



CITY OF VALLEJO

OFFICE OF THE CHIEF OF POLICE

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The Honorable Krishna A. Abrams
District Attorney
County of Solano
Office of the District Attorney
675 Texas Street, Suite 4500
Fairfield, CA 94533-6340

Dear Ms. Abrams:

I understand that you have recused yourself and your office from review of the officer-involved shootings involving Willie McCoy and Sean Monterrosa. As you know, the City of Vallejo by resolution of the City Council requested that California Attorney General Xavier Becerra conduct the review of the Sean Monterrosa incident.

On July 6, 2020, I received the enclosed letter from the Attorney General, and the complete investigatory files for the McCoy matter were returned to the Vallejo Police Department. The letter makes clear that the Attorney General will not review the matter and that he believes your office is the appropriate authority to receive and review the McCoy investigation files and to determine whether our officers' use of force was lawful. Given your statement that you do not intend to act on the McCoy or Monterrosa matters, I believe it is reasonable for me to assume that you ultimately will not accept the investigatory files on that case either.

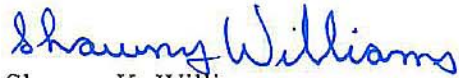
I am requesting that you reconsider your position. State law clearly provides that the District Attorney is responsible for prosecuting all criminal matters within the County, as does the Solano County Officer Involved Fatal Incident Protocol. Implied in this clear state directive is the authority and responsibility to review an incident and determine whether prosecution is appropriate. While it is important to ensure public trust in the process, much worse would be no review at all. In my view, the review and decision should be performed by your office absent a clear conflict of interest.

What has now become an impasse between you and the Attorney General's office has left the families of Willie McCoy and Sean Monterrosa, the officers involved in the shootings, the people of the City of Vallejo, the people of the State of California, and the Citizens of the United States in limbo. The entire nation is watching what our appointed and elected leaders do in these cases. This unfortunate situation is unfair to all and does a disservice to the citizens of the state, the citizens of Solano County and the citizens of Vallejo.

If you are unwilling to reconsider your position, I ask that you please work to resolve this issue with the Attorney General and complete the task at hand, or provide guidance to myself and my department so that we can ensure these incidents are appropriately reviewed.

If you would like to discuss this matter further, please call me.

Sincerely,

A handwritten signature in blue ink that reads "Shawny Williams". The signature is written in a cursive, flowing style.

Shawny K. Williams
Chief of Police

XAVIER BECERRA
Attorney General

State of California
DEPARTMENT OF JUSTICE



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July 6, 2020

The Honorable Krishna A. Abrams
District Attorney
County of Solano
Office of the District Attorney
675 Texas Street, Suite 4500
Fairfield, CA 94533-6340

Dear District Attorney Abrams:

On July 2, 2020, your office delivered to our office what appeared to be the contents of the Willie McCoy officer involved shooting investigation performed by the Vallejo Police Department. We did not receive any notice that we would be receiving these materials, and we have previously informed your office (on March, 4, June 5 and June 12, 2020) that we would not assume control of this investigation which has been presented to your office for review.

We did not review the contents of the file, and on July 3, a Special Agent with our Division of Law Enforcement (DLE) attempted to return the file to your office. On July 3rd, when the agent arrived, he discovered that your office was closed in observance of the 4th of July holiday. On Monday, July 6, another DOJ DLE Special Agent attempted to return the file to your office. On this occasion, the Special Agent was met by Solano County Chief Deputy Paul Sequeira, who claimed that your office has "recused" itself from the investigation, and who refused to accept delivery of the file.

As we have previously explained, there is no legal basis for your office to recuse itself from the McCoy investigation. Absent a conflict of interest, the elected District Attorney is the appropriate authority to receive and review an investigation conducted by law enforcement in her jurisdiction to determine whether criminal charges are warranted. Because we assume that the file you sent to our office contains very sensitive personnel and investigative information, we needed to be sure to provide for its secure keeping. Accordingly, we delivered the file to the agency that we understand presented it to you, the Vallejo Police Department. I have copied Chief Shawny Williams on this letter.

The Honorable Krishna A. Abrams
July 6, 2020
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Sincerely,

A handwritten signature in black ink, appearing to read 'P. Ferrari', with a stylized flourish at the end.

Philip Ferrari
Special Assistant to the Attorney General

For XAVIER BECERRA
Attorney General

cc: Chief Shawny Williams, Vallejo Police Department