was this question asked and or pursued.

Sent from my iPhone

Begin forwarded message:

**From:** <postmaster@CityofPaloAlto.org>  
**Date:** January 13, 2012 10:25:58 AM PST  
**To:** <paloaltofreepress@gmail.com>  
**Subject:** Undeliverable: Ms. Kara Apple please confirm receipt of email

**Delivery has failed to these recipients or groups:**

[kara.apple@cityofpaloalto.org](mailto:kara.apple@cityofpaloalto.org)

This message was rejected by the recipient e-mail system. Please check the recipient's e-mail address and try resending this message, or contact the recipient directly.

**Diagnostic information for administrators:**

Generating server: [CityofPaloAlto.org](http://CityofPaloAlto.org)

[kara.apple@cityofpaloalto.org](mailto:kara.apple@cityofpaloalto.org)  
 #554 5.1.0 Sender denied ##

**Original message headers:**

Received: from [mail-tul01m020-f170.google.com](mailto:mail-tul01m020-f170.google.com) (209.85.214.170) by [smtpl.cityofpaloalto.org](mailto:smtpl.cityofpaloalto.org) (192.168.30.5) with Microsoft SMTP Server (TLS) id 14.1.339.1; Fri, 13 Jan 2012 10:25:58 -0800  
 Received: by obbw12 with SMTP id wc12so2709149obb.29 for <multiple recipients>; Fri, 13 Jan 2012 10:25:42 -0800 (PST)  
 DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=gmail.com; s=gamma; h=mime-version:from:date:message-id:subject:to:cc:content-type; bh=+KlIdOGzQ6Rsb3IVlHZQhtczxTIYeUmYW/39R3N/Fgc=; b=1eZtDyh1r+1k/He2jrTILp5wbZzG1wbzGCx8Uaf7i//+ecMByCuUKPNACH8n00iX5oGuBWU4B6ABojzj6MQGa+osg3NBfSVYM7QsMrmhX8kCNaVC9504eBD0F3qJEEQdxSkFfSotefs08+1/tOLdQ4PRxdtpEmOBS2LaEye+C8=  
 Received: by 10.182.124.42 with SMTP id mf10mr1820957obb.5.1326479142437; Fri, 13 Jan 2012 10:25:42 -0800 (PST)  
 MIME-Version: 1.0  
 Received: by 10.60.27.133 with HTTP; Fri, 13 Jan 2012 10:25:21 -0800 (PST)  
 From: Palo Alto Free Press <[paloaltofreepress@gmail.com](mailto:paloaltofreepress@gmail.com)>  
 Date: Fri, 13 Jan 2012 10:25:21 -0800  
 Message-ID: <[CAfQ+E3T-K=kfD+Xbk-2pKfJJA4F0o24cgSdfTypYDkxUr7vvvg@mail.gmail.com](mailto:CAfQ+E3T-K=kfD+Xbk-2pKfJJA4F0o24cgSdfTypYDkxUr7vvvg@mail.gmail.com)>  
 Subject: Ms. Kara Apple please confirm receipt of email  
 To: <[kara.apple@cityofpaloalto.org](mailto:kara.apple@cityofpaloalto.org)>  
 CC: "Reichental, Jonathan" <[Jonathan.Reichental@cityofpaloalto.org](mailto:Jonathan.Reichental@cityofpaloalto.org)>, <[molly.stump@cityofpaloalto.org](mailto:molly.stump@cityofpaloalto.org)>, "Keene, James" <[james.keene@cityofpaloalto.org](mailto:james.keene@cityofpaloalto.org)>, "Larkin, Donald" <[Donald.Larkin@cityofpaloalto.org](mailto:Donald.Larkin@cityofpaloalto.org)>  
 Content-Type: multipart/related; boundary="f46d0444edall1642e504b66cfefb"  
 Return-Path: [paloaltofreepress@gmail.com](mailto:paloaltofreepress@gmail.com)  
 Received-SPF: Pass ([xdg01.cityofpaloalto.org](mailto:xdg01.cityofpaloalto.org): domain of [paloaltofreepress@gmail.com](mailto:paloaltofreepress@gmail.com) designates 209.85.214.170 as permitted sender) receiver=[xdg01.cityofpaloalto.org](mailto:xdg01.cityofpaloalto.org); client-ip=209.85.214.170; helo=mail-tul01m020-f170.google.com;  
 Reporting-MTA: dns;CityofPaloAlto.org Received-From-MTA: dns;mail-tul01m020-f170.google.com Arrival-Date: Fri, 13 Jan 2012 18:25:58 +0000 Final-Recipient:

rfc822;kara.apple@cityofpaloalto.org Action: failed Status: 5.1.0 Diagnostic-Code: smtp;554 5.1.0  
Sender denied  
-tul01m020-f170.google.com;

Minor, Beth

CITY OF PALO ALTO, CA  
CITY CLERK'S OFFICE

**From:** Aram James [abjpd1@gmail.com]  
**Sent:** Saturday, January 14, 2012 1:03 PM  
**To:** paloaltofreepress@gmail.com  
**Cc:** Reichental, Jonathan; Keene, James; Larkin, Donald; Stump, Molly; Council, City  
**Subject:** Re: Undeliverable: Ms. Kara Apple please confirm receipt of email

12 JAN 17 AM 8:28

Triple F's-- LOL, Molly ! It's a new year ---so you have a chance to turn you record around in 2012 re your performance compliance with the CPRA. Good luck in 2012!!! Aram

Sent from my iPhone

On Jan 14, 2012, at 10:56 AM, [paloaltofreepress@gmail.com](mailto:paloaltofreepress@gmail.com) wrote:

Jonathan,

At some point in time I will be writing a feature on this subject. A person with your background and technological knowledge any savvy in computer science I find your answers incomprehensible in that your not able to identify the system issues associated with this blocking or filtering of this email address.

Or is it in reality an unwillingness or are you technologically challenged and thus embarrassed? However, given city attorney Donald Larkins history of ordering email addresses blocked or filtered coupled with the fact that this email continues to be blocked / filtered lends weight to city attorney Donald Larkins continued involvement. I hope the later is not the case. I will be sending the error syntax message codes directly to Microsoft for review and will publish these results as well.

All the best to you as Chief Technology Officer for the City of Palo Alto but you get an "F" thus far in performance, knowledge and ability.

Ps. Your not alone. Molly Stumps takes the lead on California Public Records request response time. Triple FFF's.

Mark

Sent from my iPhone

On Jan 13, 2012, at 2:20 PM, "Reichental, Jonathan" <[Jonathan.Reichental@CityofPaloAlto.org](mailto:Jonathan.Reichental@CityofPaloAlto.org)> wrote:

Hi Mark:

We've confirmed that her email is functioning correctly. We don't know why you are getting bounced. Sorry I can't assist further.

