

Tiburon police ban carotid restraint

Move comes amid community pressure

By **HANNAH WEIKEL**
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After substantial pressure from Tiburon residents — and to follow suit with dozens of other police agencies across the state and nation — the Tiburon Police Department announced last week it has banned a controversial and sometimes lethal stranglehold that cuts blood flow to the brain, effective immediately.

The move comes after Tiburon Police Chief Michael Cronin initially resisted calls to ban the carotid hold under the “8 Can’t Wait” movement guidelines and instead reclassified it as a “deadly force application” in the agency’s policy manual, meaning it

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Candidate filing period opens July 13 for councils and other races

By **DEIRDRE MCCROHAN**
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The candidate filing period opens July 13 for the Nov. 3 presidential election, which includes local races for seats on the Tiburon Town and Belvedere City councils, as well as all the local public school, fire, sanitation and recreation districts serving the Tiburon Peninsula.

The filing period runs through Aug. 7, with an automatic extension to Aug.

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‘I can’t breathe’

After Tiburon Boulevard march, protesters lie face-down for 8 minutes, 46 seconds



DEIRDRE MCCROHAN / THE ARK | TOP: ELLIOT KARLAN / FOR THE ARK

Protesters at Fountain Plaza June 23 knelt and lay on the ground with their hands behind them, as if handcuffed, for nearly 9 minutes in solidarity with George Floyd, who died on Memorial Day in the custody of a Minneapolis police officer who knelt on his neck and chest.

By **DEIRDRE MCCROHAN**
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After marching Tiburon Boulevard from Tom Price Park to Fountain Plaza, more than a 100 protesters knelt or laid on the cement pavement. Face down, hands behind their backs.

Eight minutes, 46 seconds.

It was the amount of time a Minneapolis police officer’s knee

was on George Floyd’s neck as Floyd suffocated and died, handcuffed in the street.

Marin City activist and protest organizer Paul Austin asked attendees to imagine what was going through Floyd’s mind. And asked them to repeat Floyd’s words: “I can’t breathe.”

The June 23 peaceful protest in solidarity with the Black Lives

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Many local businesses in no rush to reopen

Indoor dining, salons, campgrounds could restart June 29 — but Marin pulls back plans for gyms, hotels

Tiburon ‘slow streets’ begins July 3

By **DEIRDRE MCCROHAN**
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With a surge in coronavirus cases and hospitalizations in Marin and across the Bay Area and California, local public-health officials last week dialed back plans to reopen large swaths of the economy on June 29 — though some of the major anticipated indoor and outdoor activities still got the green light, including indoor dining, hair salons and barbershops, as well as campgrounds and picnic and barbecue areas ahead of the three-day Fourth of July weekend.

Despite being allowed to fire up seated dining inside, most restaurants on the Tiburon Peninsula didn’t

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Data show Marin’s struggle to contain coronavirus spread

By **KEVIN HESSEL**
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Marin County on June 25 recorded single-day highs for new coronavirus cases, at 54, concurrent hospitalizations, at 12, and patients in intensive care, at five, the same day California launched a new data page that showed Marin was one of just two counties statewide in which the “spread of COVID-19 is likely increasing rapidly.”

The data led Marin officials to hit pause on a num-

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Matter movement, at which speakers from Tiburon and around Marin challenged the crowd to examine their own implicit biases and find meaningful ways to help combat systemic racism, was the largest of the three rallies held to date. All were spurred by the Memorial Day death of Floyd. The official and independent autopsy reports stated the cause of death was homicide, and all four officers who took part in the arrest have been fired and charged.

In the weeks since, protesters have gathered and marched in cities and towns across the U.S. to demand justice for Floyd and other Black men and women killed by police. Protestors have decried racism and police brutality and demanded large-scale police reforms.

Attendees of last week's rally first gathered at Tom Price Park before heading down Tiburon Boulevard toward Fountain Plaza; police shut down a portion of eastbound Tiburon Boulevard for the march.

Austin told attendees that part of stamping out racial inequality comes from holding elected and appointed officials accountable, specifically referencing an email sent out by Tiburon Police Chief Michael Cronin ahead of a peaceful June 2 protest in Marin City.

In the message, sent the day before the protest via the town's Tiburon Talk newsletter and posted on community forum Nextdoor.com, Cronin asserted the Marin City protest was closer to Tiburon than others and that his department had caught wind of social-media posts "encouraging participants to shift their attention to more affluent communities, with specific mention of Walnut Creek, Danville, Sausalito and Tiburon." He urged Tiburon residents to stay off southbound Highway 101 during the Marin City protest, noting a common tactic at other demonstrations in the Bay Area and across the nation was to block freeways.

