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Santa Monica Daily Press

WEEKEND EDITION
07.25.20 - 07.26.20
Volume 19 Issue 211

COVID update
1,949 new cases reported.
Page 2

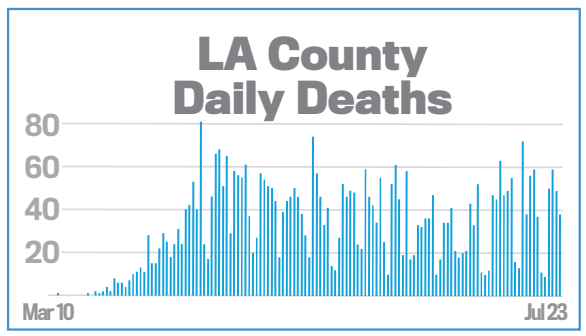
Police and Fire logs
Calls for service.
Page 4 and 5

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CORONAVIRUS CASES per 100,000

SANTA MONICA	LA COUNTY	CALIFORNIA	USA	WORLDWIDE
625	1,670	1,096	1,234	206

SMDP Graphic - Data from Johns Hopkins, WHO, LA County Public Health





Samuel Neustadt

PROTEST: Local community members of Familia: Trans Queer Liberation Movement (Familia:TQLM) are holding a rally to demand Justice for all essential workers after Angela Martinez Gomez, a Burger King employee, died on July 6. Workers at the Burger King franchise reported that Angela, along with other workers, wasn't given adequate personal protective equipment and worked while having COVID-19 symptoms. Since Angela's death, workers have filed a complaint with state and local authorities about the work conditions that have made them feel unsafe.

Racism, discrimination, identity to be discussed during Samohi panel

BRENNON DIXSON
SMDP Staff Writer

Santa Monica High School will hold a panel discussion at 5 p.m. Tuesday to provide a chance for the community to hear directly from students and community members who have experienced racially charged attacks on and beyond school grounds.

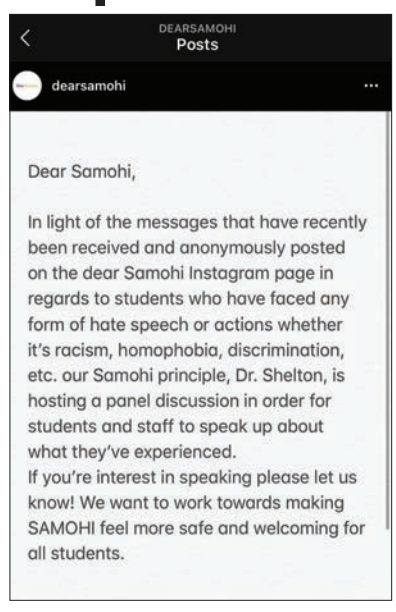
In recent weeks, local students have used an anonymous Instagram page known as "Dear Samohi" to share a myriad of discriminatory experiences that occurred on the local high school campus. Others have used their voices at board meetings and in interviews with the Daily Press to detail the racial slurs and derogatory comments that are regularly used against them.

A day before parents received letters affirming the district's commitment to anti-racism, Samohi students and parents received an email from Principal Antonio Shelton informing them of Tuesday's panel, which will be held online via Zoom.

"The purpose of formulating this panel is to give an opportunity for our community to understand the separate and interdependent racial/cultural experiences had by our students. The audience will hear the voices and the experiences of those within our community," Shelton said in the email, mentioning this is the first step in a three-step process that will engage students of specific groups.

"Our panel of volunteers are being courageous and speaking

SEE **SAMOHI PANEL** PAGE 6



Courtesy photo

SAMOHI: The online forum has prompted an official response.

US prison populations decline by 8% amid coronavirus outbreak

DENISE LAVOIE AND CLAUDIA LAUER
Associated Press

Stephanie Parris was finishing a two-year prison sentence for a probation violation when she heard she'd be going home three weeks early because of COVID-19.

It made her feel bad to leave when she had so few days left at the Fluvanna Correctional Center for Women. She said she wasn't sick and there were no cases at the facility. But there were others still inside who could have used the reprieve.

"I would have helped someone who had nine or 10 months, someone who absolutely needed it," she said recently. "There was a lady in there who was very elderly, and she has very bad health problems. I would have given my place to her."

There has been a major drop in the number of people behind bars in the U.S. Between March and June, more than 100,000 people were released from state and federal prisons, a decrease of 8%, according to a nationwide analysis by The Marshall Project and The Associated Press. The drops range from 2% in Virginia to 22% in Connecticut. By comparison, the state and federal prison population decreased by 2.2% in all of 2019, according to a report on prison populations by the Vera Institute of Justice.

But this year's decrease has not

SEE **PRISON** PAGE 11

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COMMUNITY BRIEFS

Citywide

Reporting delays from State hospital lowering county data

The Los Angeles County Department of Public Health (Public Health) has confirmed 44 new deaths and 1,949 new cases of COVID-19. The lower number of cases are, in part, due to lab result reporting delays in the State electronic lab system. The number of cases is expected to increase in the coming days once the data becomes available.

Public Health reports there are 1,928 confirmed cases currently hospitalized and 29% of these people are confirmed cases in the ICU. There is a total of 2,470 confirmed and suspect cases that are currently hospitalized and 16% of these people are on ventilators. The hospitalization data is incomplete due to changes in reporting requirements from the U.S. Department of Health and Human Services (HHS). This resulted in historical data from 11 non-reporting hospitals not being part of today's update.

The State is working hard to remedy both these issues.

To date, Public Health has identified 168,757 positive cases of COVID-19 across all areas of L.A. County, and a total of 4,300 deaths.

Of the 44 new deaths, 19 people that passed away (excluding Long Beach and Pasadena) were over the age of 80, eight people who died were between the ages of 65 and 79 years old, eight people who died were between the ages of 50 and 64 years old, and eight people who died were between the ages of 30 and 49 years old. Thirty-six people had underlying health conditions including 17 people over the age of 80 years old, seven people between the ages of 65 and 79 years old, seven people between the ages of 50 and 64 years old, and five people between the ages of 30 and 49 years old. One death was reported by the City of Pasadena.

Ninety-two percent of people who died had underlying health conditions. Of those who died, information about race and ethnicity is available for 4,014 people (99 percent of the cases reported by Public Health); 47% of deaths occurred among Latino/Latinx residents, 25% among White residents, 15% among Asian residents, 11% among African American/Black residents, less than 1% among Native Hawaiian/Pacific Islander residents and 1% among residents identifying with other races. Upon further investigation, 40 cases and six deaths reported earlier were not LA County residents.

Testing results are available for nearly 1,605,000 individuals with 10% of all people testing positive.

"We send our deepest sympathies to the many people across our County who have lost a loved one to COVID-19. Our hearts also go out to the many people who are hospitalized or feeling unwell because of this virus. We are thinking of you," said Barbara Ferrer, PhD, MPH, MEd, Director of Public Health. "Even with incomplete case and hospitalization data, we are seeing too much community spread of this virus, which means many of our friends, family and neighbors are sick and suffering. As we head into the weekend, I hope we each understand that continuing our recovery journey, including re-opening schools and businesses, is only possible if we get back to slowing the spread. Wear a face covering, don't gather with people you don't live with and stay home as much as possible. The health of our community truly is a collective effort."

Yesterday, Public Health unveiled a tiered compliance plan that will include citations and fines for businesses that continue to violate Health Officer Orders. Beginning at the end of August, fines will be issued to non-compliant businesses that can range from $100 for the first offense to $500 and a 30 day permit suspension for multiple offenses. This includes businesses licensed and permitted by the department and those that are not. Current Orders require business owners to close indoor operations at many businesses and take immediate action to implement strategies that protect workers and customers and their families.

Business owners and residents must do their part to slow the spread of COVID-19. Public Health urges everyone to avoid the Three C's: Crowded places, Confined spaces and Close contact with others not in your household. Everyone should always wear a face covering securely over your nose and mouth and keep six feet apart from others not in your household when out in public. Public Health reminds everyone that you remain safer at home.

