

Pinole mayor interfered with police stop, department memos claim

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By Tom Lochner

Internal police memos contend Pinole Mayor Maria Alegria interfered with a traffic stop outside the Pear Street Bistro earlier this year, threatening to cut department funding and berating police for "selective enforcement."

The memos, obtained this week by the *Times* pursuant to a Public Records Act request, describe an intoxicated Alegria engaging an officer as he cited a Bistro employee for driving without a license or insurance and for making an unsafe turn. The memos also describe her berating police for lack of "sensitivity training."

Alegria says police misinterpreted her actions, and she was "absolutely not" drunk after consuming just a half-glass of wine.

"My intent was to help and not to interfere with the officer's duty," Alegria said at a City Council meeting Tuesday. "After a brief conversation with the officer, it became clear that the officer did not need any of my assistance with Spanish translation. The officer took appropriate action, and the driver was cited for a vehicle code offense. I have complete faith that our officers conducted themselves appropriately, and they will continue to have my unwavering support.

"Although I take full responsibility for my actions, I'm sorry they were misinterpreted by the officer, and I have apologized to him personally," she said.

Talk of the Jan. 17 traffic stop became public in May, when a resident questioned Alegria at a City Council meeting about an incident outside the Bistro. Alegria declined to answer at that time. The city responded this week to the *Times*' request for the memos after exercising its option for a 14-day extension following expiration of the initial 10-day mandate.

The names of the two officers and one sergeant who responded to the incident are redacted from the memos.

The first officer on the scene was patrolling in Old Town Pinole on Fernandez Avenue when a SUV "pulled directly into my path causing me to brake in order to avoid a sideswipe traffic collision" at 8:47 p.m., he wrote. During the ensuing traffic stop, the driver identified himself as Eduardo Perez, 25, of Richmond, a server at the Bistro, and said he did not have a driver's license. Perez acknowledged he understood what the officer was saying and apologized for not having a license, according to the officer's memo.

While the officer was back in his patrol car communicating with dispatch and getting his citation book, he noticed a woman standing next to the SUV, talking to Perez. The woman disregarded several orders to step back from the vehicle, the memo states. She asked the officer in Spanish for his name and continued to speak to him in Spanish after he asked, "Do you speak English?"

Eventually, the woman asked in unaccented English for the officer's name, business card and badge number, and he called for backup.

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“As I was speaking to the female I noticed a distinct odor of an alcoholic beverage on her breath,” the officer wrote. “Her eyes were bloodshot and watery and she was slightly slurring her words. I presumed she was a patron of the Pear Street Bistro and probably knew Perez. I asked her if she was Perez’s mother and she said, ‘No, I’m your Mayor!’”

Presently, a second officer arrived and radioed for a sergeant to respond as well. As the first officer explained some tenets of officer safety during traffic stops, “Mayor Alegria told me she was tired of the ‘selected enforcement we do’ and that we (police officers) needed ‘sensitivity training,’” his memo says. “She appeared to be highly agitated as well as intoxicated. She also told me, ‘This could have a negative affect (sic) on our department funding and the allotment of resources.’”

After talking to the sergeant, Alegria returned to the first officer’s car, apologized to him and went back into the Bistro. The memos of the sergeant and second officer also describe in detail Alegria in a state of intoxication.

The second officer describes Alegria accusing the first officer of “selective enforcement” and saying it could impact funding for new officers and equipment. And, according to the sergeant’s memo, Alegria said she would meet with Pinole police Chief James Rose “to decide how (some) \$2 million was going to be spent.”

Asked this week whether she hinted to officers that police funds could be cut, Alegria said: “If that’s their conclusion, they’ve misinterpreted my actions; they’ve misinterpreted what I said.

“What I observed was just a need for sensitivity training and the need for bilingual officers,” Alegria said “That’s something that’s a standard practice in our neighboring jurisdictions.

“I will always advocate that we have better training. We all can benefit from that.”

Asked if she believes Pinole police officers treat Latinos differently, Alegria said, “I have no way of determining that unless we conduct an investigation,” adding, “I get a lot of complaints from citizens.

“The upshot of this is, the officer took appropriate action. The driver was cited for the vehicle code offense, and the wheels of justice rolled on.”

Alegria said she returned from a Contra Costa Transportation Authority meeting in Pleasant Hill on Jan. 17 with Richmond City Councilwoman Maria Viramontes. The two met Richmond Councilman John Marquez at Pear Street Bistro about 8:20 p.m. As she sat down to have dinner, “an employee came up and said, ‘One of the employees just left work; his English is limited’ and ‘can you help?’” Alegria said. “That’s the problem with being mayor: Everybody wants me to handle their problems.”

She said she did not know Perez and did not recognize him when she went outside. She denied interfering in the traffic stop.

“They’re saying I was drunk (the night of the incident),” Alegria said. “I’m telling you I was not.”

Marquez said he saw Alegria take a single sip from a glass of red wine as the trio ordered hors d’oeuvres. Then someone whispered something in Alegria’s ear, and she departed, saying, “You guys go ahead and have your appetizers.”

“What they (police) saw outside was not what we saw inside,” Marquez said. “She wasn’t staggering; she wasn’t slurring her words. She did not appear to me to be intoxicated.”

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Said Viramontes: "If she took a few sips, that would be it. The glass was still full when she left."

Alegria said she met with Rose sometime after the incident and thought the matter was resolved. She said she had not seen the memos before Tuesday.

Alegria told the *Times* shortly after she was questioned by residents in May that she had talked to Rose, who told her there was no police report.

On Wednesday, Alegria said she had heard rumors of memos but did not know they existed until the day before.

"I had no problem with this being released," Alegria said. "I said publicly, 'Release the documents. I believe in transparency.' I did not know what was in those documents. I had never seen them at all."

Rose said he had disposed of his copies of the memos, believing the matter to be closed after a meeting with Alegria, City Attorney Ben Reyes and then-City Manager Belinda Espinosa. When the *Times* made its public records request, "I turned the matter over to the city attorney," Rose said.

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