

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM: 3.22
(ID # 12803)

MEETING DATE:

Tuesday, June 09, 2020

FROM : SUPERVISOR V. MANUEL PEREZ:

SUBJECT: SUPERVISOR V. MANUEL PEREZ: ADOPT RESOLUTION 2020-162 TO
CONDEMN THE ACTIONS OF POLICE INVOLVED IN THE GEORGE FLOYD
MURDER

RECOMMENDED MOTION: That the Board of Supervisors:

1. Support and Adopt the Resolution to Condemn the Murder of George Floyd and Support Criminal Charges, Convictions and Sentencing Against All Four Police Officers Involved to the Full Extent of the Law

ACTION:Policy



Supervisor V. Manuel Perez, Chairman 6/5/2020

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Perez, seconded by Supervisor Washington and duly carried,
IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Washington and Perez
Nays: Spiegel
Absent: Hewitt
Date: June 9, 2020
xc: BOS-Dist. 4

Kecia R. Harper
Clerk of the Board

By: 
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ partial year	\$ full year	\$ (e.g. contract total)	\$ (e.g. Operations)
NET COUNTY COST	\$ partial year	\$ full year	\$ In dollars, no cents	\$ In dollars, no cents
SOURCE OF FUNDS: Give fund name or number. If external, give source (e.g. state grant, contract revenue). If multiple, give percent of each.			Budget Adjustment: Yes or No	
			For Fiscal Year: YYYY	

C.E.O. RECOMMENDATION: [CEO use]

BACKGROUND:

Summary

The recent events across our nation have impacted many individuals but especially our African American community. We must stand together to eliminate racial injustice, discrimination, and condemn behavior that erodes our civil liberties. The Board of Supervisors, County Executive Officer and all Department Heads are committed to protecting the rights of all individuals in the county.

We condemn the action of the officers involved in the recent death of George Floyd. The behaviors exhibited by these officers should not be tolerated by any law enforcement or governmental agency. We stand united with individuals who are lawfully demonstrating and peacefully protesting the injustice and senseless killing of George Floyd and others. It is up to us, to be the change we want to see, to be part of the solution, and to work towards a better future for all.

County leadership is committed to ensuring that all employees and members of the public are treated fairly, equitably, and free from discrimination and social injustice.

We offer the attached resolution statement to strengthen community policing and trust among law enforcement officers and the communities they serve—especially in light of recent events around the country that have underscored the need for and importance of lasting collaborative relationships between local police and the public.

Impact on Residents and Businesses

There is no negative impact on businesses or the public.

Additional Fiscal Information

There will be no cost to the general fund.

ATTACHMENT. George Floyd Resolution

COUNTY OF RIVERSIDE

RESOLUTION NUMBER 2020-162

A RESOLUTION OF THE COUNTY OF RIVERSIDE

**CONDEMNING THE MURDER OF GEORGE FLOYD AND URGING CRIMINAL CHARGES,
CONVICTIONS AND SENTENCING AGAINST ALL FOUR POLICE OFFICERS INVOLVED
TO THE FULL EXTENT OF THE LAW**

WHEREAS, on May 25, 2020, George Floyd, an African American man died at the hands
of four Minneapolis, Minnesota police officers; and

WHEREAS, this apparent unprovoked and intentional act of violence represents a blatant
disregard for the dignity and sanctity of human life; and

WHEREAS, the actions of these four police officers do not represent the thousands of
men and women that serve and protect their respective communities with the highest level of
professionalism, but their actions do impact the relationships between those communities and
their respective police departments; and

WHEREAS, there have been many other tragic deaths of innocent persons at the hands
of police officers who use excessive force, including Breonna Taylor, Philando Castile, Eric
Garner, Tamir Rice, Sean Bell, Sandra Bland, Walter Scott and Oscar Grant, to name just a few;
and

WHEREAS, these acts of the intolerable violence and other similar acts that have
occurred across the country in recent years are deplorable and unconscionable, and must serve
as wake-up call to every human being that recognizes life as both a gift and human right; and

NOW, THEREFORE, BE IT RESOLVED, that the Riverside County Board of
Supervisors, on behalf of the County and all residents thereof, condemns the murder of George

06.09.2020 3.22

1 Floyd at the hands of the four Minneapolis, Minnesota police officers and urges criminal
2 charges, convictions and sentencing against all four to the full extent of the law.