All the best.

---

Jonathan Reichental, Ph.D. :: Chief Information Officer :: City of Palo Alto ::  
 @Reichental  
 Assistant: [jeanny.weatherford@cityofpaloalto.org](mailto:jeanny.weatherford@cityofpaloalto.org) :: 650-329-2182

**From:** [paloaltofreepress@gmail.com](mailto:paloaltofreepress@gmail.com) [mailto:paloaltofreepress@gmail.com]  
**Sent:** Friday, January 13, 2012 11:15 AM  
**To:** Reichental, Jonathan  
**Cc:** Stump, Molly; Keene, James; Larkin, Donald  
**Subject:** Fwd: Undeliverable: Ms. Kara Apple please confirm receipt of email

Hi Jonathan:

Still rejected. Have any idea?

1/16/2012

Thanks

Ps. Would you run an additional test on your side so we can get to the bottom of this? Perhaps have this employee send me an email. I'm surprised this was not done. Lastly do employees have the capability to set there own spam filters. Was this question asked and or pursued.

Sent from my iPhone

Begin forwarded message:

**From:** <[postmaster@CityofPaloAlto.org](mailto:postmaster@CityofPaloAlto.org)>  
**Date:** January 13, 2012 10:25:58 AM PST  
**To:** <[paloaltofreepress@gmail.com](mailto:paloaltofreepress@gmail.com)>  
**Subject:** Undeliverable: Ms. Kara Apple please confirm receipt of email

**Delivery has failed to these recipients or groups:**

[kara.apple@cityofpaloalto.org](mailto:kara.apple@cityofpaloalto.org)

This message was rejected by the recipient e-mail system. Please check the recipient's e-mail address and try resending this message, or contact the recipient directly.

**Diagnostic information for administrators:**

Generating server: [CityofPaloAlto.org](http://CityofPaloAlto.org)

[kara.apple@cityofpaloalto.org](mailto:kara.apple@cityofpaloalto.org)  
 #554 5.1.0 Sender denied ##

Original message headers:

Received: from [mail-tul01m020-f170.google.com](mailto:mail-tul01m020-f170.google.com) (209.85.214.170) by [smtpl.cityofpaloalto.org](mailto:smtpl.cityofpaloalto.org) (192.168.30.5) with Microsoft SMTP Server (TLS) id 14.1.339.1; Fri, 13 Jan 2012 10:25:58 -0800  
 Received: by obbwcl2 with SMTP id wcl2so2709149obb.29 for <multiple recipients>; Fri, 13 Jan 2012 10:25:42 -0800 (PST)  
 DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=gmail.com; s=gamma;  
 h=mime-version:from:date:message-id:subject:to:cc:content-type;  
 bh=+K1IdOGzQ6Rsb3IV1HZQHtczXTIYeUmyW/39R3N/Fgc=;  
 b=leZtDyh1r+lk/He2jrTILp5wbZzGlwbzGCx8Uaf7i//+ecMByCuUKPNACH8n00iX5o  
 GuBWU4B6AEoEjPzj6MQGa+osg3NBfSVYM7QsMrmhX8kCNAVc9504eBD0F3qJEEQdxSkPf  
 Sotefs08+1/tOLdQ4PRxdtPmOBS2LaEye+C8=  
 Received: by 10.182.124.42 with SMTP id mf10mr1820957obb.5.1326479142437; Fri, 13 Jan 2012 10:25:42 -0800 (PST)  
 MIME-Version: 1.0  
 Received: by 10.60.27.133 with HTTP; Fri, 13 Jan 2012 10:25:21 -0800 (PST)  
 From: Palo Alto Free Press <[paloaltofreepress@gmail.com](mailto:paloaltofreepress@gmail.com)>  
 Date: Fri, 13 Jan 2012 10:25:21 -0800  
 Message-ID: <[CAFO+E3T-K=kfD+Xbk-2pKfJJA4F0o24cqSgfTypYDkxUr7vvg@mail.gmail.com](mailto:CAFO+E3T-K=kfD+Xbk-2pKfJJA4F0o24cqSgfTypYDkxUr7vvg@mail.gmail.com)>  
 Subject: Ms. Kara Apple please confirm receipt of email  
 To: <[kara.apple@cityofpaloalto.org](mailto:kara.apple@cityofpaloalto.org)>  
 CC: "Reichental, Jonathan" <[Jonathan.Reichental@cityofpaloalto.org](mailto:Jonathan.Reichental@cityofpaloalto.org)>, <[molly.stump@cityofpaloalto.org](mailto:molly.stump@cityofpaloalto.org)>, "Keene, James" <[james.keene@cityofpaloalto.org](mailto:james.keene@cityofpaloalto.org)>, "Larkin, Donald" <[Donald.Larkin@cityofpaloalto.org](mailto:Donald.Larkin@cityofpaloalto.org)>  
 Content-Type: multipart/related; boundary="f46d0444eda11642e504b66cfefb"  
 Return-Path: [paloaltofreepress@gmail.com](mailto:paloaltofreepress@gmail.com)  
 Received-SPF: Pass ([xdg01.cityofpaloalto.org](mailto:xdg01.cityofpaloalto.org): domain of [paloaltofreepress@gmail.com](mailto:paloaltofreepress@gmail.com) designates 209.85.214.170 as permitted sender) receiver=[xdg01.cityofpaloalto.org](mailto:xdg01.cityofpaloalto.org); client-ip=209.85.214.170; helo=mail-tul01m020-f170.google.com;  
 Reporting-MTA: dns:CityofPaloAlto.org Received-From-MTA: dns:mail-tul01m020-f170.google.com Arrival-Date: Fri, 13 Jan 2012 18:25:58 +0000 Final-Recipient: rfc822:[kara.apple@cityofpaloalto.org](mailto:kara.apple@cityofpaloalto.org) Action: failed Status: 5.1.0 Diagnostic-Code: smtp;554 5.1.0 Sender denied  
[tul01m020-f170.google.com](mailto:tul01m020-f170.google.com);

Minor, Beth

**From:** Palo Alto Free Press [paloaltofreepress@gmail.com] CITY OF PALO ALTO, CA  
CITY CLERK'S OFFICE  
**Sent:** Sunday, January 15, 2012 10:55 AM  
**To:** Burns, Dennis; Stump, Molly; DeStefano, Thomas; ~~Diana, Mario, Council City~~  
**Subject:** PAPD officer Thomas Destefano claims reflector on seat post not enough to meet VC requirements



PAFreePress Palo Alto Free Press

PAPD officer Thomas Destefano claims reflector on seat post not enough to meet VC requirements <http://bit.ly/wwAXOL> <http://pic.twitter.com/ZrB68ADe>

