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WEEKENDER



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A tree sitter referred to as "Tarzan" protests PG&E's decision to cut this tree and others in Nevada City's Pioneer Cemetery Friday morning as police and PG&E workers gather below.

'It's a living being'

Three charged with trespassing over Nevada City trees

By John Orona
Staff Writer

After three protesters were arrested for trespassing at Pioneer Cemetery Friday morning in an attempt to protect Nevada City trees, Orchard Street residents are now left wondering when they will be next. The three protesters — Jennifer Long, 69; Shirley Osgood, 72; and Julia Bernardini, 35 — made a deliberate decision to leave the scene in handcuffs, and now just one tree protector remains hanging on a limb. "Now we're kind of left hanging, like what is going on?" Orchard Street resident Kathy Dotson asked. "There's been no

communication whatsoever by anybody." According to Dotson, after having no contact with PG&E crews for days, she's found her own form of direct action protest, with less risk of arrest. Dotson said after consulting with three arborists who said two trees on her property would not be a hazard if trimmed, she spent money out of pocket to trim them herself and painted over the PG&E marking designating them for mitigation. "They look, you know, they look properly trimmed and appropriate for where they are, so we'll see what happen," she said. "As far as I'm concerned, that was the best way to protest. I mean, if I had evidence

that these trees were going to be fine, if they were just mitigated, then I was willing to pay for it. And I bet other people could do that, too." While residents like Dotson await the arrival of contractors to cut their trees, PG&E spokesperson Brandi Merlo said the Nevada City work is nearly complete. "We have less than 50 trees to remove," Merlo said in an email. Dotson said she's eager to have the uncertainty over with, as even with no work on her property, the staging has affected her daily life. "There's no communication between other services, because we've had an interruption in our trash, and our green

waste, and our recycling — I'm standing outside next to this overflowing recycling bin on our property, because there's no communication whatsoever," she said. "And then mail has been delayed a few different days, when the mail person couldn't get onto our street... having to deal with the noise and the dust, and the chainsaws, all of that." **ARRESTS** Following the early morning arrests, PG&E contractors erected a fence around the perimeter of the area, which police on the scene said was to protect everyone's safety. As of Friday morning, **TREES, A9**

No criminal charges in officer-involved shooting

By Liz Kellar
Staff Writer

Nearly 10 months to the day from Gabriel Strickland's fatal shooting during a confrontation with law enforcement, the Nevada County District Attorney's Office has found the officers' actions were "clearly reasonable and legally justifiable under the circumstances." "No criminal charges will be filed against any of the peace officers as a result," Assistant District Attorney Chris Walsh wrote in the memo released Friday.

The seven-page report details the events surrounding Strickland's death on Jan. 1, after Nevada County sheriff's deputies and Grass Valley police officers responded



Gabriel Strickland

to a report of an armed man walking down Squirrel Creek Road. Strickland, 25, was shot after he pointed what was believed to be a shotgun at officers. Strickland was hit multiple times and died after he was taken to Sierra Nevada Memorial Hospital. Deputies Brandon Tripp and Taylor King, and Grass Valley Police Officer Brian Hooper, were placed on paid administrative leave after the shooting, but subsequently all returned to duty within weeks. **CHARGES, A9**

Reopening

Holbrooke Hotel prepares for open house next week

By Lorraine Jewett
Special to The Union

The wait is over. The Holbrooke Hotel will resume its place next week as a legendary landmark in Grass Valley and California's Gold Rush country. Locals are invited to a grand reopening open house from 1 to 4 p.m. Thursday, before doors open to the public on Friday. Due to COVID restrictions, guests are required to reserve a one-hour time slot to visit the hotel. Guests can RSVP at www.Holbrooke.com. Once on site, guests can sign up for guided tours of the newly renovated hotel, the Golden Gate Saloon, and Iron Door speakeasy. "We'll take people on a tour of the hotel, share the history of the building, and perhaps tell a few ghost stories," said Erin Lewis, hotel sales and events manager, who stressed local designers and crafts people did most

KNOW & GO

What: Holbrooke Hotel Grand Reopening
When: 1 to 4 p.m. Thursday
Reservations: For one-hour slots, visit www.Holbrooke.com
Tours: Sign-ups taken during the event

of the work. "This project has exceeded the goals and hopes far beyond what any of us could have imagined." The new Holbrooke is bright, open and airy. "Opening up the main floor has been the most exciting part," said Lead Designer Anne L'Esperance, "revealing beautiful stone walls that were covered by lath and plaster, historic brick and wood arches that were filled with dividing doors and windows. Our goal was to celebrate the existing architectural elements and let them speak for themselves. **REOPENING, A6**