City of Santa Monica

CITY OF SANTA MONICA

NOTICE OF PUBLIC HEARING ON STORMWATER PARCEL REPORTS

On **TUESDAY, JULY 28, 2020, at 5:45 p.m.** the Santa Monica City Council will hold a public hearing regarding the approval of the Stormwater Parcel Reports, describing each parcel within the City and the amount of each parcel's Stormwater Management Fee and Clean Beaches Special Tax for the 2020-21 fiscal year. These Fees and Taxes are a funding source for watershed management activities, including periodic upgrades and construction of drainage facilities, maintenance of the storm drain system, catch basin cleaning, public education, runoff pollution control enforcement and other programs that protect the economic, recreational and biological resources of Santa Monica Bay from urban runoff pollution. Each Fee is billed through the L.A. County Tax Assessor on one's 2020-21 property tax bill. The hearing will be held at the COUNCIL CHAMBER, ROOM 213, CITY HALL, 1685 MAIN STREET, SANTA MONICA, at which time the City Council will hear and consider all objections or protests, if any, to the Reports. Copies of the Reports are available for review at the City Clerk's Office and at the Main Library. Further information may be obtained by calling the Watershed Management Program Coordinator, (310) 458-8223.

'Clear as mud' housing refund plans irk college students

BRYAN ANDERSON
Associated Press/Report for America

When Laura Comino opened the housing email from the University of North Carolina at Greensboro in June, she knew she had to take action.

At the direction of the state's public university system, UNCG asked her to sign a housing contract addendum acknowledging that she might not get a refund if the school kicks her out of her dorm in the fall because of the coronavirus pandemic.

An online petition Comino circulated days later collected nearly 40,000 signatures from people demanding that all 16 UNC System colleges offer prorated refunds and return deposits if the virus closes dorms.

"People got so incredibly upset thinking this would affect all of us, and there's a possibility where it still might," Comino said.

With classes scheduled to begin in August, the possibility of no refunds has left students and administrators alike with questions. Comino and the dean of her school, Andrew Hamilton, both called the policy "clear as mud."

Like Comino, students across the country are facing uncertainty about whether they'll get housing refunds if they're displaced from campus by the pandemic. And they are pushing back against policies they view as prioritizing university revenue over their financial well-being.

The University of South Florida and the University of Maryland have said they would not be obligated to refund students if COVID-19 prompts them to close residence halls. Washington State University issued a similar policy, but then reversed it. And Stanford University students have complained about having to move abruptly to make room for a quarantine area.

The flagship UNC campus at Chapel Hill plans to offer refunds or credits if students are kicked out of their units, creating concerns about unequal treatment at different campuses.

"We're going to have to find out from the system what they want us to do, because some schools can afford to do it and some schools can't," UNCG Chancellor Franklin Gilliam said.

UNC System spokesman Josh Ellis said the guidance was meant to inform students that housing and dining refunds might be unavailable, but no definitive decisions have been made. The system announced Thursday that tuition and fees will not be prorated if classes go entirely online, but refund policies for housing and dining costs remain unchanged.

"No plan has been put out to say: If you're vulnerable, here's what we're going to do," Comino said of the system's clarification.

On July 1, Washington State emailed students a contract addendum saying they must pay housing and dining costs even if COVID-19 forces them to leave campus.

The move prompted substantial backlash, including a petition that gathered more than 7,000 signatures. The university reversed course the following week and said it would refund students living on its five physical campuses if public health officials ordered residential areas closed.

WSU spokesman Phil Weiler said the policy was initially drafted to give financial stability to the housing and dining departments, which face a $20 million loss this fall because 2,000 fewer students will be housed.

"They are in extreme financial distress and were making a decision in the best interest for the long-term viability of the operation," Weiler said.

Weiler said WSU won't refund students choosing to leave. If classes go entirely online without a public health order, a student who goes home will still owe housing costs.

Curtis Cohen, a rising senior who is WSU's student body president, said the updated policy doesn't satisfy concerns he's heard from his classmates. A tuition rate increase disappointed him, and he would have liked to see "more transparency" about the school's finances before it passed operation costs onto students.

At Stanford University, some students were forced to move to make space for isolation areas needed if a COVID-19 outbreak occurs.

Stanford Law School student Tiarra Rogers, who paid $1,667 a month with her boyfriend for their 325-square-foot campus apartment, lived in one of six vacated graduate student studios.

Her lease expires Aug. 16, but she moved out in July after finding a new apartment that's bigger but more expensive. She anticipates being refunded about $2,000 to cover the difference between her lease expiration and move-out dates but has had trouble reaching the housing office.

"When I found a new apartment, I called them 22 times over three days and was never able to reach a person," Rogers said. "It's frustrating and doesn't feel like they always have students' best interest in mind."

As co-president of a group supporting low income and first-generation students at the private school, she worries Stanford isn't doing enough to assist students who can't afford to finance a hasty move.

Stanford spokesman E.J. Miranda noted students forced to move for the quarantine area had the option of renewing into the same type of apartment at the same cost and said the school paid professional movers to help students.

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Extra unemployment aid expires as virus threatens new states

BY GEOFF MULVIHILL, JUSTIN PRITCHARD AND DAVE KOLPACK
Associated Press

As public health officials warned Friday that the coronavirus posed new risks to parts of the Midwest and South, enhanced federal payments that helped avert financial ruin for millions of unemployed Americans were set to expire — leaving only threadbare safety nets offered by individual states to catch them.

Since early in the pandemic, the federal government has added $600 to the weekly unemployment checks that states send. That increase ends this week, and with Congress still haggling over next steps, most states will not be able to offer nearly as much.

The extra federal aid helped keep Wally Wendt and his family afloat.

Wendt, 54, of Everett, Washington, was laid off from the fitness company where he worked for 31 years. The extra federal benefits helped him pay a loan to put a new roof on his house that he took out before the virus struck and the economy cratered.

The money also helps his daughter, who lost her restaurant job. With the boost, she can afford diapers, baby formula, rent and utilities. Without it, Wendt said, his daughter and her two children might move in with him.

"The politicians need to get their ducks in a row." Wendt said. "The pressure's not on them, it's on all of us blue-collar workers who are struggling to make a living."

The regular benefits often leave recipients with poverty-level incomes, but at least they're sure to continue, even as states wrestle with diminishing unemployment trust funds.

Every state offers assistance for at least some unemployed workers based on a portion of their previous earnings. The maximum amounts vary widely, from $235 a week in Mississippi to $1,234 in Massachusetts. Benefits are available for as few as six weeks in Georgia and up to 28 weeks in Montana. Most states normally cut people off after 26 weeks.

Aside from the pandemic's economic damage, the virus itself threatens to overwhelm parts of the country that have been relatively unscathed.

White House coronavirus response coordinator Dr. Deborah Birx warned in a television interview that the surge of cases in the South and Southwest could make its way north.

"What started out very much as a Southern and Western epidemic is starting to move up the East Coast, into Tennessee, Arkansas, up into Missouri, up across Colorado," Birx told NBC's "Today" show. She implored people to wear masks, wash hands and keep at least 6 feet apart.

In Missouri, confirmed cases have risen sharply since Republican Gov. Mike Parson allowed the state to reopen in mid-June. The number of positive tests set a record three days in a row this week.

Birx said health professionals have "called out the next set of cities" where they see early warning signs because if those cities make changes now they "won't become a Phoenix." Arizona's sprawling capital has suffered a severe outbreak, though Birx said Friday the federal government was seeing encouraging declines in positive test results there and in San Antonio, which like much of Texas has been hard hit.

Meanwhile, lawmakers in Washington were negotiating a new coronavirus relief bill as state and local governments, schools, businesses and others pushed for a new dose of aid. Congressional Democrats have sought to keep the extra $600 in unemployment checks rolling. Republicans who control the Senate have proposed benefits worth 70% of what people made before.

The $600 weekly bonus is technically set to expire July 31, though this is the last week recipients will get the extra money. Some new aspects of the coverage are not ending, including coverage for some gig workers and freelancers who are usually ineligible for unemployment payments, as well as a 13-week extension of regular benefits that the federal government promised to help states pay.