The statement prompted a swift response from protest organizers and many others across Marin, both on social media and through calls to the Tiburon Police Department. While some expressed gratitude for the precautionary measures, others were angry Cronin had connected the potential for danger to a protest in Marin City, which is 61 percent non-white, including 38 percent Black, while no warnings had been issued for similar events in nearby predominantly white communities, including Mill Valley.

Nearly 24 hours after sending his initial warning email, Cronin sent out an apology to the community, saying he stood in support of peaceful protests in Marin City and



ELLIOT KARLAN / FOR THE ARK

Organizer and activist Paul Austin, the college and career adviser at Bridge the Gap College Prep in Marin City, speaks to protesters June 23 at Fountain Plaza in downtown Tiburon after more than 100 people marched from Tom Price Park in support of the Black Lives Matter movement.

condemned racism, social injustices and police brutality. However, he also couched the apology in the reader's interpretation of his warning, addressing his apology to those who "construed (his words) as offensive and racist" and "to those I have offended."

"He used language that was inappropriate," Austin told the protesters about Cronin's June 1 message. "He created fear amongst this community when he referred to the Marin City community. We cannot stand for that. He needs to be held accountable."

Austin then told the crowd that Cronin's apology relied heavily on language written by Austin's wife.

"What ended up happening and I'm just going to put it out there, he didn't write that apology letter," Austin said. "My wife wrote it ... in case you guys are wondering why it was so well crafted."

Cronin had previously noted his apology followed a conversation with one of the protest organizers to hear her concerns and explain his intention wasn't to offend the Marin City community. During their conversation, Cronin said, he asked her to send ideas of what he should include in his public apology.

In an interview last week, Cronin reiterated his previous conversation with Austin and his wife and noted he suggested she help him write his follow-up apology to the community.

"I wanted it to be sure it touched on things

that concerned them," Cronin said.

He said she did that and sent him a draft.

"I took some things out. For example, she had me admit to being a racist, which I'm not," Cronin said. "I sent the revised letter to them and didn't hear back, so I posted it."

Tiburon Vice Mayor Holli Thier attended and spoke at the June 23 rally, echoing Austin's calls for accountability.

Last month, Thier and Tiburon Mayor Alice Fredericks issued a joint statement announcing that Cronin would review his department's policies to "ensure our officers are protecting and serving in safe and respectful ways."

Cronin on June 12 released a matrix on the town's website that outlines changes to the department's existing use-of-force policies to better align with the "8 Can't Wait" movement, an eight-point plan that seeks to ban chokeholds and shooting at moving vehicles and to require officers to warn before shooting, to de-escalate and to intervene when other officers go too far.

Belvedere city officials have also asked the Belvedere Police Department to review its use-of-force policy in relation to 8 Can't Wait and present its findings, along with any policy changes, to the City Council at its July 13 meeting.

Despite the updates in Tiburon, in several cases where the guidelines ask departments to "require" or "ban" actions, Tiburon's policies still leave considerable room for of-

icer discretion. That originally included the use of carotid restraints, a stranglehold that cuts off blood flow to the brain and is being banned by police departments across California and the nation.

However, Cronin last week reversed course and noted the department had banned the hold, following community input and conversation with other police departments.

"I want you to know that we will not stop until racism is eradicated and discrimination is eradicated here in the town of Tiburon," Thier told the crowd while acknowledging Tiburon has "a lot of work to do."

The crowd also heard from Tiburon siblings Lawrence and Hailey Bancroft, who spoke about their own local experiences with racism as people of color.

Lawrence Bancroft, a 17-year-old who attends The Branson School in Ross, talked about students there who asked rude questions about his hair texture and appearance and expressed amazement when he excelled on tests.

Tiburon resident Ahkeyah Ahmad noted her own grown children attended a multicultural Islamic school in Oakland and thrived. Her grandson, whom she has raised, attended Reed Union School District schools.

Ahmad talked about the need to change the school system in Marin to better address the needs of Black children. She said

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she would like the district to work harder to recruit Black teachers and to offer more diversity training.

Mill Valley resident Amber Allen-Peirson, a wellness outreach specialist at Tamalpais High School, challenged the predominantly white crowd to examine their own biases.

“How many of you young people have been the ones to use the n-word to a young Black student in school? How many of you parents have taught your kids that they can’t hang out with Black children?” she asked.