Nevada County vote centers open today

By John Orona
Staff Writer

More than half of Nevada County registered voters have returned their ballots as of Thursday, with only days left before election day. For the 45% of registered county voters who haven't, seven vote centers throughout the county will open today. More than 64% percent of the county's registered Democrats — over 18,500 — have already voted. Over 51% of the county's registered Republicans — more than 12,500 — have voted. Nevada County has more than 15,000 voters registered

as no party preference or decline to state, more than 7,000 of which have already cast their votes. If people have not already registered to vote, they can still register as conditional voters at www.sos.ca.gov/elections. Ballots can be dropped off immediately at the Eric Rood Administrative Center, 950 Maidu Ave., Nevada City, or at drop box locations around the county. Additional drop box locations and in-person voting centers will begin operations today. Voters can track their ballots through the state's Where's My Ballot initiative, which gives voters updates via email, text,

or call about the status of their ballot during each step of the process. If people did not receive a ballot or need a new one, they can request a replacement ballot to pick up in person at the Eric Rood Administrative Center during early voting, or at a vote center starting today by visiting www.mynevadacounty.com/3074/Will-Call-Replacement-Ballots. People can also request a replacement be mailed to them by calling 530-265-1298. If people are informed by the Elections Office of a discrepancy in their ballot signature, they can use forms

at www.mynevadacounty.com/3124/Missing-and-Mismatched-Signatures to cure the mistake up to two days before the election is certified. People can also update their signatures at that site. Voter guide information is mailed along with ballots, but can also be downloaded on the county elections office website — www.mynevadacounty.com/elections. People can sign up to be poll workers on the California Secretary of State website, or by calling the elections office at 530-265-1298. **CENTERS, A9**

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WEATHER

H: 75° L: 49°
See full forecast, Page A10

Sunny

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County records 9th COVID-19 death
Nevada County on Friday recorded its ninth death from COVID-19. The elderly man lived in western Nevada County, an official said. The total number of coronavirus cases in Nevada County jumped by seven on

Friday, bringing the new total to 642. Western county had 399 cases, and eastern county had 243. There were 51 active cases on Friday, a rise of three from the day before. There have been 582 people released from isolation. Cases have continued to climb in the county. There

were 541 on Sept. 29. That rose to 553 on Oct. 6, and 573 on Oct. 13. There were 598 cases on Oct. 20. Two people were hospitalized locally Friday with COVID-19. Of the 22,959 tests performed locally, 2.8% of people have tested positive. — The Union staff

FROM PAGE ONE & LOCAL

TREES

From page A1

organizers said the tree protester referred to as “Tarzan” — who remained in a tree that day — had no plans on coming down, and has the supplies to hold out for some time.

“Now we’re trying to keep him supported from down here,” Bernardini said.

For weeks activists have gathered at the cemetery preparing for when crews may come to cut the trees down, and say they will continue their fight.

“I was standing up for my great-grandmother,” Osgood said, referring to the tree. “It may look like just a tree to you, because it’s not a human and not an animal, but it’s a living being.”

Prior to the shift toward defending the cemetery trees, activists rallied around a blue Atlas cedar on Bennett and Broad streets. The tree was home to sitters, singing, painting, and became a symbol of the group’s opposition to PG&E’s plan to cut more than 260 trees in the city, before it was felled last week.

The group has also started a letter writing campaign to the California Public Utilities Commission and PG&E’s court-ordered monitor Mark Filip, asking for an injunction that would stop the cutting of the remaining trees, among other demands to work with locals.

According to Nevada City Councilman Doug Fleming, the agitation has been working.

He said the city is working with the county to transfer \$500,000 in undergrounding funds to the city, though details have not been finalized.



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Nevada City police and PG&E workers gather outside of Nevada City’s Pioneer Cemetery, where three people were arrested and a fence was erected Friday morning in an attempt keep protesters from trying to stop some of the city’s trees from being cut.

“That was the big sticking point (for undergrounding), the funding,” Fleming said. “I’d like to see undergrounding for all of these streets, because we’re going to have the same issue next year on a different street.”

Fleming cautioned the city may need to explore other funding means like bonds in the long term to deal with the high costs of undergrounding.

“The fire danger, saving the trees, undergrounding would solve all of that,”

he said. “It’s not an easy solution, it’s not a cheap solution, but it’s probably the best solution.”

To contact Staff Writer John Orona, email jorona@theunion.com or call 530-477-4229.

