

# Capitola City Council

## Agenda Report



**Meeting:** March 10, 2022

**From:** City Manager Department

**Subject:** Consider Request to Fly “Thin-Blue Line” Flag during National Police Week in Accordance with Policy V-18: Outdoor Display of Governmental and Non-Governmental Flags on City Property

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Recommended Action: Deny request.

Background: This item was on the agenda for the March 10, 2022, City Council meeting. In response to the requester asking for the item to be continued, Council voted to continue the item to the next regular City Council meeting on March 24, 2022. In the interim, the Capitola Public Safety and Community Services Foundation discussed the matter during its regular meeting on March 15, 2022. A motion to recommend City Council approve the request to fly the Thin-Blue Line flag during National Police Week was defeated with six “nay” and five “yea” votes.

The following material was originally published in the March 10, 2022, Capitola City Council meeting agenda packet.

On May 27, 2021, City Council adopted Policy V-18: Outdoor Display of Governmental and Non-Governmental Flags on City Property. Section IV: Non-Governmental Flag Procedure states that:

“Any person wishing for the City to display a Non-Governmental flag that is not on the “Approved Non-Governmental Flags List” ... must submit a request to the City Manager’s office. Requests should be submitted at least 60 days in advance of the first date on which the flag is requested to be flown. The request must include a photograph and dimensions of the flag, and the dates on which the flag is requested to be flown. The City Council shall determine whether the request will be granted, denied, or granted in part.”

Discussion: On February 2, 2022, a member of the public submitted a flag request to the City Manager. That request was forwarded to City Council on February 3. In summary, the request is for the City to fly the “Thin Blue Line Flag” (Flag) during National Police Week, which is May 11 to May 16, 2022. The submitter writes that their intention is to fly the Flag in support of the Capitola Police and their job in protecting Capitola residents and the greater community.

National Police Week occurs every May as a collaborative effort of organizations dedicated to honoring American’s law enforcement community. Three primary organizers are responsible for the Week: the National Law Enforcement Officers Memorial Fund, the Fraternal Order of Police/Fraternal Order of Policy Auxiliary, and the Concerns of Police Survivors. The Week is generally dedicated to honoring fallen officers and supporting their families. The Thin Blue Line Flag is not officially associated with any of the three organizations and is not an official symbol of National Police Week.

The notion of the “thin blue line” can be traced back to 1854 and British battle formations. The idea of drawing a line between law/order and anarchy is the underlying sentiment of the commonly

used phrase, which was popularized by Los Angeles Police Chief William H. Parker in the 1950s. Chief Parker is remembered for, among other things, his controversial and problematic legacy<sup>1</sup>.

The official Thin Blue Line Flag was designed in 2014 by the company Thin Blue Line, USA, which reports the Flag was designed and is sold to honor the work of law enforcement officers in the United States. The Flag is a black-and-white representation of the United State flag, with the sixth stripe in blue.

The Flag is also a meaningful symbol to some in law enforcement. However, the Flag has recently become controversial for a number of reasons. This is a complicated issue that can be emotionally charged for some people. Staff has attempted to include information here that gives an overview of different perspectives.

### *Supporters of the Flag*

The Flag is regarded by some as a symbol of law enforcement, and a way to show support of the policing vocation, law enforcement community, and the sacrifice fallen officers and their families have made for their community. Imagery of a thin blue line is commonly used by the law enforcement community, and by others to indicate support of police and the unique community to which officers and their families belong. For some the thin blue line symbol honors the commitment officers make to their community and is seen as a symbol of police solidarity.

### *Association & Controversy of the Flag*

Several sources argue the design of the Flag conflicts with the U.S. Flag Code<sup>2</sup>, which forbids the desecration of the United States Flag; stating that, “The flag should never have placed upon it, nor on any part of it, nor attached to it any mark, insignia, letter, word, figure, design, picture, or drawing of any nature”. The company website describes the design’s symbolism as “the black space above the blue line represents society, order and peace, while the black below, crime, anarchy, and chaos. The Thin Blue Line running between them, ‘law enforcement,’ keeps crime from pervading into society”. Ultimately, the American Legion, which helped draft the Flag Code, has not taken an official position regarding the Thin Blue Line Flag.

Academic publications by criminologists discuss how language and imagery such as the thin blue line can emphasize an “us versus them” mentality; creating a perceived barrier between police and those they are sworn to protect. This mentality challenges the very ideas of community policing, which Capitola Police Department is dedicated to<sup>3</sup>.

Since its creation eight years ago, the Flag has, in some high-profile cases, been displayed by extremist groups espousing white supremacist and anti-government beliefs; unfortunately, for some this is now a prominent connotation for the Flag. For those not in law enforcement and previously unfamiliar with thin blue line imagery and the Flag, this may be their only association. The Flag’s presence during the Insurrection on January 6, 2021, was so pervasive that it prompted a response from Thin Blue Line, USA, who issued the following statement: “We reject in the strongest possible terms any association of the flag with racism, hatred, bigotry, and violence. To use it in such a way tarnishes everything it and our nation stands for.”

### *Flag Request*

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<sup>1</sup> <https://www.sandiegouniontribune.com/news/public-safety/story/2020-07-06/the-thin-blue-line-the-complex-history-and-thoughts-behind-the-police-emblem>

<sup>2</sup> <https://www.police1.com/legal/articles/3-things-to-consider-before-you-raise-a-thin-blue-line-flag-yTymSYXUqtXZUOYi/>

<sup>3</sup> <https://www.themarshallproject.org/2020/06/08/the-short-fraught-history-of-the-thin-blue-line-american-flag>

The community member states his request is to demonstrate support for our police officers, who stand ready to protect our community every day. The current Flag Policy was written and adopted to directly address how the American flag is flown to honor fallen officers if tragedy takes them from duty. The Policy outlines that when an officer or first responder working for a neighboring department is lost, the City's American flag will be flown at half-staff. Sadly, the City is currently observing this in honor of fallen Salinas Police Department officer Jorge Alvarado Jr.

#### *Alternative Potential Actions*

Staff understands the desire to honor our law enforcement personnel and the undeniable dedication they demonstrate to our community. To respond to the request, and avoid potentially alienating some members of community, staff researched the history of the Thin Blue Line flag, and alternatives that other jurisdictions have developed to better accomplish the goal of honoring our Capitola Police. An "In Memoriam Flag" (Attachment 2), designed by the National Law Enforcement Officers Memorial Fund, could be added to the Policy to be flown during National Police Week to directly support the central mission of National Police Week, honoring officers and their families who made the ultimate sacrifice for their community.

As another alternative, since the City is not required to display non-governmental flags on the City flagpole, Council could repeal the "Non-Governmental Flag Procedure" portion of Administrative Policy V-18 Flag Policy (Policy) and amend the Policy to indicate that only the California State and American flags shall be flown on the City flagpole. The purpose of including the Non-Governmental Flag section in the new Policy was to allow for the City to support and build community, and to allow for the flying of non-governmental flags approved by Council. However, if Council determines the Non-Governmental Flag Procedure section is problematic or vulnerable to controversy, it can be removed from the Policy.

Council can also grant the flag request, amending Policy V-18 to fly the Thin Blue Line Flag during National Police Week.

Fiscal Impact: None.

#### Attachments:

1. February 2, 2022, Flag Request
2. Image of National Law Enforcement "In Memoriam" Flag
3. Administrative Policy V-18: Flag Policy

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