Critics noted that the extra cash payments meant many workers were receiving more for not working than they did working — a possible disincentive for returning to the job. Supporters cast that as an acknowledgment that wages were too low, and said the extra money was a chance for workers to build up a cushion in case they remained unemployed after benefits expire.

The federal government is offering interest-free loans to states that deplete their unemployment insurance trust funds, and 10 states have received them so far. But paying the U.S. back after a crisis can keep states from building up reserves. Pennsylvania just finished paying off its loans from the Great Recession.

Hawaii is one state that is preserving part of the boost, increasing unemployment checks by $100 a week for the rest of the year. To pay for it, the tourism-dependent state is using nearly one-fifth of its main pot of federal coronavirus aid.

Georgia is allowing people to earn more from part-time jobs while still receiving unemployment benefits. In most places, however, similar measures have not taken hold.

The New Hampshire Legislature, controlled by Democrats, approved a bill to increase the maximum payment by $100 weekly, to $527. Republican Gov. Chris Sununu vetoed it, saying that some of the details could have jeopardized federal funding.

In Arizona, Democrats have also pushed for increasing the maximum benefit by $100. No change has been made, but this week Gov. Doug Ducey, a Republican, wrote a letter to the state's congressional delegation asking them to support putting more federal money in the state's unemployment trust fund. He also said workers laid off because of the pandemic should bring home at least as much as the did when they were working.

"It is by no fault of their own that certain businesses have a higher risk of transmission," he wrote, "and therefore are being required to close by the government."

California will let absent lawmakers vote during outbreak

ADAM BEAM
Associated Press

California's legislative leaders said Thursday they will let absent lawmakers vote on bills during the final month of the legislative session after at least seven people who work in the state Capitol became infected with the coronavirus, including one assemblyman who had to be hospitalized.

The state Assembly plans to let four legislative leaders cast votes for absent members during floor sessions. The state Senate will let lawmakers cast votes remotely, but only in committee hearings. Senators must still be present on the floor to cast final votes on bills.

The state Legislature had to shut down twice because of the coronavirus, shortening a legislative session where lawmakers have had to make tough choices to close a virus-induced $54.3 billion budget shortfall. A few lawmakers have missed votes for fears of contracting the disease or because they had already been exposed to it.

Some have participated in committee hearings and floor sessions remotely, but none was allowed to vote, as legislative leaders have worried the state Constitution does not allow it. But with an Aug. 31 deadline to pass bills before the end of the two-year session, lawmakers appear to be making exceptions to avoid another shutdown.

"Extraordinary times require extraordinary measures," Assembly Speaker Anthony Rendon said.

Critics say the new rules will undermine the deliberative process of the Legislature, which is designed for lawmakers to meet in one place where the public can find them and have access to them.

"This is one of those situations where you have to ask if the cure is worse than the disease. What does it mean to open the door to such dramatic departures from our democratic traditions, and is it worth it?" said Kevin Baker, director of legislative affairs at the Center for Advocacy and Policy at the ACLU of California.

Jonathan Mehta Stein, executive director of California Common Cause, a government watchdog group, said they are not opposed to remote voting provided that lawmakers are participating from a known location and safeguards are in place to make sure they are not being influenced by someone off camera.

But he opposed the Assembly's plan to let lawmakers cast votes by proxy. He said proxies are not allowed to change their vote if new facts or arguments come to light that might be important to consider, undermining the deliberative function of the Legislature.

"If the Assembly's view was that remote voting was not permitted under the Constitution, I don't know how they are allowing proxy voting starting next week," Mehta Stein said. "I'd like to see them make that explanation public."

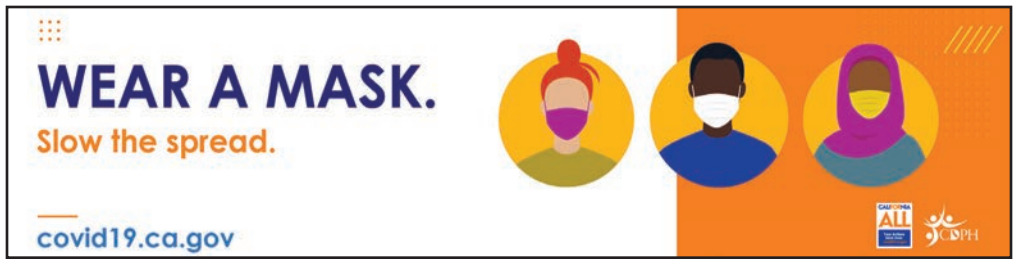
Rendon said leaders crafted the rules in consultation with the chief clerk and the Office of Legislative Counsel, saying "we have determined that this is the best way to continue legislating while guarding individual and public health, in a limited fashion and for a limited time."

The rules will require absent lawmakers to send in their votes the day before a floor session, authorizing one of four legislative leaders to cast votes on their behalf. Rendon said a quorum of lawmakers will be present on the floor at all times.

Senate President Pro Tem Toni Atkins said Senate officials have been testing a remote voting system since March.

The state Assembly in June passed a proposed constitutional amendment that would let lawmakers vote remotely during an emergency. But it drew the ire of government watchdog groups, who said it went too far and would undermine the democratic process. The proposal stalled in the state Senate.

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LEMLE LAW GROUP, PC

PUBLISHER
Ross Furukawa
ross@smdp.com

PARTNER
Todd James
todd@smdp.com

EDITOR IN CHIEF
Matthew Hall
matt@smdp.com

ADVERTISING DIRECTOR
Jenny Rice
jenny@smdp.com

OPERATIONS MANAGER
Cindy Moreno
cindy@smdp.com

SENIOR ACCOUNT EXECUTIVE
Rose Mann
rose@smdp.com

STAFF WRITER
Brennon Dixson
brennon@smdp.com

CONTRIBUTING WRITERS
Charles Andrews,
Cynthia Citron,
Jack Neworth,
David Pisarra,
Sarah A. Spitz

PRODUCTION
Esteban Inchaustegui
production@smdp.com

CIRCULATION
Achling Holliday
ross@smdp.com
Keith Wyatt
ross@smdp.com

Santa Monica Daily Press
1640 5th Street, Suite 218
Santa Monica, CA 90401
OFFICE (310) 458-PRESS (7737)
FAX (310) 576-9913