3 **BE IT FURTHER RESOLVED**, that the Riverside County Board of Supervisors joins with
4 Americans all across our nation in expressing our condolences to the family of George Floyd
5 and shares in the disbelief, sorrow, shame, and anger; and

6 **BE IT FURTHER RESOLVED**, that the Riverside County Board of Supervisors joins the
7 calls for systemic changes that address the decades of institutional racism and inequality across
8 our nation that adversely impact communities of color; and

9 **BE IT FURTHER RESOLVED**, that the Riverside County Board of Supervisors commits
10 to our community that our county does not and will not tolerate, nor accept in any way, violent or
11 disrespectful treatment of others that degrades dignity and disregards human life; and

12 **BE IT FURTHER RESOLVED**, that the Riverside County Board of Supervisors calls upon
13 our communities and residents to join with us in committing to introspective evaluation of
14 ourselves as public servants, community citizens and as brothers and sisters regarding this
15 tragic event; and

16 **BE IT FURTHER RESOLVED**, that the Riverside County Board of Supervisors urges law
17 enforcement leaders and other local governments to join us in denouncing the actions by the
18 Minneapolis police officers and also review and reform their policies on the use of force,
19 recruitment and officer training, including bias, de-escalation, language and cultural sensitivity,
20 and mental health;

21 **BE IT FURTHER RESOLVED**, that the Clerk of the Board transmit a copy of this
22 resolution to the Minneapolis, Minnesota Mayor and City Council, Minnesota Governor Tim
23 Walz, Minnesota Attorney General Keith Ellison, California Governor Gavin Newsom, California
24 Attorney General Xavier Becerra, all mayors and city councils of Riverside County; and to the
25 members of Riverside County's federal and state legislative delegations.

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27
28 ROLL CALL:

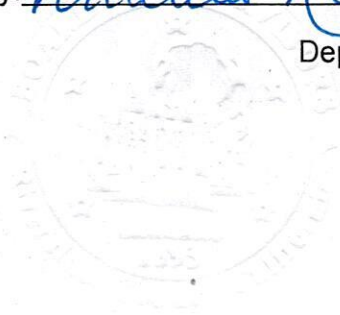
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Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

KECIA R. HARPER, Clerk of said Board

By: 
Deputy



06.09.2020 3.22



Riverside County Board of Supervisors Request to Speak

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Corey Jackson

Address: _____

City: _____ Zip: _____

Phone #: _____

Date: _____ Agenda # 3.22

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

~~_____~~ Support _____ Oppose _____ Neutral

Note: If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

~~_____~~ Support _____ Oppose _____ Neutral

I give my 3 minutes to: _____



Riverside County Board of Supervisors Request to Speak

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SPEAKER'S NAME: Jordanna Wong

Address: _____

City: _____ Zip: _____

Phone #: _____

Date: _____ Agenda # 3.22

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

X Support _____ Oppose _____ Neutral

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**Riverside County Board of Supervisors
Request to Speak**

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SPEAKER'S NAME: Cait mallery

Address: _____

City: _____ **Zip:** _____

Phone #: _____

Date: _____ **Agenda #** 3.22

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

_____ **Support** _____ **Oppose** X _____ **Neutral**

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Riverside County Board of Supervisors Request to Speak

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SPEAKER'S NAME: Vonya Charles

Address: _____

City: _____ Zip: _____

Phone #: _____

Date: _____ Agenda # 3.22

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

☒ Support ☐ Oppose ☐ Neutral

Note: If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

☐ Support ☐ Oppose ☐ Neutral

I give my 3 minutes to: _____

BE IT FURTHER RESOLVED, that the Riverside County Board of Supervisors supports the work of Libertarian Congressman Justin Amash (L. MI.) on H.R. 7085, Ending Qualified Immunity Act to eliminate qualified immunity and to restore Americans' ability to obtain relief when their constitutional rights are violated.