2 minutes ago [Favorite](#) [Reply](#) [Delete](#)



PAFreePress Palo Alto Free Press

Older bike not outfitted with pedal reflectors prompts PAPD stop [bit.ly/wwAXOL](http://bit.ly/wwAXOL) [pic.twitter.com/ZYjpWOC1](http://pic.twitter.com/ZYjpWOC1)

8 minutes ago



PAFreePress Palo Alto Free Press

Pattern of on-going harassment by the Palo Alto Police Department Alleged [bit.ly/wwAXOL](http://bit.ly/wwAXOL)

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"We don't print racy material, we just expose the "Naked" truth!!" sm

*el lugar adecuado en el momento oportuno*

Editor - Mark Petersen-Perez

**Minor, Beth**CITY OF PALO ALTO, CA  
CITY CLERK'S OFFICE**From:** Wayne Martin [wmartin46@yahoo.com]**Sent:** Monday, January 16, 2012 9:24 AM

12 JAN 17 AM 8: 22

**To:** Council, City**Subject:** Time To Consider Regionalizing Public Service Operations

Editor:

Palo Alto is currently spending between \$60M and \$65M a year on its public safety departments (total cost of police and fire operating budgets plus hard-to-find capital expenditures, like new vehicle costs). Assuming a modest 4% yearly increase in the funding for these two departments over the next 30 years, we will be spending \$3.65B—without any consideration for capital expenditures .. like big, fancy, police stations and/or fire stations. During this time frame, take-home salaries for most police officers and firemen will rise to between \$200,000 and \$300,000 yearly (with 90% pensions guaranteed by the taxpayers).

It is very, very, difficult to believe that it is IMPOSSIBLE to find the money that might be needed to provide appropriate quarters for the Palo Alto Public Safety Departments from this \$3.65B--without demanding new, larger, taxes.

It's time to seriously consider regionalizing the public safety departments of neighboring town and county governments, and possibly throughout the whole Bay Area. Every City around is looking at these same massive costs for "public safety". It's not hard to believe that all of the governments in the greater Bay Area will spend between \$200B and \$400B in the next 30 years on public safety costs. A regional public safety apparatus could easily save taxpayers \$50B to \$100B during that time frame through reorganizations, and applying "economies of scale" that will reduce costs and with new technologies—sustain, or increase, the quality-of-service provided to taxpayers and residents.

Wayne Martin  
Palo Alto , CA

Minor, Beth

CITY OF PALO ALTO, CA  
CITY CLERK'S OFFICE

**From:** galen [denzen@umich.edu]  
**Sent:** Thursday, January 12, 2012 10:18 AM  
**To:** Council, City  
**Cc:** 9-11-NeXuS@yahoo.com; Burns, Dennis; Burns, Dennis; Wes Harrison; PA Patriot; galen; Aram James  
**Subject:** Re: [9-11-NeXuS] Fw: NDAA Rejected by El Paso County

12 JAN 18 AM 9:33

I want to know if the City Council of Palo Alto will be considering a similar resolution.

Regards -- Dennis "galen" Mitrzyk

On 1/9/2012 9:25 AM, Louis Charles wrote:

people are beginning to understand our antidote.....

LC

\*\*\*\*\*  
*Are you tired of this "recession" yet? Had enough "stimulus"? Perhaps it's time for a tax revolt. Let me know when you think so, too. 214-230-2187*  
\*\*\*\*\*

----- Forwarded Message -----

**From:** Marilyn MacGruder Barnewall <marilynmacg@juno.com>  
**To:**  
**Sent:** Sunday, January 8, 2012 7:48 PM  
**Subject:** NDAA Rejected by El Paso County

The County Commissioners in El Paso County last week rejected NDAA, passing a Resolution saying it would not be implemented in El Paso County (Colorado Springs -- there are three or four military bases in the area, including the Air Force Academy and NORAD). The Resolution was signed and was sent to the Sheriff who signed an agreement to uphold (they removed the word "enforce") the Resolution0. The information was given to Paul St. John at the Save America Foundation (in FL) who is in touch with 200 sheriffs nationwide and who belong to Oathkeepers. This will go viral nationwide. We'll see if there's any action this week. This was made for Tea Party groups to pressure local County Commissioners and demand the same thing of their County Commissioners. I guess we'll see if the Tea Party groups are just social organizations or if they have a purpose to protect their local populations. It's one thing to find/tell the truth. It's another to put it to work for you. If El Paso County Commissioners and Sheriff in Colorado have the moral fortitude to take this kind of action, why don't yours? Are you asking/demanding they follow suit? If not, you shouldn't expect any action... politicians seldom do what they should do just because it's the right thing to do.

I will have a copy of the Resolution tomorrow. If you're interested in seeing it, drop me a note back. MB

Minor, Beth

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**From:** Aram James [abjpd1@gmail.com]  
**Sent:** Tuesday, January 17, 2012 11:46 AM  
**To:** Aram James; abjpd1@juno.com; Tony Ciampi; Timothy Gray; palqaltofreepress@gmail.com; Tim james; Council, City  
**Subject:** FindLaw | Cases and Codes

CITY OF PALO ALTO, CA  
CITY CLERK'S OFFICE

12 JAN 18 AM 9:33

<http://laws.lp.findlaw.com/getcase/case/us/71/2>

Sent from my iPhone

Minor, Beth

**From:** Aram James [abjpd1@gmail.com]  
**Sent:** Wednesday, January 11, 2012 9:57 PM  
**To:** Tony Ciampi  
**Cc:** <michael.gennaco@oirgroup.com>; <paloaltofreepress@gmail.com>; Council, City  
**Subject:** Re: Gennaco just another brown noser who has absolutely no integrity whatsoever?

CITY OF PALO ALTO, CA  
 CITY CLERK'S OFFICE

12 JAN 17 AM 8:30

Mike,

Please consider reviewing the 8th amendment in conjunction with the Nuremberg protocols/principals--this should provide you with the necessary road map re your responsibilities/obligations in all such matters involving allegations of police engaged in human rights violations. As members of the state bar I believe our obligation to report human rights violations is even greater than that required of ordinary citizens. And since you voluntarily accepted employment as an independent police auditor-- your obligation to report human rights violations --without obfuscation or purpose of evasion--deception and self-interest in maintaining your high paid employment --is of the highest order. In otherwords you are held to the highest/elevated obligation to report the truth. Your failure to do so would--under international standards -make you absolutely responsible/liable for the very crimes you cover-up, if any. Similarly your punishment for complicity in covering up the illegal acts of state agents would be the same as if you were the one having committed the unlawful act or acts. Mike--you are on notice that I have advised you of your responsibilities --my obligation---as a fellow member of the state bar. We are counting on you to do the right thing not the self-serving expedient thing.

