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September 30, 2014

Via Electronic Mail and U.S. Mail

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Re: Public Records Act Requests: Salinas Police Department Officer-Involved Shootings
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Re: Public Records Act Requests: Salinas Police Department Officer-Involved Shootings

Ladies and Gentlemen:

As you all know, the City of Salinas has experienced four Officer-Involved Shootings which occurred in Salinas on March 20, 2014; May 9, 2014; May 20, 2014; and July 10, 2014. Beginning with the March 20, 2014 incident, the City of Salinas and its residents have been dealing with an unprecedented series of violent encounters.

Notwithstanding the circumstances present in Salinas during the past seven months since the first incident, at some point during this period each of you has requested that the City of Salinas identify the Salinas Police Officers involved in these four incidents. The City responded to each of your requests and on each occasion, both before and after the California Supreme Court issued its decision in Long Beach Police Officers Assn. v. City of Long Beach (2014) 59 Cal. 4th 59, the City declined to identify these Salinas Police Officers. The City's determination to decline production of their identities was both because the investigations into each of these incidents continue and because of the California Supreme Court's recognition in Long Beach of circumstances which justify withholding their identities; the public's interest in officers' safety, clearly outweighed the public's interest in disclosure of their identities.

As the City indicated in response to many of your requests, throughout the period of time since March 20, 2014, the City continually reconsidered and re-evaluated its position relative to the numerous threats it received against these Salinas Police Officers and the numerous requests it received for the identities of these Salinas Police Officers. The City now finds that pursuant to the California Supreme Court's reasoning in Long Beach the previous threats seem to have subsided and current circumstances no longer justify withholding their identities and further finds that the public's interest in disclosure of the identities, while not outweighing the Salinas Police Officers' safety, does weigh in favor of releasing their identities at this time.

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As mentioned above, the investigations into these four incidents continue and to that extent the City does not waive any exemption or privilege applicable to the information gathered during the investigations and therefore continues to decline production of any exempt or privileged documents or information pertaining to on-going investigations into these four incidents. [California Government Code section 6254, subdivision (f)]. With respect to the identities of the Salinas Police Officers involved in the 2014 Officer-Involved Shootings, the City of Salinas provides the following information in response to your requests:

Incident Date:

March 20, 2014

Location:

1488 Constitution Blvd., Salinas, California

Name of Person Involved:

Angel Ruiz

Salinas Police Officers Involved/Years of Service with the Salinas Police Department:

Salinas Police Sergeant Mark Lazzarini, nineteen years of service

Salinas Police Officer Daniel DeBorde, three years of service

Salinas Police Officer William Yetter, two years of service

Incident Date:

May 9, 2014

Location:

950 East Alisal Street, Salinas, California

Name of Person Involved:

Osman Hernandez

Salinas Police Officers Involved/Years of Service with the Salinas Police Department:

Salinas Police Officer Derek Gibson, six years of service

Salinas Police Sergeant George Lauricella, eighteen years of service

Incident Date:

May 20, 2014

Location:

Del Monte Avenue/North Sanborn Road, Salinas, California

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Name of Person Involved:

Carlos Mejia-Gomez

Salinas Police Officers Involved/Years of Service with the Salinas Police Department:

Salinas Police Officer Josh Lynd, eighteen years of service

Salinas Police Sergeant Danny Warner, thirteen years of service

Incident Date:

July 10, 2014

Location:

Sanborn Road/Fairview Avenue, Salinas, California

Name of Person Involved:

Frank Miguel Alvarado

Salinas Police Officers Involved/Years of Service with the Salinas Police Department:

Salinas Police Sergeant Brian Johnson, ten years of service

Salinas Police Officer Scott Sutton, seven years of service

Please note that other than through this letter, the City of Salinas is not otherwise publishing the names or issuing a press release with respect to the identities of the Salinas Police Officers named herein. These Salinas Police Officers' names are provided solely for the purpose of responding to your requests. Whether the identities of these Salinas Police Officers are otherwise published by each of you is a decision each of you must individually make. We respectfully request that you use discretion when deciding whether and how you publish the information provided in this letter as we anticipate that additional threats toward these Salinas Police Officers may follow any such publication.

Sincerely,



Christopher A. Callihan
City Attorney



Kelly J. McMillin
Police Chief

cc: Mayor and City Council
City Manager

District Attorney, Monterey County
Assistant District Attorney, Monterey County