Submitted by Supervisor Hewitt
6-9-20 Item 3.22
(date)

.....
(Original Signature of Member)

116TH CONGRESS
2D SESSION

H. R. _____

To amend the Revised Statutes to remove the defense of qualified immunity
in the case of any action under section 1979, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. AMASH introduced the following bill; which was referred to the Committee
on _____

A BILL

To amend the Revised Statutes to remove the defense of
qualified immunity in the case of any action under sec-
tion 1979, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Ending Qualified Im-
5 munity Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds as follows:

1 (1) In 1871, Congress passed the Ku Klux
2 Klan Act to combat rampant violations of civil and
3 constitutionally secured rights across the nation,
4 particularly in the post-Civil War South.

5 (2) Included in the act was a provision, now
6 codified at section 1983 of title 42, United States
7 Code, which provides a cause of action for individ-
8 uals to file lawsuits against State and local officials
9 who violate their legal and constitutionally secured
10 rights.

11 (3) Section 1983 has never included a defense
12 or immunity for government officials who act in
13 good faith when violating rights, nor has it ever had
14 a defense or immunity based on whether the right
15 was "clearly established" at the time of the violation.

16 (4) From the law's beginning in 1871, through
17 the 1960s, government actors were not afforded
18 qualified immunity for violating rights.

19 (5) In 1967, the Supreme Court in *Pierson v.*
20 *Ray*, 386 U.S. 547, suddenly found that government
21 actors had a good faith defense for making arrests
22 under unconstitutional statutes based on a common
23 law defense for the tort of false arrest.

1 (6) The Court later extended this beyond false
2 arrests, turning it into a general good faith defense
3 for government officials.

4 (7) Finally, in *Harlow v. Fitzgerald*, 457 U.S.
5 800 (1982), the Court found the subjective search
6 for good faith in the government actor unnecessary,
7 and replaced it with an “objective reasonableness”
8 standard that requires that the right be “clearly es-
9 tablished” at the time of the violation for the de-
10 fendant to be liable.

11 (8) This doctrine of qualified immunity has se-
12 verely limited the ability of many plaintiffs to re-
13 cover damages under section 1983 when their rights
14 have been violated by State and local officials. As a
15 result, the intent of Congress in passing the law has
16 been frustrated, and Americans’ rights secured by
17 the Constitution have not been appropriately pro-
18 tected.

19 **SEC. 3. SENSE OF THE CONGRESS.**

20 It is the sense of the Congress that we must correct
21 the erroneous interpretation of section 1983 which pro-
22 vides for qualified immunity, and reiterate the standard
23 found on the face of the statute, which does not limit li-
24 ability on the basis of the defendant’s good faith beliefs

1 or on the basis that the right was not “clearly established”
2 at the time of the violation.

3 **SEC. 4. REMOVAL OF QUALIFIED IMMUNITY.**

4 Section 1979 of the Revised Statutes (42 U.S.C.
5 1983) is amended by adding at the end the following: “It
6 shall not be a defense or immunity to any action brought
7 under this section that the defendant was acting in good
8 faith, or that the defendant believed, reasonably or other-
9 wise, that his or her conduct was lawful at the time when
10 it was committed. Nor shall it be a defense or immunity
11 that the rights, privileges, or immunities secured by the
12 Constitution or laws were not clearly established at the
13 time of their deprivation by the defendant, or that the
14 state of the law was otherwise such that the defendant
15 could not reasonably have been expected to know whether
16 his or her conduct was lawful.”.

June 8, 2020

Supervisor Kevin Jeffries, District 1
Supervisor Karen Spiegel, District 2
Supervisor Chuck Washington, District 3
Supervisor V. Manuel Perez, District 4
Supervisor Jeff Hewitt, District 5

Sent via Email

RE: Items 3.22 & 3.23

Dear Riverside County Board of Supervisors,

As the Mayor Pro Tem for the City of Palm Springs and a resident of Riverside County, I am writing to strongly urge you support Supervisor V. Manuel Perez's proposed resolution condemning the actions of the Minneapolis police involved in the murder of George Floyd in Item 3.22 and recommendation that the Board of Supervisors direct a review of the Sheriff Department practices and policies related to policing in our communities in Item 3.23.