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DAILY POLICE LOG

SMDP STAFF CHOSE THE FOLLOWING FROM 268 CALLS ON JULY 23

Battery 1600blk Ocean Ave 12:23 a.m.
Exhibition Of Speed 1400blk Pacific Coast Hwy 12:45 a.m.
Auto Burglary Report Ocean Ave / Strand St 12:50 a.m.
Exhibition Of Speed 1000blk Ocean Ave 2:04 a.m.
Public Intoxication 800blk Santa Monica Blvd 3:06 a.m.
Petty Theft Main St / Ocean Park Blvd 5:08 a.m.
Encampment 900blk Interstate 10 6:24 a.m.
Loud Music 200blk Washington Ave 6:34 a.m.
Family Disturbance 900blk 4th St 6:53 a.m.
Lewd Activity 1000blk Pico Blvd 6:55 a.m.
Petty Theft Report 1300blk 20th St 8:00 a.m.
Petty Theft 2400blk Pico Blvd 8:59 a.m.
Check Temporary No Parking Signs 1600blk 7th St 9:08 a.m.
Vehicle Parked In Alley 2000blk Idaho Ave 9:11 a.m.
Loud Music 500blk Ashland Ave 9:17 a.m.
Keep The Peace 1400blk Euclid St 9:21 a.m.
Grand Theft Auto Report 1700blk Wilshire Blvd 9:21 a.m.
Loud Music 800blk Broadway 9:26 a.m.
Abandoned Vehicle 300blk Arizona Ave 9:29 a.m.
Found Person 2000blk Ocean Front Walk 9:34 a.m.
Burglary Report 200blk Bicknell Ave 9:36 a.m.
Auto Burglary Report 800blk 3rd St 9:47 a.m.
Vehicle Parked In Alley 2500blk 28th St 10:21 a.m.
Vehicle Parked In Alley 1200blk 23rd St 10:26 a.m.
Petty Theft Report 1500blk The Beach 10:37 a.m.
Burglary Report 400blk Wilshire Blvd 10:38 a.m.
Grand Theft Auto 2600blk Main St 10:38 a.m.
Found Property 1300blk Palisades Park 10:40 a.m.
Burglary Report 1400blk 6th St 10:53 a.m.
Auto Burglary Report 800blk 3rd St 11:18 a.m.
Grand Theft Report 100blk Broadway 11:40 a.m.
Mark & Tag Abandoned Vehicle 2300blk 34th St 11:58 a.m.
Theft Of Recyclables 100blk Montana Ave 11:59 a.m.
Mark & Tag Abandoned Vehicle 1900blk 17th St 11:59 a.m.
Bike Theft Report 2400blk Kansas Ave 12:05 p.m.
Petty Theft Report 2200blk Oak St 12:19 p.m.
Illegal Weapon 2800blk Ocean Front Walk 12:21 p.m.
Person With A Gun 2800blk Ocean Front Walk 12:22 p.m.
Check Temporary No Parking Signs 200blk Bay St 12:28 p.m.
Abandoned Vehicle 700blk Raymond Ave 12:50 p.m.
Vehicle Burglar Alarm 600blk California Ave 1:30 p.m.
Indecent Exposure Now 2600blk Ocean Front Walk 1:35 p.m.
Burglary Report 3000blk Santa Monica Blvd 1:37 p.m.
Vehicle Parked In Alley 1300blk Centinela Ave 1:42 p.m.
Loud Music 2100blk 21st St 2:00 p.m.
Mark & Tag Abandoned Vehicle 3200blk Urban Ave 2:24 p.m.
Indecent Exposure Now 2600blk Wilshire Blvd 2:36 p.m.
Attempt Burglary 1400blk 5th St 2:38 p.m.
Loud Music 1600blk Appian Way 2:47 p.m.
Auto Burglary Report 2900blk Santa Monica Blvd 2:48 p.m.
Fight 4th St / Colorado Ave 2:57 p.m.
Check Temporary No Parking Signs 800blk 9th St 3:27 p.m.
Strongarm Robbery 1900blk Pico Blvd 3:32 p.m.
Burglary 2500blk Pico Blvd 3:36 p.m.
Fraud Report 1300blk 15th St 3:48 p.m.
Mark & Tag Abandoned Vehicle 1700blk Euclid St 3:48 p.m.
Vehicle Parked In Alley 1300blk Centinela Ave 3:57 p.m.
Loud Music 2400blk 34th St 3:59 p.m.
Check Temporary No Parking Signs 1000blk Pearl St 4:00 p.m.
Traffic Collision With Injuries Ocean Ave / Colorado Ave 4:12 p.m.
General Parking Problem 1000blk 4th St 4:30 p.m.
Grand Theft Report 2500blk Pico Blvd 4:48 p.m.
Petty Theft Report 2600blk 10th Ct 5:08 p.m.
Petty Theft Report 16th St / Arizona Ave 5:27 p.m.
Traffic Collision With Injuries 21st St / Santa Monica Blvd 5:44 p.m.
Burglary 2400blk 3rd St 6:03 p.m.
Fight 1200blk Palisades Park 6:13 p.m.
Bomb Threat 100blk Santa Monica Pl 6:22 p.m.
Indecent Exposure Now 1400blk Ocean Ave 7:03 p.m.
Vehicle Cite & Tow (Parking Problem) 1300blk Centinela Ave 7:26 p.m.
Indecent Exposure Now 2nd St / Broadway 7:40 p.m.
Harassing Phone Calls Report 1400blk 18th St 7:56 p.m.
Violation Of Preferential Parking Zone Appian Way / Vicente Ter 8:02 p.m.
Encampment 1600blk The Beach 8:10 p.m.
Indecent Exposure Now 900blk Ocean Ave 8:25 p.m.
Check Temporary No Parking Signs 1200blk 2nd St 8:27 p.m.
Auto Burglary Report 1100blk 5th St 8:32 p.m.
Threats Report/Investigations 2800blk Colorado Ave 8:55 p.m.
Vehicle Parked In Alley 1300blk 3rd Street Prom 9:35 p.m.
Loud Music 1200blk 3rd Street Prom 9:41 p.m.
Handicap Zone Violation 1000blk 10th St 10:02 p.m.
Loud Music 900blk 5th St 10:27 p.m.
Person Down 3rd St / Bicknell Ave 10:34 p.m.
Exhibition Of Speed 2000blk Ocean Ave 11:58 p.m.

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White House seeks advice of 'torture memos' author

JILL COLVIN AND MARK SHERMAN
Associated Press

President Donald Trump is relying on an outlier interpretation of a recent Supreme Court decision to assert broad new powers as he prepares to sign a series of executive orders in the coming weeks.

The expansive view of presidential authority has been promoted by John Yoo, a Berkeley Law professor known for writing the so-called "torture memos" that the George W. Bush administration used to justify using "enhanced interrogation" techniques after the Sept. 11 terror attacks.

Yoo told The Associated Press on Thursday he's had multiple conversations with senior administration officials in which he's made the case that a June Supreme Court ruling that rejected Trump's effort to end the Deferred Action for Childhood Arrivals program, or DACA, opened the door to enormous new presidential power.

"I said, 'Why not just take the DACA opinion itself and do a search-replace. And every time it says 'DACA' ... replace it with 'skills-based immigration system,'" Yoo said he told the White House. "This gives President Trump an alternative to create such a program, at least for a few years."

Not long after the conversations, Trump began promising a series of new executive orders on a range of issues.

"The decision by the Supreme Court on DACA allows me to do things on immigration, on health care, on other things that we've never done before," Trump said in an interview on Fox News Sunday, predicting "a very exciting two weeks."

The court concluded in its 5-4 decision that the Trump administration did not take the proper steps to end DACA. The program was created by former President Barack Obama and provided legal protections to some 650,000 immigrants brought to the country as children.

Chief Justice John Roberts' opinion castigated the administration for cutting legal corners, finding its conduct "arbitrary and capricious" under a 1946 federal law that guides how agencies develop regulations and policies.

Roberts, joined by the court's four liberals justices, notably did not conclude one way or the other whether DACA is legal. But Yoo has made the case in several articles that the court, in its ruling, invalidated one of the main checks on presidential power: the ability of new presidents to immediately undo executive action enacted by their predecessors.

Under the court's decision, he wrote in Newsweek, "presidents can now stop enforcing laws they dislike, hand out permits or benefits that run contrary to acts of Congress and prevent their successors from repealing their policies for several years."

In National Review, Yoo suggested Trump could, for instance, now create a nationwide right to carry guns openly by refusing to enforce federal firearms laws and then creating a new "Trump permit" that would free any holder of local gun restrictions.

Liberal legal scholars said Yoo, who served as deputy assistant attorney general in the Justice Department's Office of Legal Counsel under Bush, was wildly off-base and reading far too much into a decision that focused on the administration's sloppiness.

But Yoo said that soon after publication of the articles, he received a call from White House officials he declined to name. "I wasn't expecting to get a call. I wasn't trying to influence the White House," he said, noting his articles were intended to criticize what he thought the court got wrong.

Nonetheless, he shared his opinion with the White House that the decision gives Trump the power to reorient American immigration policy "toward one that is focused on merit, skills and assets," as Trump favors, without having to reach a deal with Congress, which has rejected such measures.

And Yoo argued the same reasoning could apply in other areas, such as health care, giving Trump the ability, for instance, to stop spending federal resources to enforce an employer contraceptive mandate.

Several White House officials stressed that while Yoo's writings have been spotted around the West Wing, his opinions only reinforced discussions that already were taking place.

Indeed, Trump and members of his administration extending back to former White House counsel Don McGahn have long held expansive views of presidential powers. Trump has repeatedly asserted new authority in executive orders and flouted congressional oversight efforts, from redirecting funds appropriated by Congress to asserting broad privilege to ignore subpoenas.

"When somebody is the President of the United States, the authority is total," he declared in April.

Trump, in his Fox interview, seemed eager to flex the new powers he claimed the DACA decision had granted — though it remains unclear whether he'll follow through.