Sincerely,

Aram James

State bar #80215

Sent from my iPhone

On Jan 11, 2012, at 7:50 PM, Tony Ciampi <[t.ciampi@hotmail.com](mailto:t.ciampi@hotmail.com)> wrote:

Mr. Gennaco,

are you going to cover up the crimes of the Los Angeles sheriff Department as you did with the Palo Alto Police Department?

[http://www.huffingtonpost.com/2012/01/11/la-cop-punches-woman\\_n\\_1199672.html](http://www.huffingtonpost.com/2012/01/11/la-cop-punches-woman_n_1199672.html)

Let's see Mr. Gennaco, an innocent citizen video tapes a Sheriff's Deputy unlawfully beating a United States Citizen then attempts to intimidate the innocent citizen into turning over the video tape in order to conceal the the crime.

***Jermaine Green, the man who taped the Monday night incident in Bellflower, told NBC LA that the Los Angeles County Sheriff's deputy who struck the woman threatened to arrest him if he didn't hand over his camera phone.***

What will be your action Mr. Gennaco? I wish you had held the Palo Alto Police

1/16/2012

accountable for what they did to me.

I look forward to the real trial when the unadulterated videos are played before your family, friends and mentor.

What will you say then Mike? You did not have enough evidence?

Tony Ciampi

Minor, Beth

CITY OF PALO ALTO, CA  
CITY CLERK'S OFFICE

**From:** abjpd1@juno.com

**Sent:** Wednesday, January 11, 2012 12:47 PM

12 JAN 17 AM 8:30

**To:** paloaltofreepress@gmail.com; Council, City; t.ciampi@hotmail.com; Burns, Dennis;  
dminkler@dminkler.com; alphonse9947@gmail.com

**Cc:** Scharff, Greg; Yeh, Yiaway; Espinosa, Sid (internal); svdebug@newamericamedia.org;  
noreensalinas@hotmail.com; claude@ezran.com; jrosen@da.sccgov.org; mgreenwo@pdo.sccgov.org;  
patrice@splendidfeast.org

**Subject:** Brutal police attack leaves Malik King, R.N., maimed, traumatized

## **Brutal police attack leaves Malik King, R.N., maimed, traumatized**

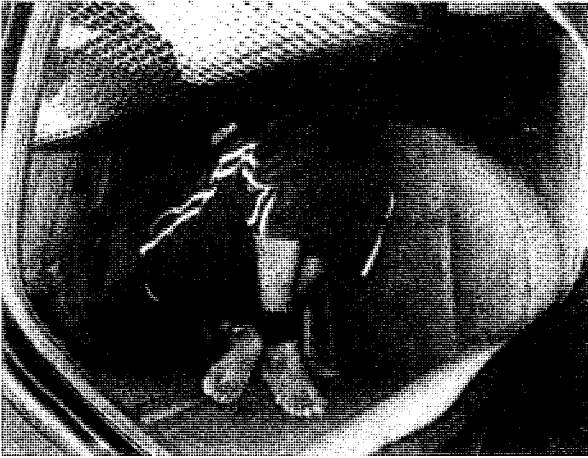
### **Still faces trumped up charges in Orange County courts**

By Marcial Guerra

January 9, 2012



Malik King, Registered Nurse and victim of police violence.



King, hogtied after being beaten by California Highway Patrol officers.

Malik King just wanted to ask a California Highway Patrol officer for directions. What he got instead was brutally beaten, attacked by a police dog, shocked multiple times with a Taser gun and arrested and jailed on trumped up charges.

King, a 28-year-old, African American charge nurse from San Diego was driving north through Orange County on March 9, 2011, on his way to Venice Beach, when he realized that he had missed the 405 freeway interchange. Seeing a California Highway Patrol officer on the side of the freeway, he pulled over ahead of him and waved to him. The officer pulled up behind him and King got out of his car and walked back to the patrol car. He quickly realized that that was a mistake.

"I asked him how to get back to San Diego," King recalled, figuring he would go back the way he had come and get onto the 405. But King says the officer, later identified as Oswaldo Guzman, began to aggressively interrogate him. Guzman made him put his hands on the hood of the patrol car, patted him down and then told him to sit on the ground, as King told him, "I just needed your help!"

Noticing that the officer was sweating and behaving erratically, King began to fear for his safety. He walked toward the freeway to see if he could signal somebody for help. Seeing no one, he walked back to his car, got in and drove away.

The next thing King knew, four CHP cars were behind him with lights and sirens on. Two patrol cars rammed his SUV, pushing it off the freeway and into a ditch.

They walked him over to the pavement, slammed him on the ground, cuffed his hands to his feet, and tased, beat him and kicked him in the head.

Once his car was stopped, King stayed where he was with his seatbelt on and his hands in view. It was then that CHP officer Carlo Marzocca put a dog inside his car, which sunk its teeth into his right arm. King told Liberation that if it weren't for the leather sleeves on his jacket, the dog might have punctured an artery. The officers allowed the dog attack to last for over a minute and a half, during which time officers Marzocca and Jin Kawanaka shocked him with Tasers, while he was still in his seatbelt.

Asked how it felt to be shocked, King said it was painful. "I was already in incredible pain from the dog biting me." On a scale of one to 10, King said the shocks felt like a 12. He also thinks the dog got shocked, since it had its teeth in his arm while he was being tased.

Finally, officers on the driver's side unbuckled his seatbelt, dragged him out of the car and handcuffed

him. Then they walked him over to the pavement, slammed him on the ground, cuffed his hands to his feet, and tased, beat him and kicked him in the head. King lost consciousness at this point, and came to bloodied, beaten and hogtied in the back of a patrol car.

King, the victim of a brutal police assault, was arrested and charged with multiple felonies. He spent two weeks in jail unable to contact anyone, and only after his girlfriend filed a missing person's report was she informed that he was in custody. There are a total of four trumped-up charges against King at this time.

In addition to filing reports claiming that King assaulted the officers with his car and kicked the dog, CHP officers have destroyed videos taken by the cameras mounted on their patrol cars. They also claim a police helicopter that was overhead was not filming the incident. Fortunately, King went to the CHP station and filmed two of the patrol car videos off of a computer screen before they could be destroyed.

As a result of the CHP attack, King has suffered physical and mental trauma, rendering him unable to go back to work and continue his master's degree program. His car, badly damaged, has been returned to the dealership. He just could not make the payments and he learned that car insurance does not cover damage caused by the government.

King is a victim of brutal police violence. His case is like so many others in California and across the country. Police exist not to help people in need, but to harass, beat and jail Black, Latino and other working and poor people.

