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February 9, 2021

California Highway Patrol San Luis Obispo Area Attn: Captain Greg Klingberg 675 California Blvd. San Luis Obispo, CA 93401 *Via: United States Postal Service Certified Mail* 

### RE: Amend False Statements Made to the San Luis Obispo Press and Public; and Demand for the Arrest of **Constant Statements**; or Resign from the California Highway Patrol

Dear Captain Klingberg,

I represent Sam Grocott in the criminal matter of People v. Grocott, et al. docket number 20F-06361-A in San Luis Obispo County. This letter demands that you:

- 1. Immediately contact the local San Luis Obispo (SLO) press and inform them that you lied to the public when you misrepresented the facts of the case against my client, and provide the SLO press with accurate facts regarding the aforementioned case;
- 2. Immediately arrest for assault with a deadly weapon (Penal Code Section 245);
- 3. Alternatively, if you are unwilling to do your job and amend your erroneous actions, you should immediately resign from your position with the California Highway Patrol (CHP).

### False Statement Made to the SLO Press

On or about July 21, 2020, you lied to the public, (<u>https://www.ksby.com/news/local-news/protester-describes-being-hit-by-car-during-protest-in-slo</u>) misrepresenting the facts of the of above case despite the existence of video evidence, reviewed by your office, directly contradicting your false statements made to the press.

You lied and misrepresented the facts of the case when you falsely stated:

"One of them (presumably my client Sam Grocott) jumped on the hood of the vehicle. The other, after the gentlemen had then jumped off the hood of the vehicle, the vehicle then had a path to leave the area and as they were leaving, another person took their skateboard and hit the rear window of the vehicle as it was leaving."

Your entire statement is patently false, and contradicted by incontrovertible video evidence. Specifically, the drone footage taken by the SLO Police Department of the protest.

The video evidence shows that my client did not jump on the hood of **Control**'s car. On the contrary, it shows **Control** intentionally ran his car into my client's person intending to cause serious bodily injury to my client.

The video shows that my client is on the hood of **seconds**'s car for approximately 7 seconds, before a skateboard is thrown hitting the back window of **seconds**'s vehicle while he is trying to drive away with my client on the hood of his vehicle. The video footage clearly shows that the skateboard was thrown by Mr. Lastra in defense of my client who otherwise may have faced a fatal result.

# Your Failure to Arrest **Sector Sector**, a Violent, Racist, White Male

Shortly after trying to run my client over, **Example 1** provided video recorded statements to CHP officer Paul Sisemore. **Example 1** stated in relevant part:

*"I'm about to go 100 miles per hour though that motherfucking retarded stupid ass crowd!"* 

"These lame fucks, I should have brought my glock."

Later provided a recorded statement to an unknown law enforcement officer. In that interview states in relevant part:

"I'm going to fish off the God-damned pier, drink some wine, vape, like, fuck these fucking idiots. Not one fucking colored person in the whole God-damned mob. You guys gotta be shitting me. Like you guys are doing this dumb shit and there's not one colored *person* here. I mean like how many *colored people* you see in fucking Beverly Hills fighting for white rights. Like fucking idiots."

Although using racial slurs is generally not a crime, in this instance your failure to arrest raises alarming concerns that you may be supporting SLO District Attorney Dan Dow's thinly veiled white power agenda. Notwithstanding that Mr. Dow has aligned himself with white conservative extremist values, Mr. Dow was found, by Order of the SLO Superior Court, to have an actual conflict of interest in this case. Mr. Dow filed charges against my client for his political and professional benefit. In fact, Mr. Dow only filed charges against my white client, after it became obvious to the good people of SLO that Mr. Dow was abusing his prosecutorial discretion to selectively charge only black protestors. So, it begs the question, , a white, racist, not facing any criminal charges for intentionally driving his why is vehicle into my client's person? Did the decision to not arrest come from you or Mr. Dow? Given that Mr. Dow has abused his prosecutorial discretion to promote what appears to be a white power agenda, I can only wonder why you have refused to arrest given the overwhelming evidence against him and the fact that he still refers to black people as "colored-people."

At this point in time, it's unclear whether you have poor vision, your refusal to arrest is to advance your own political or professional agenda, or you're simply a racist simpleton abusing your power and acting as Dan Dow's submissive to promote his racist, white power agenda. Either way it is inexcusable that a person in your position of power, a Captain of the California Highway Patrol, would fail the good people of San Luis Obispo and the great state of California, by failing to arrest someone that admitted to driving his car into protestors because he had a hotel to check into and did not want to ruin his vacation by waiting for the protestors.

Not only have your actions directly infringed my client's constitutional rights to receive a fair trial from an impartial jury, but your actions have also allowed a racist, violent criminal to remain free on the streets endangering the lives of the public, and disgracing law enforcement and the good tax payers whom pay your salary totaling over \$300,000 per year.

This letter pleads with you to turn a corner, amend your behavior and do your job. I'm pleading with you to do the right thing, contact your television networks and inform them that either you were mistaken or that you are a liar because there is incontrovertible video evidence showing that **Second Second Sec** 

### **Deadline**

By February 15, 2021, I expect you to contact the press to straighten the record and seek atonement for your lies and misrepresentations, and to arrest **Expected**. Alternatively, if you are unwilling to act with integrity and do your job, you should immediately resign.

Thank you for your prompt attention to this matter.

Best,

Vincent Bandentos Attorney for Sam Grocott