"We're signing a health care plan within two weeks, a full and complete health care plan that the Supreme Court decision on DACA gave me the right to do," he asserted. "The Supreme Court gave the president of the United States powers that nobody thought the president had, by approving, by doing what they did."

Critics called Yoo's ideas disingenuous and unconstitutional.

Victoria Nourse, a Georgetown University law professor, said, "Yoo's track record should warn you that he is given to claims that are out of the mainstream."

Yoo is relying on a false premise: that the court upheld Obama's creation of the DACA program in the first place, said Stephen Vladeck, a law professor at the University of Texas.

"To call it an embarrassing analysis is to dramatically understate just how nefarious it is," Vladeck wrote in an email.

On Twitter, Harvard Law School professor Laurence Tribe wrote that Yoo's take on the DACA decision "is a wildly irresponsible and, of course, unconstitutional 'reading' of" the decision.

Omar Jadwat, director of the American Civil Liberties Union's Immigrants' Rights Project, said Yoo's take was at best "a badly

SEE .WHITE HOUSE PAGE 11

DAILY FIRE LOG

SMDP STAFF CHOSE THE FOLLOWING FROM 29 CALLS ON JULY 23

EMS 1100blk Lincoln Blvd 12:13 a.m.
EMS 300blk Olympic Dr 12:18 a.m.
Carbon Monoxide Alarm 1000blk Ocean Park Blvd 1:40 a.m.
EMS 800blk Pacific St 2:26 a.m.
EMS 1300blk 15th St 4:43 a.m.
EMS 1100blk Lincoln Blvd 7:36 a.m.
EMS 1400blk 3rd Street Prom 9:01 a.m.
EMS 1400blk Lincoln Blvd 9:06 a.m.
EMS 3100blk Pennsylvania Ave 9:31 a.m.
EMS 1300blk 7th St 11:53 a.m.
EMS 1800blk 7th St 12:04 p.m.
EMS 1300blk Washington Ave 1:41 p.m.
EMS 1600blk Santa Monica Blvd 1:43 p.m.
EMS 2800blk Santa Monica Blvd 3:54 p.m.
EMS 600blk Wilshire Blvd 3:56 p.m.
EMS 6th St / Wilshire Blvd 4:40 p.m.
EMS 2000blk Santa Monica Blvd 5:00 p.m.
Smoke Investigation 1500blk Yale St 5:02 p.m.
EMS 1400blk 16th St 5:41 p.m.
Traffic Collision With Injury 21st St / Santa Monica Blvd 5:44 p.m.
Automatic Alarm 200blk Ocean Ave 5:55 p.m.
EMS 800blk 10th St 5:59 p.m.
Hoover Assignment 300blk Santa Monica Pl 6:22 p.m.
EMS 1300blk 15th St 6:28 p.m.
Automatic Alarm 1000blk Ocean Ave 8:13 p.m.
EMS 1400blk Princeton St 9:43 p.m.
EMS 900blk 6th St 10:01 p.m.
EMS 3rd St / Bicknell Ave 10:34 p.m.
Trash/Dumpster Fire 2900blk Pico Blvd 10:39 p.m.

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SAMOHI PANEL

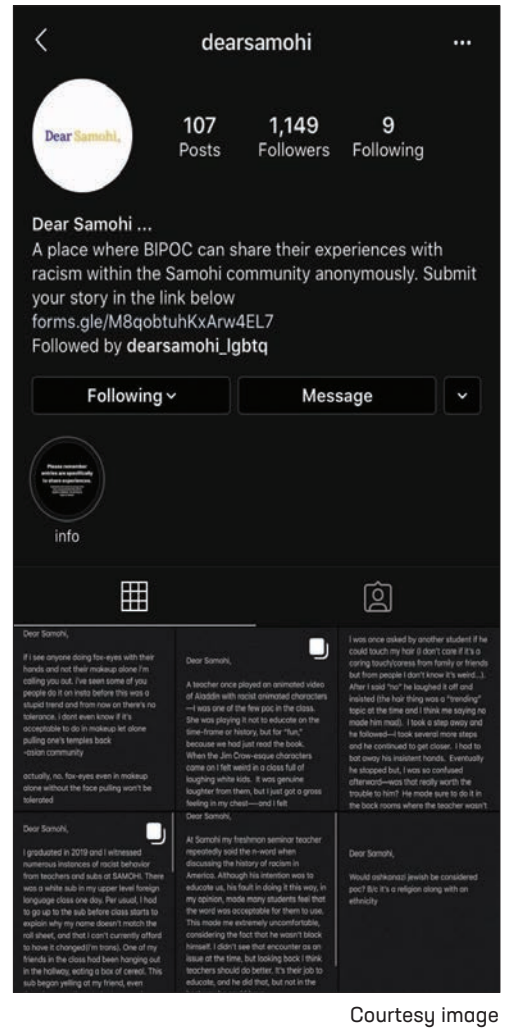
FROM PAGE 1

their truth during this conversation. We are striving to provide a safe and respectful virtual environment. The racial composition of the group represents several communities within our school," and they are expected to cover subjects related to power, privilege, bias, oppression, discrimination, identity and other important ideals, Shelton added.

"We will speak to the system that has created structural racism and privilege experienced by certain groups within our community," and a range of emotions could be experienced during the conversation so it's important for the community to listen with compassion and consider the feelings of those speaking, Shelton said. "Ultimately, this opportunity has been created to inspire hope and activism, while generating tangibles that we can infuse into our school community and outcomes that make people feel safe, open and free to be themselves at Samohi."

"It feels like a step in the right direction. In the meeting a survey to address and hear from the community of students was suggested. That to me is an invaluable tool to address having a healthy learning environment. I also think it's necessary to specifically address how students feel targeted by SMPD on campus. Our students are not to be criminalized. Clearly our students are in crisis and I imagine the environment as it stands today is having an adverse affect on them more than any of us realize."

brennon@smdp.com



Courtesy image

FORUM: School officials will host a discussion after students listed their experiences with discrimination at Samohi.

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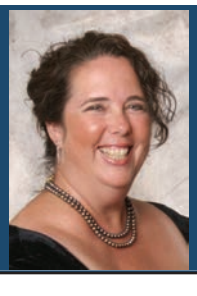
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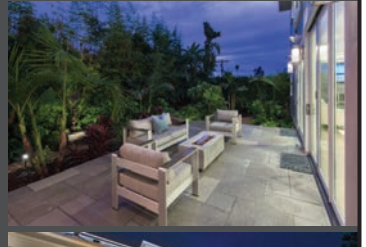
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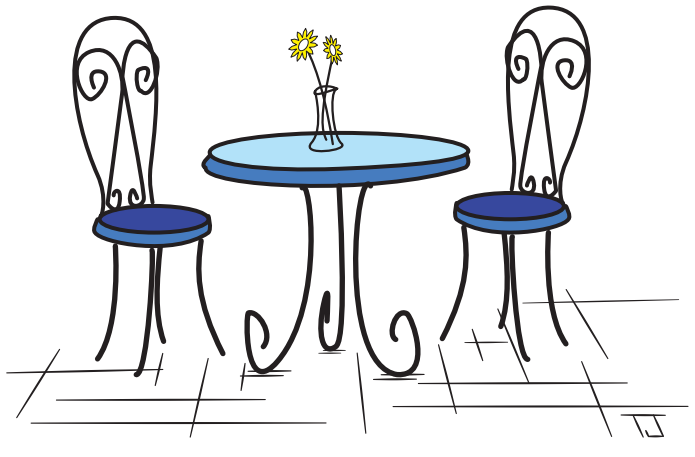
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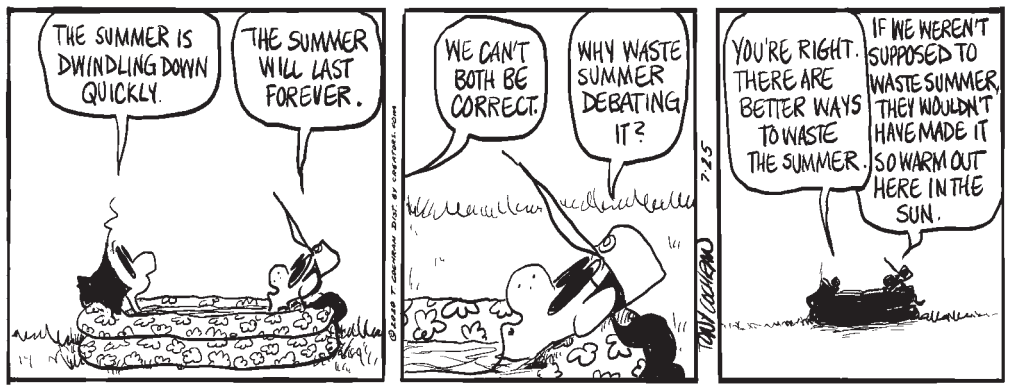
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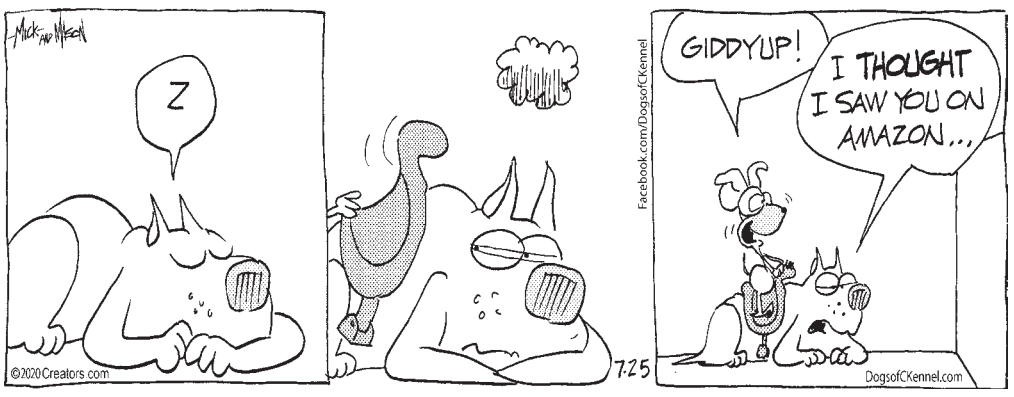
Agnes