The Party for Socialism and Liberation demands that OC District Attorney Tony Rackauckas drop all charges against King now. The DA should instead prosecute the cops who ordered the dog attack, beat and tased King and destroyed evidence. Justice for Malik King!

[Sign the petition demanding justice for Malik King.](#)

**Minor, Beth**CITY OF PALO ALTO, CA  
CITY CLERK'S OFFICE

12 JAN 17 AM 8:22

**From:** Wayne Martin [wmartin46@yahoo.com]  
**Sent:** Monday, January 16, 2012 10:30 AM  
**To:** Wayne Martin  
**Subject:** Time To Regionalize Bay Area Public Safety Operations  
 Elected Bay Area Government Officials:

The City of Palo Alto is currently spending between \$60M and \$65M a year on its public safety departments (total cost of police and fire operating budgets plus hard-to-find capital expenditures, like new vehicle costs). Assuming a modest 4% yearly increase in the funding for these two departments over the next 30 years, we will be spending \$3.65B—without any consideration for capital expenditures .. like big, fancy, police stations and/or fire stations. During this time frame, take-home salaries for most police officers and firemen will rise to between \$200,000 and \$300,000 yearly (with 90% pensions guaranteed by the taxpayers).

In 2011, Scotland, a county of some 5.2M people (just a little less than the San Francisco Bay Area's population) has recently decided to consolidate the country's police forces into a single, national, force—citing significant cost savings as a result. Locally, it's not hard to believe that all of the governments in the greater Bay Area will spend between \$200B and \$400B in the next 30 years on public safety costs. It's time for the six-county San Francisco Bay Area governments to seriously consider regionalizing the public safety departments in order to realize similar savings. A regional public safety apparatus could easily save taxpayers \$50B to \$100B in the next 30-odd years, through reorganizations, and applying "economies of scale" that will reduce costs and with new technologies—sustain, or increase, the quality-of-service provided to taxpayers and residents.

Council Members, and Supervisors, don't let another decade go by without initiating the activities that will provide the cost estimates and organizational structures that will provide for intelligent, cost-effective, regional government. California can no longer spend money like it has in the past. The San Francisco Bay Area has sufficient population, and intellectual resources, to recognize that fact, and to reorganize around the technologies developed in the Silicon Valley, and cost effective organizational structures.

Council Members, and Supervisors—the ball is in your court.

Wayne Martin  
 Palo Alto, CA

**On-The-Net:**

**Scottish police constabularies to be combined into single force:**  
<http://www.guardian.co.uk/uk/2011/sep/08/scottish-police-combined-single-force>

**Review of Demographic Traffic Stop Data For Palo Alto, CA, 2009/Q4:**  
<http://www.scribd.com/doc/75936763/Review-of-Demographic-Traffic-Stop-Data-For-Palo-Alto-CA-2009-Q4>

PS--Please enter this communication into your jurisdiction's public record.

1/16/2012

Minor, Beth

CITY OF PALO ALTO, CA  
CITY CLERK'S OFFICE

**From:** Palo Alto Free Press [paloaltofreepress@gmail.com]  
**Sent:** Sunday, January 15, 2012 5:59 PM  
**To:** Keene, James; Council, City  
**Cc:** Reichental, Jonathan  
**Subject:** Palo Alto's Chief Information Officer is Unable or Unwilling to Get to the Core of a Problem  
**Attachments:** Microsoft SMTP Server (TLS) id 14.1.339.1;.doc

12 JAN 17 AM 8:23

This is a heads up.....Feature to be deployed Monday with follow-up's as they develop. Word Doc protected.....

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"We don't print racy material, we just expose the "Naked" truth!!" sm

*el lugar adecuado en el momento oportuno*

Editor - Mark Petersen-Perez

**Minor, Beth**

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**From:** Tony Ciampi [t.ciampi@hotmail.com]  
**Sent:** Monday, January 16, 2012 1:33 AM  
**To:** Stump, Molly; Council, City  
**Subject:** Public Records Request 1152012

Molly Stump  
Palo Alto City Attorney,

Ms. Stump,

I have determined that Ofc. Destefano was correct that there is a Vehicle Code which requires that there be reflectors on bicycle pedals. I would like to point out that the majority of bicycles that I viewed this evening being used at night in the dark in Palo Alto do not have reflectors on the bicycle pedals. With that said I will not be needing the MAV video of the incident last night, however given Ofc. Nasser's stop of me Sunday Morning 1/15/2012 I will be needing the audio recording of the dispatch call

from the "***passer by***" to the PAPD" as well as the call from dispatch to Ofc. Nasser regarding my supposedly cut bicycle lock. This is an official Public Records Request pursuant to Government Code 6250.

<http://youtu.be/8ROIxIZEaH0>

Thank you,

Tony Ciampi  
P.O. Box 1681  
Palo Alto, CA 94302  
650-248-1634

Minor, Beth

CITY OF PALO ALTO, CA  
CITY CLERK'S OFFICE

**From:** Stump, Molly  
**Sent:** Monday, January 16, 2012 8:17 AM  
**To:** 'Tony Ciampi'; Council, City  
**Cc:** Grider, Donna; Tucker, Sheila  
**Subject:** RE: Public Records Request 1152012

12 JAN 17 AM 8:21

Mr. Ciampi –

This is to acknowledge receipt of your request, below. I am copying the City Clerk and City Manager's Office as called for by Palo Alto policy regarding processing of requests for public records. The Police Department will respond to you regarding disposition of this request. I will ask them to copy my office on the response, since you made this request initially to me.

Sincerely,

Molly S. Stump  
City Attorney  
City of Palo Alto  
(650) 329-2171  
[molly.stump@cityofpaloalto.org](mailto:molly.stump@cityofpaloalto.org)

This message may contain confidential or privileged information. If you received it in error, please delete it.

**From:** Tony Ciampi [<mailto:t.ciampi@hotmail.com>]  
**Sent:** Monday, January 16, 2012 1:33 AM  
**To:** Stump, Molly; Council, City  
**Subject:** Public Records Request 1152012

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Palo Alto City Attorney,

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Thank you,

Tony Ciampi  
P.O. Box 1681  
Palo Alto, CA 94302  
650-248-1634

1/17/2012

**Minor, Beth**

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**From:** Tony Ciampi [t.ciampi@hotmail.com]  
**Sent:** Sunday, January 15, 2012 2:06 AM  
**To:** Stump, Molly; Burns, Dennis; Council, City; HRC  
**Cc:** abjpd1@gmail.com  
**Subject:** Illegal stop by PAPD?

Molly Stump  
Palo Alto City Attorney, .

Ms. Stump,

At approximately 1:15am Sunday 1/15/2012 Palo Alto Police Officer Thomas Destefano stopped me and demanded identification from me in part because I did not have reflectors on my bicycle pedals. Ofc. Destefano claims that it is a state law. He remarked that the stopped was being recorded by the in car camera. I asked him to identify the state law but he did not.

