

KNOW THE FACTS

POLICE REFORM IN VALLEJO: WHAT YOU NEED TO KNOW



The Vallejo Police Department (VPD) has a long, well-documented history of using unnecessary deadly force against members of the community. Since 2011, at least 16 people have been killed by police. For decades, some Vallejo police officers have engaged in a ritual where they would bend the tips of their badges each time they killed someone as a kind of perverse badge of honor. Although VPD leadership knew about the practice, for years they did nothing to stop it. The department's high rate of fatal shootings also disproportionately impacts people of color, especially Black people.

Since the Vallejo Police Department could not be trusted to investigate itself, the California Department of Justice (Cal DOJ) got involved. Cal DOJ officials worked with the Vallejo Police Department and the city of Vallejo to create an MOU—an agreement between VPD and the city to put into place a set of 45 reforms to address bias, lack of police accountability, and use of force procedures.

Why did the California Department of Justice eventually sue Vallejo and its police department, and what happened with the lawsuit?

After three years, VPD had made little progress on the agreed upon reforms. So in October 2023, Cal DOJ sued VPD and the city to get a court order forcing VPD to carry out the reforms.

The lawsuit alleged that Vallejo police exhibited a “pattern and practice of excessive and unreasonable force.” It also said that these abuses disproportionately impact people of color, in violation of state law and the U.S. Constitution. In the same month Cal DOJ filed the lawsuit, it reached a stipulated judgment with the city, essentially an agreement that the court order various reform requirements and oversee implementation of these reforms.

In November 2023, the judge assigned to the case, Solano County Superior Court Judge Stephen Gizzi, issued an order questioning whether he had authority to accept or agree to the stipulated judgement. Cal DOJ asked him to recuse himself, but this request was denied. In April 2024, Cal DOJ announced that it had agreed to a “settlement agreement” with the city of Vallejo and moved to dismiss the lawsuit.

What is the status of the Cal DOJ lawsuit against Vallejo and the Vallejo Police Department?

In April 2024, Judge Gizzi dismissed the lawsuit at Cal DOJ's request. Since the parties settled, the court will not monitor the Vallejo Police Department's compliance with the agreed upon reforms. Instead, a settlement agreement is in effect.

What is the settlement agreement?

The settlement agreement is a contract between Cal DOJ, VPD and the city of Vallejo. But the terms are not enforced by a judge. However, Cal DOJ can resume its lawsuit if VPD fails to meet the terms of the settlement agreement.

The requirements in the [Settlement Agreement \(tinyurl.com/vallejoDOJ\)](https://www.tinyurl.com/vallejoDOJ) are similar to original MOU from 2020, which was aimed at increasing the transparency, accountability, oversight, and training of Vallejo police officers.

As of August 2024, the department had completed 20 of the 45 required reforms, according to Cal DOJ. The Agreement names the firm Jensen Hughes as the independent evaluator to oversee the city's progress. You can contact them at contact@vallejomonitor.com.

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What if all the reforms are not implemented through the settlement agreement?

If Vallejo fails to comply with the terms of the settlement agreement, Cal DOJ can sue the city once a 30-day negotiation period concludes. Such a lawsuit would be filed in the Alameda County Superior Court.

However, it remains unclear when this timeline would start, what Cal DOJ's timeline is for implementation, or how it plans to determine whether VPD has violated the agreement. ACLU NorCal is committed to supporting the Vallejo community in increasing transparency throughout this process.

What can you do to help ensure that Vallejo police reform moves forward?

Without court oversight, there's an even greater need for organizing the community to put pressure on public officials to implement the remainder of the settlement agreement and ensure transparency. People who care about police accountability in Vallejo must come together to ensure there is continued transparency on the implementation of the settlement agreement. If VPD continues to violate the terms, the public must demand that Cal DoJ file another lawsuit.

You can also push the Vallejo City Council to use its authority to ensure that the police department adopts reforms.

What power does the Vallejo City Council have to advance police reform and accountability?

1. Develop a policy that defines and limits VPD's use of pretextual stops (the Cal DOJ settlement agreement separately requires VPD to develop a policy to this effect). Councilmembers should request public reports and updates on the state of implementation during open session council meetings.

2. Ensure the city's alternatives to crisis/emergency response are robust, effective, fully funded, and outside of VPD control.
3. Ensure that the city hires an independent police auditor.
4. Ensure that the Police Oversight and Accountability Commission (POAC) is fully implemented and has the resources and authority to fulfill its mission.
5. Ensure Measure P funds are prioritized for funding youth programs in Vallejo.

What is the ACLU of Northern California doing to support police oversight and accountability in Vallejo?

1. In 2024, ACLU NorCal has been advocating for a transparent and community-engaged hiring process for the new city manager and police chief.
2. We are gathering and sharing information to advocate for police decertification review for Vallejo police officers who have a history of violence and misconduct.
3. We are building a local advocacy team of Vallejo community members to organize for police accountability, monitor the implementation of the POAC, advocate for alternative crisis response programs, and more. **If you'd like to get involved, contact Liz Blum-Gutierrez at lblum@aclunc.org or 916-620-9709.**
4. ACLU NorCal also has an ongoing lawsuit seeking the release of the Vallejo Police Department badge-bending investigation report and related records. A final hearing is scheduled for September 2024.

ACLU NorCal remains committed to supporting the Vallejo community in ensuring the implementation of critical police reforms, advocating for decertification of Vallejo police officers, and increasing community safety through investments in youth programs, civilian crisis responders, violence prevention programs, and other services for families and children.

