



Via E-Mail (piu@doj.ca.gov) and Overnight Mail

May 26, 2020

Hon. Xavier Becerra,
Office of the Attorney General
Department of Justice
1300 'I' Street
Sacramento, CA 95814-2919

Re: Request for Independent Investigation into Police Use of Deadly Force

Greetings,

We are writing on behalf of the Hayward City Council, which on November 5, 2019, adopted a policy to direct the City Manager to request an independent investigation by your office into any use of deadly force incident by the Hayward Police Department, which such investigation would be in addition to the mandatory internal investigations conducted by the Hayward Police Department (HPD) and the Alameda County District Attorney's Office (ACDA). On Wednesday, May 20, 2020, three Hayward Police officers discharged their service weapons during a traffic stop, which resulted in the death of a man in his early 20s.

Pursuant to the Council policy, we are respectfully asking your office if it will conduct an independent investigation into this incident. If your office does elect to conduct an independent investigation, we seek your office's direction and guidance regarding the policies, procedures, or protocols that would dictate whether and when a local law enforcement agency's use of deadly force warrants an independent investigation by the Office of the Attorney General, Department of Justice, so that we can conduct the appropriate meet and confer process with our Police Officers' Association. This response could include answers to the following questions: 1) could you provide information regarding the policies, procedures, or protocols that would be employed in a potential independent investigation by your office into this incident? 2) How would your office distinguish between local investigations that have been completed or OIS incidents where the local investigations are underway? and 3) Could you also describe your purview as it relates to repercussions for the officers involved in these incidents?

Thank you for your prompt attention to this important inquiry. If you would prefer to have us set up a meeting with you or members of your staff to discuss this matter, please contact us at (510) 583-4305 or via email Kelly.McAdoo@hayward-ca.gov and Michael.Lawson@hayward-ca.gov.

Respectfully,

Kelly McAdoo, City Manager

Michael Lawson, City Attorney

cc: Hayward Mayor and City Council
Toney Chaplin, Chief of Police