CENTERS

From page A1

VOTE CENTERS

8 a.m. to 5 p.m. starting today to Nov. 2; 7 a.m. to 8 p.m. Nov. 3

- Nevada County Fairgrounds Main Event Hall: 11228 McCourtney Road, Grass Valley
- Sierra College Gymnasium: 250 Sierra College Drive, Grass Valley
- Bear River High School Gymnasium: 11130 Magnolia Road, Grass Valley
- Gold Miners Inn ballroom: 121 Bank St., Grass Valley
- Eric Rood Administrative Center, Providence Mine Conference Room: 950 Maidu Ave., Nevada City
- Tahoe Truckee Unified School Gymnasium: 11603 Donner Pass Road, Truckee
- Truckee Public Works Bay: 10969 Stevens Lane, Truckee

Election day only, 7 a.m. to 8 p.m. Nov. 3

- North San Juan Community Center: 29190 Highway 49, North San Juan

DROP BOXES

- 7 a.m. to 10 p.m.: BriarPatch Food Co-op, 290 Sierra College Drive, Grass Valley
- 7 a.m. to 7 p.m.: Chicago Park Store, 19077 Colfax Highway, Grass Valley
- 7 a.m. to 9 p.m.: Grocery Outlet, 616 Sutton Way, Grass Valley
- Open 24 hours: Gold Miners Inn lobby, 121 Bank St., Grass Valley
- 8 a.m. to 6 p.m. Monday to Friday, 8 a.m. to 5 p.m. weekends: Hills Flat Lumber Co., 380 Railroad Ave., Grass Valley
- 7 a.m. to 9 p.m.: SPD Market, 129 W. McKnight Way, Grass Valley
- 6 a.m. to 10 p.m.: Save Mart, 12054 Nevada City Highway, Grass Valley

- Open 24 hours: Eric Rood Administrative Center parking lot, 950 Maidu Ave., Nevada City
- 7 a.m. to 10 p.m.: Holiday Market, 11324 Pleasant Valley Road, Penn Valley
- 6 a.m. to 11 p.m.: Holiday Market, 21656 Higgins Road, Auburn
- 9 a.m. to 5 p.m. Monday through Friday, 9 a.m. – 4 p.m. Saturday: Sweetland Garden Mercantile: 29435 Highway 49, North San Juan
- 7 a.m. to 10 p.m.: Grocery Outlet, 11213 Donner Pass Road, Truckee
- Open 24 hours: Truckee Town Hall, 10183 Truckee Airport Road, Truckee
- 6 a.m. to 10 p.m. Save Mart, 11399 Deerfield Drive, Truckee

- Starting today, 8 a.m. to 5 p.m.
- Nevada County Fairgrounds Main Event Hall, 11228 McCourtney Road, Grass Valley
- Sierra College Gymnasium, 250 Sierra College Drive, Grass Valley
- Bear River High School Gymnasium, 11130 Magnolia Road, Grass Valley
- Gold Miners Inn ballroom, 121 Bank St., Grass Valley
- Eric Rood Administrative Center, 950 Maidu Ave., Nevada City
- Tahoe Truckee Unified School Gym, 11603 Donner Pass Road, Truckee
- Truckee Public Works Bay, 10969 Stevens Lane, Truckee
- North San Juan Community Center, 29190 Highway 49 North San Juan

All drop boxes are open until 8 p.m. Nov. 3, election day.

To contact Staff Writer John Orona, email jorona@theunion.com or call 530-477-4229.

CHARGES

From page A1

In the memo released Friday, Walsh noted the extensive investigation included witness interviews, body camera footage, written reports, and a visit to the scene. He emphasized that his office was not charged with examining compliance with policies and procedures, or ways to improve police training.

“Our review is really very limited as to whether or not the officers involved are guilty of a crime,” Walsh said. “That’s really what we’re looking at. We do a very thorough investigation of the surrounding circumstances for the purpose of transparency, so the public can find out all the facts about what is involved. Our conclusion is focused on, did (the officers) commit a crime?”

According to Walsh, in order to convict an officer of a crime it would be necessary to prove there was no legal justification for the shooting.

“Just as there are defenses to a crime, like self-defense, with law enforcement the review is a little more involved, because of the nature of their position,” he said. “What it boils down to, in all these situations, is how would a reasonable person react in that situation?”

In the minutes before Strickland’s shooting, he tells the officers the gun is fake, but they can be heard responding they don’t know if that’s true and to put the gun down, Walsh said, adding, “It looks real.”

“They don’t have to wait for a person to fire a gun at them,” he said. “They don’t have to risk their lives to prove it’s a real gun. They gave Gabriel Strickland the opportunity to put down the gun, he’s not putting down the gun. Once he then ... lowers the gun and points it at officers, if they believe the gun is real, they are justified in shooting.”

AGENCIES REACT TO REPORT

Both Sheriff Shannan Moon and Grass Valley Police Chief Alex Gammegard thanked the District Attorney’s Office for its thorough review of Strickland’s death.

“These types of incidents — and this incident in particular — are difficult and devastating for the community, the family and the officers involved,” Gammegard said. “Our thoughts continue to be with the family. We’re happy that this milestone has been reached, and the officers now have closure on this particular portion of the review of the incident and the finding that their actions were legally justified.”