Please identify all state and local laws that require reflectors on bicycle pedals. Additionally I officially request a copy of the entire MAV video from the moment that Ofc. Destefano began to follow me.

Joseph Tony Ciampi  
650-248-1634

Minor, Beth

CITY OF PALO ALTO, CA  
CITY CLERK'S OFFICE

**From:** Palo Alto Free Press [paloaltofreepress@gmail.com]  
**Sent:** Monday, January 16, 2012 6:42 AM  
**To:** Reichental, Jonathan  
**Cc:** Keene, James; Council, City; Weatherford, Jeanny  
**Subject:** Palo Alto's recent new hire Jonathan Reichental, Ph.D. abilities called into question

12 JAN 17 AM 8:22



PAFreePress Palo Alto Free Press

City of Palo Alto's Microsoft email server identified as the culprit [bit.ly/z9qjJS](http://bit.ly/z9qjJS)  
[pic.twitter.com/VD958n1b](http://pic.twitter.com/VD958n1b)

[1 minute ago](#) [Favorite](#) [Reply](#) [Delete](#)



PAFreePress Palo Alto Free Press

Palo Alto's recent new hire Jonathan Reichental, Ph.D. abilities called into question [bit.ly/z9qjJS](http://bit.ly/z9qjJS)  
[pic.twitter.com/0X5M06WU](http://pic.twitter.com/0X5M06WU)

[14 minutes ago](#)



PAFreePress Palo Alto Free Press

Palo Alto's Chief Information Officer is Unable or Unwilling to Get to the Core of a Problem  
[bit.ly/z9qjJS](http://bit.ly/z9qjJS) [pic.twitter.com/gXTZhQtb](http://pic.twitter.com/gXTZhQtb)

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"We don't print racy material, we just expose the "Naked" truth!!" sm

*el lugar adecuado en el momento oportuno*

Editor - Mark Petersen-Perez

**The Original Attachment Can Be  
Viewed In The Clerk's Office**

**Minor, Beth**

CITY OF PALO ALTO, CA  
CITY CLERK'S OFFICE

**From:** Joseph Ciampi [t3footballt3@yahoo.com]

**Sent:** Monday, January 16, 2012 12:21 PM

**To:** Council, City

12 JAN 17 AM 8:21

**Subject:** What would Martin Luther King jr. be saying today, the day you are honoring him?

What would Martin Luther King jr. be saying today, the day you are honoring him?

Would Mr. King be supporting an ordinance that takes homeless people's cars away from them or would he be apposing the ordinance?

- ***You know my friends, there comes a time when people get tired of being trampled by the iron feet of oppression ... If we are wrong, the Supreme Court of this nation is wrong. If we are wrong, the Constitution of the United States is wrong. And if we are wrong, God Almighty is wrong. If we are wrong, Jesus of Nazareth was merely a utopian dreamer that never came down to Earth. If we are wrong, justice is a lie, love has no meaning. And we are determined here in Montgomery to work and fight until "justice runs down like water, and righteousness like a mighty stream."***

  - *Address to the first Montgomery Improvement Association (MIA) Mass Meeting, at Holt Street Baptist Church (5 December 1955) . "Justice runs down like water, and righteousness like a mighty stream" is a quotation of Amos 5:24 in the Bible.*
- ***True peace is not merely the absence of tension: it is the presence of justice.***

  - *In a 1955 response to an accusation that he was "disturbing the peace" by his activism during the Montgomery Bus Boycott in Montgomery, Alabama, as quoted in Let the Trumpet Sound : A Life of Martin Luther King, Jr (1982) by Stephen B. Oates*
- ***Men often hate each other because they fear each other; they fear each other because they don't know each other; they don't know each other because they can not communicate; they can not communicate because they are separated.***

  - *Stride Toward Freedom: The Montgomery Story (1958)*
- ***Man is man because he is free to operate within the framework of his destiny. He is free to deliberate, to make decisions, and to choose between alternatives. He is distinguished from animals by his freedom to do evil or to do good and to walk the high road of beauty or tread the low road of ugly degeneracy.***

- *The Measures of Man (1959)*
- *I submit to you that if a man has not discovered something that he will die for, he isn't fit to live.*
  - *Speech in Detroit, Michigan (1963-06-23)*
- *There are certain things in our nation and in the world which I am proud to be maladjusted and which I hope all men of good-will will be maladjusted until the good societies realize — I say very honestly that I never intend to become adjusted to — segregation and discrimination. I never intend to become adjusted to religious bigotry. I never intend to adjust myself to economic conditions that will take necessities from the many to give luxuries to the few. I never intend to adjust myself to the madness of militarism, to self-defeating effects of physical violence. But in a day when sputniks and explorers are dashing through outer space and guided ballistic missiles are carving highways of death through the stratosphere, no nation can win a war. It is no longer the choice between violence and nonviolence. It is either nonviolence or nonexistence...*
- - *Interview after his "Social Justice and the Emerging New Age" address at the Herman W. Read Fieldhouse, Western Michigan University, (18 December 1963)*
- *A riot is the language of the unheard.*
  - *Address given in Birmingham, Alabama (1963-12-31)*
- *Call it democracy, or call it democratic socialism, but there must be a better distribution of wealth within this country for all God's children.*
  - *May 1965 speech to the Negro American Labor Council. Quoted in Thomas F. Jackson, From Civil Rights to Human Rights: Martin Luther King, Jr., and the Struggle for Economic Justice. (2009) p. 230.*
- *The ultimate weakness of violence is that it is a descending spiral, begetting the very thing it seeks to destroy. Instead of diminishing evil, it multiplies it. Through violence you may murder the liar, but you cannot murder the lie, nor establish the truth. Through violence you may murder the hater, but you do not murder hate. In fact, violence merely increases hate. So it goes. ... Returning hate for hate multiplies hate, adding deeper darkness to a night already devoid of stars. Darkness cannot drive out darkness: only light can do that. Hate cannot drive out hate: only love can do that.*



words of the old Negro spiritual, "We ain't goin' study war no more." **This is the challenge facing modern man.**