By TONY COCHRAN



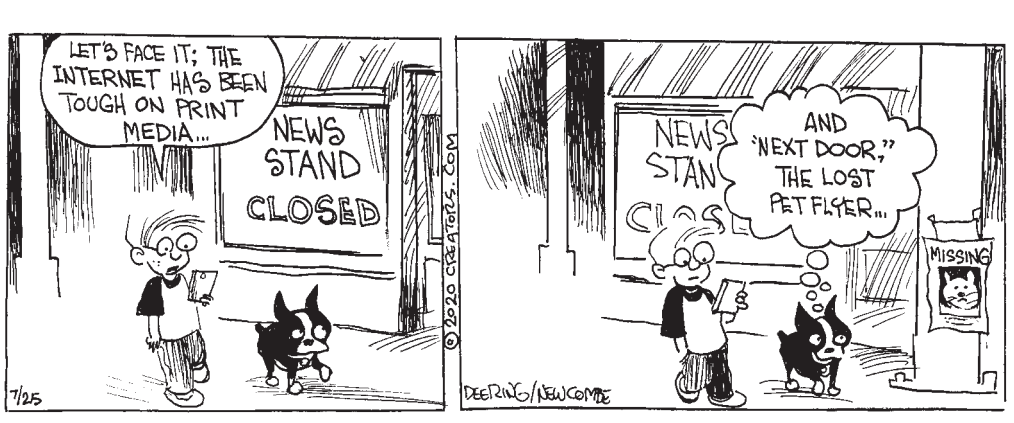
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By MICK & MASON MASTROIANNI & JOHNNY HART



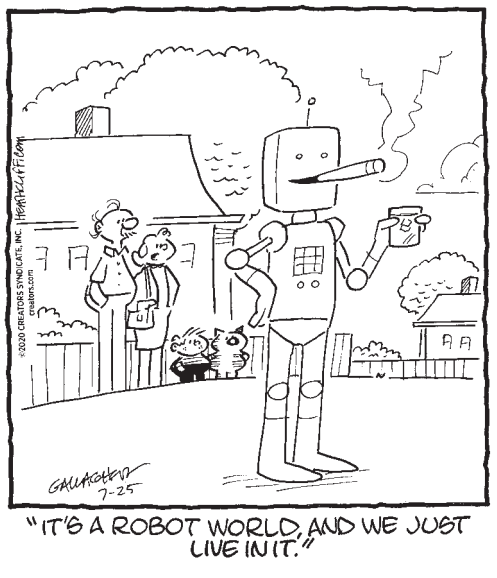
Zack Hill

By JOHN DEERING & JOHN NEWCOMBE



Heathcliff

By PETER GALLAGHER



Strange Brew

By JOHN DEERING





SURF FORECASTS

WATER TEMP: 61.7°

SATURDAY - **FAIR** - SURF: 0.5-1ft Shin to knee high
SW swell eases. Minor NW swell-mix. Drained low tide for the early morning.

SUNDAY - **FAIR** - SURF: 0.5-1ft Shin to knee high
Small new mix of SSW and SSE swells creeping in. Minor NW energy.

WEATHER

Saturday: Patchy fog before 11am. Otherwise, mostly sunny, with a high near 71.
Saturday Night: Patchy fog after midnight. Otherwise, partly cloudy, with a low around 61.
Sunday: Patchy fog before noon. Otherwise, mostly sunny, with a high near 71.
Sunday Night: Partly cloudy, with a low around 61.
Monday: Patchy fog before 11am. Otherwise, mostly sunny, with a high near 70.

Date	Day of the Week	Time (LST/LDT)	Predicted (ft)	High/Low
2020/07/25	Sat	12:44 AM	5.23	H
2020/07/25	Sat	07:32 AM	0.17	L
2020/07/25	Sat	2:18 PM	4.80	H
2020/07/25	Sat	8:07 PM	2.02	L
2020/07/26	Sun	01:49 AM	4.46	H
2020/07/26	Sun	9:41 PM	1.77	L
2020/07/27	Mon	03:14 AM	3.74	H
2020/07/27	Mon	09:08 AM	1.39	L
2020/07/27	Mon	4:09 PM	5.36	H
2020/07/27	Mon	11:16 PM	1.23	L
2020/07/28	Tue	05:01 AM	3.35	H
2020/07/28	Tue	10:11 AM	1.90	L
2020/07/28	Tue	5:07 PM	5.67	H
2020/07/29	Wed	12:32 AM	0.57	L
2020/07/29	Wed	06:44 AM	3.35	H
2020/07/29	Wed	11:20 AM	2.25	L
2020/07/29	Wed	6:03 PM	5.99	H
2020/07/30	Thu	01:32 AM	-0.05	L
2020/07/30	Thu	08:01 AM	3.59	H
2020/07/30	Thu	12:24 PM	2.41	L

DAILY LOTTERY

POWERball calottery
Draw Date:07/22
16 25 36 44 55
Power#: 14
Jackpot:117 M

calottery MEGA MILLIONS
Draw Date: 07/21
14 25 26 41 43
Mega#: 15
Jackpot: 124 M

SuperLotto calottery PLUS
Draw Date: 07/22
4 8 30 33 40
Mega#: 17
Jackpot: 8 M

calottery Fantasy5
Draw Date: 07/23
12 15 23 25 35

calottery Daily 3
Draw Date: 07/23
Evening: 8 5 8
Draw Date: 07/23
Midday: 3 0 9

calottery Daily Derby
Draw Date: 07/23
1st: 07 - EUREKA
2nd: 06 - WHIRL WIN
3rd: 12 - LUCKY CHARMS
RACE TIME: 1:46.61

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TODAY'S BIRTHDAY (JULY 25)

There's a vigor to the opening of this year. You are physically and mentally mighty. You scale the tall walls that kept you in one place and break out into beautiful new horizons. Relationships are delightful work. Your exceptional taste in people pays off with fun times, lucrative projects and meaningful exchanges. Gemini and Scorpio adore you. Your lucky numbers are: 13, 20, 6, 40 and 18.