Moon noted this was the first incident of this nature for her as sheriff, making it particularly important to have an outside agency conduct the investigation.

“Any use of force by law enforcement, and certainly deadly force, is a matter of critical concern,” Moon said in a prepared statement. “I am grateful that our deputies responded without hesitation to the call and worked in collaboration with the officers from the Grass Valley Police Department. Their jobs are extremely difficult, and while we are pleased to see the use of force was deemed justified by our district attorney, it by no means diminishes the significant loss that the Strickland family has undergone.”

The report released some new details on Strickland’s death, noting that Tripp, King and Hooper fired a combined 13 shots in a matter of seconds. Strickland’s autopsy determined the cause of death to be multiple gunshot wounds, but listed methamphetamine intoxication as a significant contributing factor.

Even though the officers’ actions were deemed reasonable and justified, Walsh said Strickland’s death was “regrettable.”

“There are larger issues, there are bigger questions raised from this kind of situation,” he said. “We don’t



COURTESY NEVADA COUNTY SHERIFF’S OFFICE AND GRASS VALLEY POLICE DEPARTMENT

In this body cam footage, Gabriel Strickland can be seen pointing his Airsoft gun at officers.

want to see anyone shot and killed unless it’s absolutely necessary. (And) we hope we can find better ways to avoid this happening in the future. We need to do more, as a community and in law enforcement, to address underlying mental health and drug issues, that will hopefully prevent things like this from occurring in the future.”

Walsh noted the Sheriff’s Office has instituted new protocols, with a mental health crisis unit that will respond to these kinds of situations. The Grass Valley

Police Department on Friday announced a similar effort, but one that will focus on homeless individuals with a propensity for violence and/or who are the victim of crimes.

Gammegard noted that the police department is continuing its own review of its officers’ actions that day, using an outside investigator.

That report “will review policy rather than the legal principles the DA looked at,” he said, adding, “Sometimes the DA’s report won’t answer all the questions from a

policy perspective.”

That internal review will become public record once it is complete, Gammegard said.

Also pending is a potential civil lawsuit filed on behalf of Strickland’s estate and his family by attorneys Patrick Dwyer and Mark Merin. The wrongful death action should be filed in federal district court within the next two weeks, Dwyer said.

To contact Staff Writer Liz Kellar, email lizk@theunion.com or call 530-477-4236.

FAIRGROUNDS

From page A3

Patrick Eidman wrote that Butler Amusements is a long-time partner of the county fair, providing food concessions in the annual fair’s carnival area since 1983.

“Butler Amusements approached us in October and asked to use a portion of a parking lot at the fairgrounds for a food event,” wrote Eidman. “As you can imagine, both Butler (Amusements) and their food concessionaires — all family-owned businesses

— have been massively impacted by the cancellation of fairs and other large events.”

According to Eidman, this event is one of a handful of similar pop-up food events Butler Amusements has organized “to help generate revenue for fairgrounds and to support the small businesses that operate the food stands.” The fairgrounds, which he said is having a difficult year, will receive a percentage of revenue from the food sales in addition to the lot’s rental fee.

TREAT STREET

The fairgrounds’ Facebook announcement for this event had accumulated over 120 comments by Friday afternoon, a notable portion of which mentioned the Nevada County Fair’s traditional Treat Street — cancelled this year alongside the county fair due to the pandemic, and once more after efforts toward a standalone drive-thru Treat Street did not pan out.

Some of the commenters expressed disappointment that this event doesn’t involve the local nonprofits

which have traditionally set up booths at, and benefited from, Treat Street.

On the community’s response to the announcement, Eidman wrote that this event “in no way replaces Treat Street.”

“We love Treat Street and we know the community does as well,” he added. “We worked with Treat Street vendors in July and August to organize a drive-thru Treat Street event. However, there weren’t enough booths interested at that time — which we completely respect and support.”

He said the fairgrounds

remains hopeful that a Treat Street event will be possible in the future, and that in the meantime anyone seeking to support the local nonprofits through a donation can find a list of these organizations through the fairgrounds’ Treat Street website.

The Nevada County Fair Food Festival was designed based on local guidance for minimizing COVID-19 transmission risk. Eidman said the fairgrounds connected Butler Amusements with Nevada County Public Health to make sure it approved of the measures

in place to make this event a safe one.

“Customers will enter through Gate 1 and proceed through the parking lot to the food stands, place an order with an attendant and pay, and another employee will bring the food to the vehicles,” wrote Eidman. “It’s a simple process — customers get to stay in their cars while delicious food is delivered to their window.”

Victoria Penate is a staff writer for The Union. She can be reached at vpenate@theunion.com.