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9 SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 COUNTY OF SANTA CLARA

11  
12 THE PEOPLE OF THE STATE OF  
CALIFORNIA *ex rel.* SAN JOSE POLICE  
13 OFFICERS' ASSOCIATION,

14 *Plaintiff,*

15 v.

16 CITY OF SAN JOSE, and CITY COUNCIL  
OF SAN JOSE,

17 *Defendants.*  
18

Case No. 1-13-CV-245503

**DECLARATION OF JAMES GONZALES IN  
SUPPORT OF SAN JOSE POLICE OFFICERS'  
ASSOCIATION'S OPPOSITION TO  
APPLICATION TO INTERVENE**

Date: April 6, 2016

Time: 9:00 a.m.

Dept.: 7

Judge: Hon. Beth McGowen

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20 I, James Gonzales, declare and say in support of SJPOA's Opposition to Application to  
21 Intervene:

22 1. I am a detective with the San Jose Police Department (SJPD). I joined SJPD in  
23 2001. I have served in the Special Operations (METRO) Unit, as a Domestic Violence Detective  
24 and in the Covert Investigations Unit. I am the elected vice-president of the San Jose Police  
25 Officers' Association (SJPOA). I have personal knowledge of the facts set forth herein and, if  
26 called upon as a witness, I could and would testify competently as to them.

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1           2. I am also a member of the San Jose Rotary Club; a senior fellow with the American  
2 Leadership Forum of Silicon Valley; and the president of the Bay Area Municipal Elections  
3 Community (BAYMEC), a 31-year-old civil rights organization focused on LGBT rights.

4           3. Over the past several years, through my work with all of these group, I have built  
5 close relationships with San Jose city leaders, neighborhood associations, civil rights groups, faith  
6 based organizations and social justice advocates. I have had extensive discussions with many  
7 representatives of these groups about the interplay of Measure B with the increase in crime in San  
8 Jose and the understaffing of SJPD. I share Chief Garcia’s opinion that without an end to the  
9 uncertainty over Measure B, police staffing and recruitment efforts will continue to be severely  
10 compromised. With it, our inability to satisfactorily staff the streets will further compromise  
11 public safety in San Jose.

12           4. I also share Paul Kelly’s opinions about the deleterious effect of Measure B on  
13 police officer safety and morale.

14           5. When the Police and Fire Settlement Framework was announced in July 2015, it  
15 was covered extensively in the media. Among the coverage was the following:

16 [http://www.mercurynews.com/scott-herhold/ci\\_28643560/san-jose-abandons-measure-b](http://www.mercurynews.com/scott-herhold/ci_28643560/san-jose-abandons-measure-b)

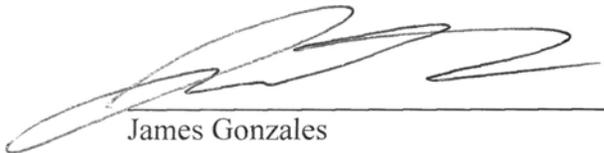
17 [http://sanfrancisco.cbslocal.com/2015/08/14/san-jose-city-council-approves-tentative-police-  
contract-with-higher-pay-and-bonuses/](http://sanfrancisco.cbslocal.com/2015/08/14/san-jose-city-council-approves-tentative-police-<br/>18 contract-with-higher-pay-and-bonuses/)

19 [http://www.mercurynews.com/news/ci\\_28642746/san-jose-police-union-agree-on-pay-pension-  
settlement](http://www.mercurynews.com/news/ci_28642746/san-jose-police-union-agree-on-pay-pension-<br/>20 settlement)

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1           6. After the parties reached their Settlement Framework, the POA leadership and the  
2 SJPD command staff had multiple discussions about a joint POA/SJPD recruiting effort to include  
3 traveling, mail, commercials and media and social media efforts to show that the SJPD was, in our  
4 words, "Back, and Open for Business." One of the main strategies of the recruitment effort was to  
5 be a public display of unity with City and police leaders, which was designed to contrast with the  
6 many years of public political and legal battles. Those efforts are premised upon the  
7 implementation of the settlement, and they would be further delayed by an extension of this  
8 litigation.

9           I declare under the penalty of perjury under the laws of the State of California that the  
10 foregoing is true and correct, and that this declaration was executed on March 23, 2016 at San  
11 Jose, California.

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