ARIES (March 21-April 19). If you worry about what you are going to say, then it will prevent you from listening to what is being said. Whatever you can do to put yourself at ease will give you an advantage.

TAURUS (April 20-May 20). Are you holding on to false hope? No. Hope, in and of itself, is an act of truth and light. Believe the best and hold on, white-knuckled, to that version.

GEMINI (May 21-June 21). Your head and your heart have not had a meeting in a while, and they will go in two different directions until you bring them into alignment through something peaceful, like meditation, dance or creative play.

CANCER (June 22-July 22). Make space. Get rid of things before you have a replacement. Emptiness is not nothingness. Space is a "something" even if you don't know what it is. Potential counts.

LEO (July 23-Aug. 22). Assume that people are doing their very best. If they don't act like this is the case, they may be consumed with fighting a battle you do not know about. Give the benefit of the doubt wherever possible.

VIRGO (Aug. 23-Sept. 22). It would be cool if you had a manual for this project, but all the information out there is either too plentiful or too scanty to be of use to you. Reach out to a mentor for information that's the right size.

LIBRA (Sept. 23-Oct. 23). You're not entirely sure if the exercise you're doing is causing you good pain or bad pain. Pain is only good if your muscles grow from it. Take a measured approach.

SCORPIO (Oct. 24-Nov. 21). Things may not change immediately or even slowly, but the important thing is that they will change eventually. Never give in to cynicism. Your mind is made for beautiful thinking.

SAGITTARIUS (Nov. 22-Dec. 21). Seize every chance to extend your heart. But if you miss -- if you say something you didn't mean to or fail to hear the message inside the message -- don't worry. You'll get another chance soon.

CAPRICORN (Dec. 22-Jan. 19). You won't get that push from the world today, so you'll have to give it to yourself. Do so in the form of an intention. Setting an intention leads to actions you wouldn't have taken otherwise.

AQUARIUS (Jan. 20-Feb. 18). Acts of love make the day great. Tonight brings interesting obstacles, and you will navigate like a warrior, using everything life throws you to your advantage.

PISCES (Feb. 19-March 20). You'll thank the roadblock, as it helps you find your own path. You'll thank t

SOLUTIONS TO YESTERDAY'S CROSSWORD

A	B	E	L	■	B	U	C	S	■	L	I	S	A	■
L	E	N	A	■	A	S	A	P	■	A	M	E	N	S
P	A	I	N	T	B	A	L	L	■	S	P	A	N	K
S	U	D	O	K	U	■	M	A	N	T	A	R	A	Y
■	■	■	L	O	S	S	■	T	I	C	S	■	■	■
S	Q	U	I	S	H	E	S	■	N	A	S	C	A	R
T	U	R	N	■	K	E	N	S	■	L	E	A	C	H
A	A	A	■	C	A	P	I	T	A	L	■	S	H	Y
T	I	L	L	Y	■	S	T	I	R	■	D	I	E	M
E	D	S	E	L	S	■	S	E	T	L	O	O	S	E
■	■	■	A	I	R	A	■	S	H	A	D	■	■	■
P	L	A	N	N	I	N	G	■	O	R	G	A	N	S
A	I	L	E	D	■	T	R	O	U	S	S	E	A	U
D	E	E	R	E	■	E	A	R	S	■	O	R	P	C
■	U	S	S	R	■	S	M	E	E	■	N	O	S	H

Sudoku

Fill in the blank cells using numbers 1 to 9. Each number can appear only once in each row, column, and 3x3 block. Use logic and process of elimination to solve the puzzle.

SOLUTIONS TO YESTERDAY'S SUDOKU

7	9	2	8	3	6	4	1	5
5	6	3	4	1	7	2	9	8
8	1	4	2	9	5	6	3	7
2	3	1	5	6	8	9	7	4
4	7	8	3	2	9	1	5	6
9	5	6	1	7	4	3	8	2
6	2	9	7	8	1	5	4	3
3	8	5	9	4	2	7	6	1
1	4	7	6	5	3	8	2	9

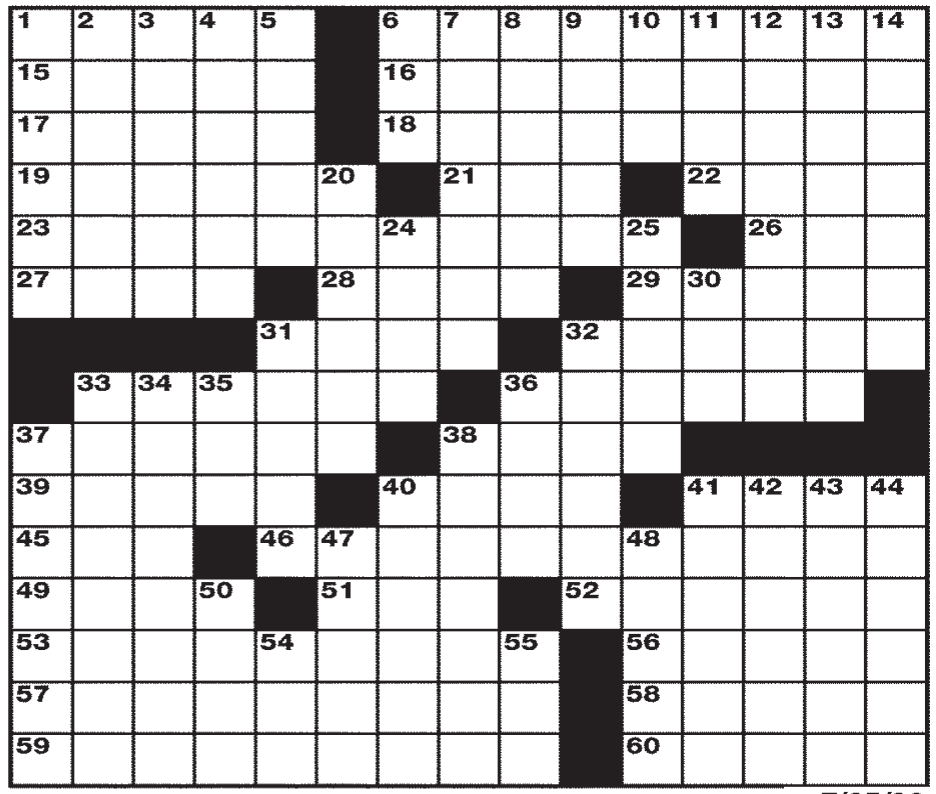
			8			4		5
		3		1	7	2		
8		4					3	7
	3			6				
4		8				1		6
				7			8	
6	2					5		3
		5	9	4		7		
1		7			3			

Newsday Crossword

SATURDAY STUMPER by Greg Johnson
Edited by Stanley Newman
www.stanxwords.com

ACROSS
1 Play with puddles
6 Posts behind another user's back
15 Marbled mare
16 Backup device
17 Flop
18 Crystal clear
19 End of the first multination marathon
21 Possible fray finale
22 Photo finish
23 With 46 Across, modern "Pay attention!"
26 Notices in a stream
27 Can't commit
28 Stock market purchase
29 One seen often in oaters
31 "The cloudy __ of night": Homer
32 Objective of spelling practice
33 Sub-in, as athletes
36 One seen often in oaters
37 Bento box lacquerware
38 They make waiters angry
39 The other side
40 Whom a "Congrats!" lawn sign is often for
41 Door stop, essentially
45 Possible nepotism beneficiary
46 See 23 Across
49 Contact sport of a sort
51 *Museo del __ Precolombino* (Costa Rican attraction)
52 Concerns for investors and orchardists
53 Troubadour, for instance
56 Draws, as water
57 Got hold of
58 Kin to "capric"
59 ". . . blah, blah, blah"
60 Farmers market lineup

DOWN
1 Gaudy entrance
2 Joe Jackson in *Field of Dreams*
3 Being exhibited
4 Prepares to take tea
5 Mozart wrote concertos for them
6 Direction in preparing mussels
7 Stumped, rather fittingly
8 His partner had a cone-shaped pool
9 Check used by a shopper
10 Not yet wrung
11 Homeric work
12 Silk Road terminus
13 Walks all over
14 Fashion favored by Buffalo Bill
20 Polecat cousins
24 One of a traveling support group
25 Betrays exuberance
30 Ejection seat?
31 Russian dude's nickname
32 Be gentler than a wring
33 Handled with reckless abandon?
34 Requirement for clear reception
35 House of Tartan product
36 Setting for lomi lomi salmon
37 Whom Lisa Simpson calls a cousin
38 Mellow melodist
40 Twist the night away
41 Bundle and tie
42 Prevent from escaping
43 Use a space vehicle
44 Don't ever leave them behind
47 Part of the Columbia Pictures logo
48 __ light
50 Not taken by
54 Serving suggestion
55 Impressive back yards



CREATORS SYNDICATE © 2020 STANLEY NEWMAN STANXWORDS@AOL.COM 7/25/20

Binary Puzzle

Each cell should contain a zero or a one. No more than two similar numbers below or next to each other are allowed. Each row and each column is unique and contains as many zeros as ones.

