



Superior Court of California County of Napa

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January 8, 2020

Kecia Lind
Deputy District Attorney
Napa County District Attorney
1127 First Street, Suite C
Napa, CA 94559

Re: People vs. Coleman, Wendell
Trial Case Number(s): CR183644, CR184602, CR183654

Dear Ms. Lind:

The Court has received a written comment from one of the jurors that heard evidence in the above cases. Per Judge Ortiz's instructions I am forwarding you and Mr. Nguyen a copy of the comment. (see attachment).

If you have any questions, please do not hesitate to contact me at 707.299.1128.

Sincerely,

Debra E. Cravea
Deputy Jury Commissioner

cc. Sang Nguyen
Deputy Public Defender

Telephone
(707) 299-1100

Historic Courthouse
825 Brown Street
Napa, CA 94559-3031
FAX: (707) 299-1250

Criminal Courthouse
1111 Third Street
Napa, CA 94559-3001
FAX: (707) 253-4673

Juvenile Courthouse
2350 Old Sonoma Road
Napa, CA 94559-3703
(site address only -
no mail delivery)

RECEIVED

JAN 09 2020

NAPA COUNTY
DISTRICT ATTORNEY

ADDITIONAL COMMENTS:

I have served on 2 juries - the first made me question our trial system and this one caused me to lose complete faith in it. I found the judge was not impartial and felt forced to bring a guilty verdict because said judge was technically true. Horrible experience. I have no faith in how our justice system works.

Please Mail to: Napa Superior Court

Jury Commissioner

825 Brown St

Napa, CA 94559 Or

Complete this survey on our website at: <https://www.surveymonkey.com/r/JURYSERVICE>

12/16/2019 CR183654 EO

JURY SERVICE EXIT QUESTIONNAIRE

Your Answers To The Following Questions Will Help Improve Jury Service.

ALL RESPONSES ARE VOLUNTARY AND CONFIDENTIAL.

1. First Date of Service 11-10-2020;
2. Who was the judicial officer that presided over the case? Elia Ortiz;
3. Enter the case name and number that you were on the jury for. Please refer to the letter received from the Court.
(e.g., People vs. Smith, John: CR123456 or Acme, Inc. vs ABC Banking: 17CV000123)
19CR003647;
4. How many days did you report to the courthouse? 2;
5. How much of your time was spent waiting in the Jury Assembly Room prior to going to a courtroom? 15 min;
6. Including this time, how many times have you been called for jury duty before in Napa County? 2;
7. Were jury instructions as read to you by the Judge, complete and easy to understand? Yes ☒ No ☐

8. HOW WOULD YOU RATE THE FOLLOWING ITEMS? PLEASE ANSWER ALL QUESTIONS

INITIAL ORIENTATION: Excellent ☐ Good ☒ Adequate ☐ Poor ☐ N/A ☐

TREATMENT BY COURT PERSONNEL: Excellent ☐ Good ☒ Adequate ☐ Poor ☐ N/A ☐

PHYSICAL COMFORTS IN THE JURY ASSEMBLY ROOM: Excellent ☐ Good ☒ Adequate ☐ Poor ☐ N/A ☐

PHYSICAL COMFORTS IN THE JURY DELIBERATION ROOM: Excellent ☐ Good ☐ Adequate ☐ Poor ☐ N/A ☒

PARKING: Excellent ☐ Good ☒ Adequate ☐ Poor ☐ N/A ☐

JURY CALL IN MESSAGE: Excellent ☐ Good ☒ Adequate ☐ Poor ☐ N/A ☐

JURY WEBSITE: Excellent ☐ Good ☒ Adequate ☐ Poor ☐ N/A ☐

RETURNED PHONE CALLS/EMAIL: Excellent ☐ Good ☐ Adequate ☐ Poor ☐ N/A ☒ Napa Superior Court

9. GENDER: ☐ FEMALE ☒ MALE

10. AGE: ☐ 18-20 ☐ 21-24 ☐ 25-34 ☐ 35-44 ☒ 45-54 ☐ 55-64 ☐ 65-over

11. OCCUPATION: Finance Accounting HR;

12. After reporting for jury duty, what is your impression? ☐ FAVORABLE ☒ UNFAVORABLE

ADDITIONAL COMMENTS: Racism was observed. See attached letter.

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Jury Commissioner
825 Brown St
Napa, CA 94559 Or

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11/09/2020 19CR003647 EO

People vs Coleman, Wendell
19CR003647

December 5, 2020

Elia Ortiz, Judge
825 Brown Street
Napa, CA 94559-3001

RE: People vs Coleman, Wendell Case 19CR003647
Subject: Copy Machine Protocol -- Company Internal Control -- Not a crime

Dear Honorable Justice Elia Ortiz

I am writing to express my concern over the guilty decision in the case of People vs. Wendell. Please excuse any nomenclature errors pertaining to the intent of the law or the case we are referring to. I was the 13th Juror as the alternate Juror in case.

Wendell is being charged with three counts of misdemeanor petty theft for making unauthorized photocopies with aggregated penalties up to 18 months in prison. I believe that the defendant, Wendell, an African American citizen living in Napa, CA, is wrongly accused and wrongly charged with the crime for multiple reasons.

- 1) Racism
- 2) Dismissal of the facts and circumstance
- 3) Failure to provide leniency in courtroom proceeding for a defendant representing themselves.

Racism: Jury Selection: The African American was not judged by his peers. In the summons room, the Jury Proctor addressed the entire group that was summoned that Jury selection is based on those individuals who Vote and who have Driver's License. This selection process inherently denies underprivileged individuals who may not have a driver's license. There was not one African American in the summoned room and thus to have even a remote option to have a peer of similar race or cultural background present was not possible. I move to deem the case a mistrial.

Dismissal of the facts and circumstances: Theft vs. allowance: During the trial it was declared that independent contractors can use the printer. However, it was testified that Wendell was a contractor and not an independent contractor and thus not allowed to use the printer. The distinction of work relation status is a complicated but well defined one. Providing Tools and Equipment -- ideally, an independent contractor should not use any tools or equipment belonging to the company, but rather use only the tools and equipment that belong to the independent contractor. Surely, if all independent contractors are using the printer then they must also be contractors just like Wendell Jones; otherwise, they would be in violation of the independent contractor laws. There is an obvious reason to draw a conclusion that the printer use is available to contractors. I move to deem the case a mistrial.

Racism and Failure to provide leniency: Jury Selection: I was an obvious choice as a Juror for the defendant based upon the questioning. During the jury selection process, the defendant struck 4 of 5