- *"Remaining Awake Through a Great Revolution" (31 March 1968)*
- **I say to you that our goal is freedom, and I believe we are going to get there because however much she strays away from it, the goal of America is freedom. Abused and scorned though we may be as a people, our destiny is tied up in the destiny of America.**
  - *"Remaining Awake Through a Great Revolution" (31 March 1968)*
- *Peace for Israel means security, and we must stand with all our might to protect its right to exist, its territorial integrity. I see Israel as one of the great outposts of democracy in the world, and a marvelous example of what can be done, how desert land can be transformed into an oasis of brotherhood and democracy. Peace for Israel means security and that security must be a reality.*
  - *March 25, 1968, less than 2 weeks before his death. [1]*
- **I am not interested in power for power's sake, but I'm interested in power that is moral, that is right and that is good.**
  - *As quoted in The Civil Sphere (2006) by Jeffrey C. Alexander, p. 388*
- **I endorse it. I think it was correct. Contrary to what many have said, it sought to outlaw neither prayer nor belief in god. In a pluralistic society such as ours, who is to determine what prayer shall be spoken and by whom? Legally, constitutionally or otherwise, the state certainly has no such right.**
  - *King sharing his thoughts on the U.S. Supreme Court's decision to ban school prayer, in a 1965 interview with Playboy magazine.*
- **If a city has a 30% Negro population, then it is logical to assume that Negroes should have at least 30% of the jobs in any particular company, and jobs in all categories rather than only in menial areas.**
  - *from a 1968 Playboy magazine interview*
- **I met Malcolm X once in Washington, but circumstances didn't enable me to talk with him for more than a minute. He is very articulate ... but I totally disagree with many of his political and philosophical views — at least insofar as I understand where he now stands. I don't want to seem to sound self-righteous, or absolutist, or that I think I have the only truth, the only way. Maybe he does have some of the answer. I don't know how he feels now, but I know that I have often wished that he would talk less of violence, because violence is not going to solve our problem. And in his litany of articulating**

the despair of the Negro without offering any positive, creative alternative, I feel that Malcolm has done himself and our people a great disservice. Fiery, demagogic oratory in the black ghettos, urging Negroes to arm themselves and prepare to engage in violence, as he has done, can reap nothing but grief.

- Interview in *Playboy* (January 1965)

## Strength to Love (1963)

Online text at Google Books

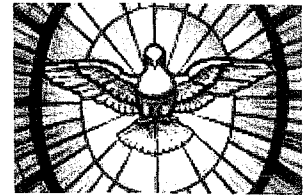
- **The strong man holds in a living blend strongly marked opposites.** The idealists are usually not realistic, and the realists are not usually idealistic. The militant are not generally known to be passive, nor the passive to be militant. Seldom are the humble self-assertive, or the self-assertive humble. **But life at its best is a creative synthesis of opposites in fruitful harmony.** The philosopher Hegel said that truth is found neither in the thesis nor the antithesis, but in the emergent synthesis which reconciles the two.

- Ch. 1 : A tough mind and a tender heart

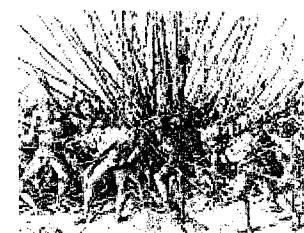
- **Jesus recognized the need for blending opposites.** He knew that his disciples would face a difficult and hostile world, where they would confront the recalcitrance of political officials and the intransigence of the protectors of the old order. He knew that they would meet cold and arrogant men whose hearts had been hardened by the long winter of traditionalism. ... And he gave them a formula for action, "Be ye therefore as wise as serpents, and harmless as doves." ... **We must combine the toughness of the serpent with the softness of the dove, a tough mind and a tender heart.**

- Ch. 1 : A tough mind and a tender heart

- **The tough mind is sharp and penetrating, breaking through the crust of legends and myths and sifting the true from the false.** The tough-minded individual is astute and discerning. He has a strong austere quality that makes for firmness of purpose and solidness of commitment. Who doubts that this toughness is one of man's greatest needs? **Rarely do we find men who willingly engage in hard, solid thinking.** There is an almost universal quest for



We must combine the toughness of the serpent with the softness of the dove, a tough mind and a tender heart.



The chain reaction of evil — hate begetting hate, wars producing more wars — must be broken, or we shall be plunged into the dark abyss of annihilation.

*easy answers and half-baked solutions. Nothing pains some people more than having to think.*

- *Ch. 1 : A tough mind and a tender heart*

- *Softmindedness often invades religion. ... Softminded persons have revised the Beattitudes to read "Blessed are the pure in ignorance: for they shall see God." This has led to a widespread belief that there is a conflict between science and religion. But this is not true. There may be a conflict between softminded religionists and toughminded scientists, but not between science and religion. ... Science investigates; religion interprets. Science gives man knowledge which is power; religion gives man wisdom which is control. Science deals mainly with facts; religion deals mainly with values. The two are not rivals. They are complementary.*

- *Ch. 1 : A tough mind and a tender heart*

- *There is little hope for us until we become toughminded enough to break loose from the shackles of prejudice, half-truths, and downright ignorance. The shape of the world today does not permit us the luxury of softmindedness. A nation or civilization that continues to produce softminded men purchases its own spiritual death on the installment plan.*



*Darkness cannot drive out darkness: only light can do that. Hate cannot drive out hate: only love can do that.*

*But we must not stop with the cultivation of a tough mind. The gospel also demands a tender heart. ... What is more tragic than to see a person who has risen to the disciplined heights of toughmindedness but has at the same time sunk to the passionless depths of hardheartedness?*

- *Ch. 1 : A tough mind and a tender heart*

- *The greatness of our God lies in the fact that He is both toughminded and tenderhearted.*

- *Ch. 1 : A tough mind and a tender heart*

- *Nothing in the world is more dangerous than sincere ignorance and conscientious stupidity.*

- *Ch. 4 : Love in action, Sct. 3*

- *Returning hate for hate multiplies hate, adding deeper darkness to a night already devoid of stars. Darkness cannot drive out darkness: only light can do that. Hate cannot drive out hate: only love can do that. Hate multiplies hate, violence multiplies violence, and toughness multiplies toughness in a descending spiral of destruction. So when Jesus says "Love your*

enemies," he is setting forth a profound and ultimately inescapable admonition. ... The chain reaction of evil — hate begetting hate, wars producing more wars — must be broken, or we shall be plunged into the dark abyss of annihilation.

- Ch. 5 : Loving your enemies; this passage contains some phrases King later used in "Where Do We Go From Here?" (1967) which has a section below.
- **Like an unchecked cancer, hate corrodes the personality and eats away its vital unity. Hate destroys a man's sense of values and his objectivity. It causes him to describe the beautiful as ugly and the ugly as beautiful, and to confuse the true with the false and the false with the true.**
  - Ch. 5 : Loving your enemies
- **The ultimate measure of a man is not where he stands in moments of comfort and convenience, but where he stands at times of challenge and controversy.**

### Letter from a Birmingham Jail (1963)

Response to an open letter by fellow clergyman criticizing his participation in civil rights demonstrations (16 April 1963) Full text online

- **Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly.**
- **We know through painful experience that freedom is never voluntarily given by the oppressor; it must be demanded by the oppressed.**
- **One has not only a legal, but a moral responsibility to obey just laws. Conversely, one has a moral responsibility to disobey unjust laws.**
- **How does one determine whether a law is just or unjust? A just law is a man-made code that squares with the moral law or the law of God. An unjust law is a code that is out of harmony with the moral law. To put it in terms of St. Thomas Aquinas: An unjust law is a human law that is not rooted in**



Let us all hope that the dark clouds of racial prejudice will soon pass away and the deep fog of misunderstanding will be lifted from our fear-drenched communities...

