



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Mayor Liccardo
Vice-Mayor Jones
Councilmember Diep
Councilmember Peralez
Councilmember Carrasco

SUBJECT: SEE BELOW

DATE: August 14, 2020

APPROVED:

DATE: 8/14/20

ACTIONS RELATED TO POLICE REFORM, REIMAGINING POLICE, AND STRENGTHENING THE INVESTIGATIVE AUTHORITY OF THE OFFICE OF THE INDEPENDENT POLICE AUDITOR

RECOMMENDATION:

- 1) Direct the Independent Police Auditor (IPA) and City Manager to return to Council by September 25, either through a report to Council or information memo, with a timeline and update on the release of a request for proposal (RFP) to select a consultant to conduct a use of force review and recommendations on additional amendments to the SJPD Duty Manual or other protocols that further align San Jose with 21st Century Policing best practices.
- 2) Direct the City Manager to return to Council by September 25, either through a report to Council or information memo, with an outreach plan for community engagement specific to reimagining policing. This should include, but not be limited to:
 - a. Create a timeline and sequence for outreach that includes a process and a clear strategy for including neighborhoods that have historically endured high rates of crime and poverty.
 - b. Incorporate the selection of a new Chief of Police into the timeline to ensure that the new Chief will be engaged directly in that community dialogue.

c. Explore partnerships with San Jose State University and recommendation-neutral community-based institutions that have familiarity with SJPD and the San Jose community, as an additional “high touch” strategy to reach out to communities that may not be heard through digital platforms currently used.

3) Direct the City Manager and Independent Police Auditor to confer on sequencing of the use of force review, reimagining public safety, and selection of a new Chief of Police to determine the best possible timeline and potential to involve the same consultant(s) for community engagement aspects of all of these portions of the workplan.

DISCUSSION:

Our original memo from July 30th directed that a community engagement process centered around reimagining public safety response begin as soon as possible. Police Chief Eddie Garcia announced his retirement on August 3rd. This shifts the timeline, sequence, and scope for when to seek public input. We should begin the process of selecting a consultant and develop a schedule for public review of the SJPD Duty Manual and reimagining public safety. We should also be sensitive to timing so as to ensure that the new Chief has the opportunity to listen to the community and engage in the dialogue.

The City Manager should explore partnerships with subject matter experts such as Dr. Greg Woods, a San Jose State University Department of Justice Studies professor. Dr. Woods has partnered with the City on several projects and currently offers courses on the history and understanding of police and community relations. It is imperative that we reach out to neighborhoods that have been most impacted by high rates of crime, and that are not able to participate in input sessions that use digital platforms either because of technology and / or language barriers.

The work plans for the Independent Police Auditor and the City Manager envision engaging the community on 1) a public review on the use of force policies, 2) reimagining public safety, and 3) input around the selection of a new Chief of Police. It’s likely that we will include the same wide spectrum of engagement on each topic. Given that the spectrum is likely to be similar, the City Manager and Independent Police Auditor should explore engaging a consultant who can do outreach, engagement, facilitation, and reporting on all three.

BROWN ACT

The signers of this memorandum have not had, and will not have, any private conversation with any other member of the City Council, or that member’s staff, concerning any action discussed in the memorandum, and that each signer’s staff members have not had, and have been instructed not to have, any such conversation with any other member of the City Council or that member's staff.