SOLUTIONS TO YESTERDAY'S PUZZLE

0	0	1	1	0	0	1	1	0	1	1	0
1	1	0	1	0	1	1	0	0	1	0	0
0	1	1	0	1	0	0	1	1	0	0	1
0	0	1	0	0	1	1	0	1	0	1	1
1	1	0	1	1	0	0	1	0	1	0	0
0	0	1	1	0	0	1	0	1	0	1	1
0	1	1	0	1	1	0	0	1	1	0	0
1	0	0	1	0	1	0	1	0	0	1	1
1	1	0	0	1	0	1	0	1	1	0	0
0	0	1	0	1	0	1	1	0	0	1	1
1	0	0	1	0	1	0	1	0	1	0	1
1	1	0	0	1	1	0	0	1	0	1	0

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FIND THE WORDS

This is a theme puzzle with the subject stated below. Find the listed words in the grid. (They may run in any direction but always in a straight line. Some letters are used more than once.) Ring each word as you find it and when you have completed the puzzle, there will be 12 letters left over. They spell out the alternative theme of the puzzle. © australianwordgames.com.au 4820

The art of sewing

P E D E U S T A L N N F E L T
A D I M I T Y Q O E K W A I S
D E N I M R E N I E T C A X A
U R A Z A G A S P V E U E L P
A A F A I L L E N E I T O O M
S Y P C P R R A B N R U T C A
O O S L A C O M I E G S T O L
Y N U C I N O N A T P U Y N U
P S A H R S V I S I B R B E N
H I R A S I S A R A N A B L A
E T A P E X M E S N T H O D M
Y G A R M E N T O W H E D E O
A D U C K M E L I O V S E E T
S I A T K O Y C L O Q U E N T
E O R G A N Z A M L N A R M O

Aertex
Banarasi sari
Baste
Bias
Canvas
Cloque
Coir
Coutel
Crepe
Denim
Dimity
Dobby
Duck
Ermine
Faille
Felt
Garment
Gazar
Iron
Lace
Lampas
Lanon
Lawn
Leno
Mesh
Needle
Nomex
Nylon
Omran
Organza
Ottoman
Paduasoy
Plisse
Plush
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Sateen
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PRISON

FROM PAGE 1

come because of efforts to release vulnerable prisoners for health reasons and to manage the spread of the virus raging in prisons, according to detailed data from eight states compiled by The Marshall Project and AP. Instead, head counts have dropped largely because prisons stopped accepting new prisoners from county jails to avoid importing the virus, court closures meant fewer people were receiving sentences and parole officers sent fewer people back inside for low-level violations, according to data and experts. So the number could rise again once those wheels begin moving despite the virus.

In Virginia, about 250 prisoners were released as corrections officials scrambled to minimize the spread of the virus, accounting for less than half of the decrease in population in that state between March and June, the news organizations found.

In California, Gov. Gavin Newsom last week ordered the release of up to 8,000 people by the end of August after a series of coronavirus outbreaks in the state's prisons. Between mid-March and mid-June, California's prison population dropped by more than 7,000, less than half of which can be attributed to an earlier decision by the state to let vulnerable prisoners out early.

More than 57,000 prisoners have tested positive for the coronavirus in facilities across the country since the outbreak began. Of those, at least 34,000 have recovered, and at least 651 have died, the data showed. Over 12,400 infections have been reported among staff, including 46 deaths.

Experts and advocates said whether the public perceives a public safety threat from people who are released early because of COVID-19 is likely to affect the larger criminal justice reform movement, especially the push to decrease prison populations.

While many people may be qualified for early releases, very few actually got out. In April, Pennsylvania launched a temporary reprieve program, allowing the state's corrections department to send people home under the condition that they return to finish their sentences once the pandemic passes. The governor's office predicted more than 1,500 would be eligible for release.

So far, the state's corrections department has recommended 1,200 people for reprieves, but the application process is slow and tedious, said Bret Bucklen, the department's research director. Each application needs approval from the governor, the secretary of corrections and the assistant district attorney who oversaw the initial conviction.

Nearly three months later, fewer than 160 people have been released through the reprieve program, while Pennsylvania's total prison population dropped by 2,800.

As in Pennsylvania, data from states such as North Carolina, Illinois and New Jersey shows coronavirus releases only account for less than one-third of the decrease in prison population, which suggests something else is driving the drop. According to Martin Horn, professor emeritus at John Jay College of Criminal Justice and a former corrections commissioner for New York City, the pandemic has slowed the entire criminal justice system, which means fewer people are going to prisons.

Before the pandemic, parolees were required to meet with their parole officers in person. For the last four months, those meetings have mostly been by phone, and people on parole are under less scrutiny and less likely to be returned to prison for violating the rules right now, Horn said.

Even many who have been sentenced for crimes are not being transferred to state prisons. In North Carolina, the courts enacted a two-month moratorium on accepting newly sentenced individuals into prisons. By the time the moratorium was lifted in May, about 1,800 people were in county jails awaiting transfer to state prisons, said John Bull, a spokesman for North Carolina's Department of Public Safety.

Whether prison populations rise once the pandemic eases will depend in part on how the public perceives people who are released early now, said Wanda Bertram, spokeswoman for the Prison Policy Initiative, a nonpartisan think tank that focuses on mass incarceration.

For example, if people leaving prison have little support and end up homeless, Bertram said she fears they may be more likely to get arrested for things like sleeping on the street, and the community may in turn associate early releases with more crime.

Garland King, who will turn 78 in a few weeks, spent 12 years in a North Carolina prison for shooting and killing his son-in-law during an argument. Like many older prisoners, he has mounting medical issues, including asthma and arthritis.

King was scheduled to be released in June, but on April 17 he became one of almost 500 prisoners who were let go early for good behavior. Since his wife died two years ago, he needed to find housing and apply for social services. He fretted over everything so much that he barely ate in the days leading to his freedom and nearly had a medical crisis as a result. He eventually found housing through a community health program in Durham, North Carolina.

Nazgol Ghandnoosh, a senior research analyst at the Sentencing Project, a group that advocates for sentencing reform, said that while the prison population decreases are a step in the right direction, she is disappointed by the numbers. Even if the COVID-19 release policies work as intended, they might not lower the prison population enough because states often exclude violent offenders from such releases, Ghandnoosh said.

"Even though we are sending too many people to prison and keeping them there too long, and even though research shows people who are older have the highest risk from COVID-19 and the lowest risk of recidivism, we are still not letting them out," Ghandnoosh said.

This story was a collaboration between The Associated Press and The Marshall Project exploring the state of the prison system in the coronavirus pandemic. Damini Sharma and Weihua Li reported for The Marshall Project

WHITE HOUSE

FROM PAGE 5

mistaken reading of what the court did. At worst, it's a willful twisting of the court's words."

During the Bush administration, Yoo wrote a 2001 memo advising that the military could use "any means necessary" to hold terror suspects. In a 2002 memo, he advised that treatment of suspected terrorists was torture only if it caused pain levels equivalent to "organ failure, impairment of bodily function or even death." Yoo also advised that the president might have the constitutional power to allow torturing enemy combatants.

Associated Press writer Zeke Miller contributed to this report.

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