*eternal law and natural law. Any law that uplifts the human personality is just. Any law that degrades human personality is unjust. All segregation statutes are unjust because segregation distorts the soul and damages the personality. It gives the segregator a false sense of superiority and the segregated a false sense of inferiority.*

- **An unjust law is a code that a majority inflicts on a minority that is not binding on itself.** *This is difference made legal. On the other hand a just law is a code that a majority compels a minority to follow that it is willing to follow itself. This is sameness made legal.*
- **One who breaks an unjust law must do it openly, lovingly [...] I submit that an individual who breaks a law that conscience tells him is unjust, and willingly accepts the penalty by staying in jail to arouse the conscience of the community over its injustice, is in reality expressing the very highest respect for law.**
- *I have almost reached the regrettable conclusion that the Negro's great stumbling block in the stride toward freedom is not the White Citizen's Counciler or the Ku Klux Klanner, **but the white moderate who is more devoted to "order" than to justice**; who prefers a negative peace which is the absence of tension to a positive peace which is the presence of justice. [...] Shallow understanding from people of good will is more frustrating than absolute misunderstanding from people of ill will.*
- **In your statement you assert that our actions, even though peaceful, must be condemned because they precipitate violence. But is this a logical assertion? Isn't this like condemning a robbed man because his possession of money precipitated the evil act of robbery? Isn't this like condemning Socrates because his unswerving commitment to truth and his philosophical inquiries precipitated the act by the misguided populace in which they made him drink hemlock? Isn't this like condemning Jesus because his unique God-consciousness and never-ceasing devotion to God's will precipitated the evil act of crucifixion? We must come to see that, as the federal courts have consistently affirmed, it is wrong to urge an individual to cease his efforts to gain his basic constitutional rights because the quest may precipitate violence. Society must protect the robbed and punish the robber.**
- *Oppressed people cannot remain oppressed forever. The yearning for freedom eventually manifests itself, and that is what has happened to the American Negro. Something within has reminded him of his birthright of freedom, and something without has reminded him that it can be gained.*

- *I have consistently preached that nonviolence demands that the means we use must be as pure as the ends we seek. I have tried to make clear that it is wrong to use immoral means to attain moral ends. But now I must affirm that it is just as wrong, or perhaps even more so, to use moral means to preserve immoral ends.*
- *Never before have I written so long a letter. I'm afraid it is much too long to take your precious time. I can assure you that it would have been much shorter if I had been writing from a comfortable desk, but what else can one do when he is alone in a narrow jail cell, other than write long letters, think long thoughts, and pray long prayers?*
- *Let us all hope that the dark clouds of racial prejudice will soon pass away and the deep fog of misunderstanding will be lifted from our fear-drenched communities, and in some not too distant tomorrow the radiant stars of love and brotherhood will shine over our great nation with all their scintillating beauty.*

### ***I Have A Dream (1963)***

*Full text online + audio and video links*

- ***Five score years ago, a great American, in whose symbolic shadow we stand today signed the Emancipation Proclamation. This momentous decree came as a great beacon light of hope to millions of Negro slaves who had been seared in the flames of withering injustice. It came as a joyous daybreak to end the long night of their captivity. But one hundred years later, we must face the tragic fact that the Negro is still not free.***

*One hundred years later, the life of the Negro is still sadly crippled by the manacles of segregation and the chains of discrimination. One hundred years later, the Negro lives on a lonely island of poverty in the midst of a vast ocean of material prosperity. One hundred years later, the Negro is still languished in the corners of American society and finds himself an exile in his own land.*

- *When the architects of our republic wrote the magnificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir.*

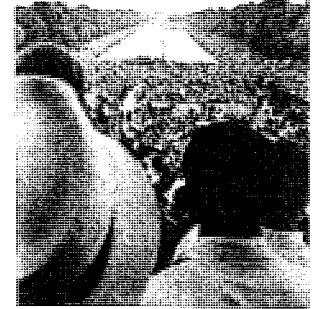
*This note was a promise that all men, yes black men as well as white men, would be guaranteed the inalienable rights of life, liberty, and the pursuit of happiness. It is obvious today that America has defaulted on this promissory note insofar as her citizens of color are*



*I have a dream...*

concerned. Instead of honoring this sacred obligation, America has given the Negro people a bad check, a check which has come back marked "insufficient funds." **But we refuse to believe that the bank of justice is bankrupt. We refuse to believe that there are insufficient funds in the great vaults of opportunity of this nation.**

- ▣ This is no time to engage in the luxury of cooling off or to take the tranquilizing drug of gradualism. Now is the time to make real the promises of democracy. Now is the time to rise from the dark and desolate valley of segregation to the sunlit path of racial justice. Now is the time to open the doors of opportunity to all of God's children. Now is the time to lift our nation from the quicksands of racial injustice to the solid rock of brotherhood.
- ▣ **The whirlwinds of revolt will continue to shake the foundations of our nation until the bright day of justice emerges.** But there is something that I must say to my people who stand on the warm threshold which leads into the palace of justice. **In the process of gaining our rightful place we must not be guilty of wrongful deeds. Let us not seek to satisfy our thirst for freedom by drinking from the cup of bitterness and hatred.**
- ▣ **We must forever conduct our struggle on the high plane of dignity and discipline. We must not allow our creative protest to degenerate into physical violence. Again and again we must rise to the majestic heights of meeting physical force with soul force.**
- ▣ The marvelous new militancy which has engulfed the Negro community must not lead us to a distrust of all white people, for many of our white brothers, as evidenced by their presence here today, have come to realize that their destiny is tied up with our destiny and their freedom is inextricably bound to our freedom.
- ▣ **I am not unmindful that some of you have come here out of great trials and tribulations.** Some of you have come fresh from narrow jail cells. Some of you have come from areas where your quest for freedom left you battered by the storms of persecution and staggered by the winds of police brutality. You have been the veterans of creative suffering. Continue to work with the faith that unearned suffering is redemptive.



We must forever conduct our struggle on the high plane of dignity and discipline. We must not allow our creative protest to degenerate into physical violence.



Again and again we must rise to the majestic heights of meeting physical force with soul force.