She noted Tiburon’s homogeneity and wealth can exacerbate the racial divide, and locals must put in the work to understand racism and its continuing impact on the Black community.

“It is not enough to be here. It is not enough for you to learn our history,” she said. “It is critical you examine your own behavior and the way you show up in relation to Black lives. How are you communicating? Are you checking in or are you demanding? Are you trying to take leadership roles?”

Austin also challenged the crowd to take action against racism.

He put out a call for Tiburon lawyers who

would be willing to help with some of the chronic issues that Marin City is dealing with. As an example, he pointed to Marin Gateway Shopping Center, half of whose retail spaces were vacant even before the COVID-19 shutdown started taking a toll on businesses countywide.

He noted the shopping center’s owners a few years ago shut down the dollar store that used to occupy the center, which was seen as a big loss. Not only was it a place to shop, it was a source of employment in the community, Austin said.

Organizations that promote civil rights are going to need the support of people in communities like Tiburon, he said.

As the protesters laid face-down in Fountain Plaza and in the Tiburon Boulevard roadway, Austin asked the crowd to go home that night and be ready to take action.

“Hold people accountable,” he said. “I think there’s so much more that can be done. ... You can no longer turn a blind eye to all the inequalities.

Deirdre McCrohan has reported on Tiburon local government and community issues for more than 30 years. Reach her at 415-944-4634.

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The application delays were reportedly caused in part by Verizon and ACV Argo Tiburon LP, the owner of the 4 Beach Road lot where the “cell on wheels” trailer would be placed, by town staffing changes and by the timing of the COVID-19 shutdown of Town Hall.

The tower proposal next goes to the Tiburon Planning Commission, which is set to consider the conditional use permit application at its July 8 meeting.

As approved by the design board, the temporary facility would take up 1,088 square feet and about six parking spaces in the far rear corner of the pay lot behind the vacant former Bank of America building. The designated area is screened from the street by a grove of redwoods. The site would include a 49-foot monopole — reduced from a proposed 62 feet — that would be topped with a 2-foot-diameter microwave dish, according to contract planner Jayni Allsep’s report to the board. The board approved an exception to the 30-foot height limit.

The monopole would be mounted on a 10-foot-tall trailer and be anchored by cement blocks and guy wires. The facility would then be enclosed by a 6-foot-tall stained redwood fence. The board also wanted a 2- to 3-foot decorative lattice on top to help further obscure the trailer, but it’s unlikely that can be installed, as it would raise the total fence height to 8-9 feet. Fences over 6 feet require a variance, which could not be considered by the board because it wasn’t on the agenda, while the elimination of a second hearing means a variance proposal can’t come back to the board.

According to Verizon representative Matt Moore, the facility is needed as the company seeks a new downtown home for a permanent wireless communication facility after the Tiburon Fire Protection District refused to renew the lease for its existing site at the 1679 Tiburon Blvd. fire station.

Without it, Verizon customers in big sections of downtown, Old Tiburon and Belvedere would lose their phone coverage,

Moore said.

In a telephone interview after the meeting, Fire Chief Richard Pearce said that, about 18 months ago, Verizon requested it be allowed to upgrade its equipment at the station site. Calling the \$36,000 per year lease a “pittance,” Pearce said he decided to not renew the lease.

“It just seemed that after 25 years, we didn’t need to continue the relationship,” Pearce said. “For \$3,000 a month, it seem like it wasn’t worth it moving forward. We thought it was a good stepping-off point.”

Pearce said the district has put a temporary agreement with Verizon in place to continue providing the site without Verizon’s desired upgrades until the company can find a suitable temporary or permanent replacement site for the wireless-communication facility.

That surprised Tiburon Town Manager Greg Chanis, who has been involved in discussions with Verizon, Pearce and with planning officials.

“We were informed by ... Pearce that the district was unwilling to extend the current lease agreement for the time necessary to allow Verizon to permit and construct a new permanent antenna location,” Chanis told The Ark.

The staff report to the Design Review Board shows the town believed Verizon would be evicted in August.

However, the fire district’s interim deal with Verizon was made more than two months ago.

The district provided The Ark with a copy of the agreement, dated April 9, and it comes with a significant caveat: Verizon’s rent is to double every three months. The three-month increase to \$6,000 per month, retroactive to April 1, is already wrapping up as, beginning today, July 1, Verizon is to begin paying the fire district \$12,000 per month.

That will increase to \$24,000 per month on Oct. 1. Next April 1, Verizon’s rent would be \$96,000 per month — more than 30 times what it paid under the previous agreement — according to the terms of the contract.

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