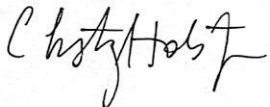
Our communities are reeling from the brutal murder of George Floyd and the ongoing history of police brutality directed at Black communities and communities of color, not only throughout our country, but in our own cities and county. In Palm Springs, just this past weekend, we had over 800 residents from all over the County attend a protest against police brutality and in support of reform. Throughout the county, thousands and thousands of our residents have risen up to demand a thorough review of our current practices and analyze any necessary changes.

Like most communities throughout Riverside County, in Palm Springs and the Coachella Valley, we have a long history of racial segregation and exclusion, racial violence, racist city policies and policing, and injustice and disparities in our community that exist today. These have real and long-lasting effects on our residents' daily lives and last for generations; a Loma Linda University community health assessment from 2014 in Desert Highland Gateway found significant disparate health impacts for Black residents, especially those affected by arrest or incarceration, and found that nearly half (2 in 5) of community members' health was affected by arrest or incarceration. The study also found a high rate of distrust for law enforcement tasked to protect these neighborhoods.

I wholeheartedly agree with Supervisor Perez's recommendation that we seek feedback from our residents about the police services in our communities. As elected officials, we do not have the same relationship with our police departments as the communities we serve and we do not encounter our law enforcement departments and officers in the same way or under the same circumstances as our residents. Their input and perspective, especially those from Black communities and communities of color, is crucial to obtain through robust community engagement if we are to hear and consider all experiences and opportunities for change, which is the job our constituents elected us to do.

I urge you to support Supervisor Perez's proposals which have a direct impact on the health, wellbeing, and safety of all of our communities and the nearly 2.5 million residents of Riverside County. Thank you in advance for your time and consideration.

Sincerely,



Christy Gilbert Holstege
Mayor Pro Tem, City of Palm Springs
Christy.holstege@palm Springsca.gov

From: Maxwell, Sue

Sent: Monday, June 8, 2020 2:55 PM

To: George Johnson (GAJohnson@RIVCO.ORG) <GAJohnson@RIVCO.ORG>; Young, Alisa <AYoung@RIVCO.ORG>; District 4 Supervisor V. Manuel Perez (District4@RIVCO.ORG) <District4@RIVCO.ORG>; District2 <District2@Rivco.org>; District3 <District3@Rivco.org>; District5 <District5@Rivco.org>; Supervisor Jeffries - 1st District (district1@rivco.org) <district1@rivco.org>

Cc: Harper, Kecia <KHarper@rivco.org>

Subject: June 9 2020 Item Nos 3.22 and 3.23 - Public Comment (Palm Springs Mayor Pro Tem Christy Gilbert Holstege)

Greetings,

Forwarding a Public Comment received via COB email for June 9, 2020 Item No 3.22 (12803) and Item No 3.23 (12810) for your review.

This is filed with Agenda back-up.

Thank you kindly,

Sue Maxwell

Board Assistant

Riverside County Clerk of the Board of Supervisors

(951) 955-1069 Fax (951) 955-1071

Mail Stop #1010

cob@rivco.org

website: <http://rivcocob.org/>

<https://www.facebook.com/RivCoCOB/>



TOGETHER, Everybody Counts!



IECounts.org

From: "Rodriguez, Greg L" <GRodrigu@rivco.org>

Date: June 8, 2020 at 1:51:37 PM PDT

To: Christy Holstege <Christy.Holstege@palmspringsca.gov>, Llubi Rios <Llubi.Rios@palmspringsca.gov>, "Harper, Kecia" <KHarper@rivco.org>

Subject: RE: Public Comment to Riverside County Board of Supervisors

Christy,

I have copied the Clerk of the Board on this reply with your attached letter. She will distribute to the rest of the Board.

Greg

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Government Relations and Public Policy Advisor

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