



AGENDA

CITIZEN PUBLIC SAFETY OVERSIGHT TASK FORCE

A Special Meeting via Teleconference

Wednesday, July 8, 2020 at 5:00 p.m.

La Mesa Police Department Community Room
8085 University Avenue, La Mesa, California

This meeting is being conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order N-29-20 dated March 17, 2020, regarding the COVID-19 pandemic.

The public may view the meeting live using the following remote options:

Teleconference Meeting Webinar

<https://zoom.us/j/93797400259>

Telephone (Audio only)

(669) 900-6833 or (253) 215-8782 | Webinar ID: 937 9740 0259

Public Comments for Items not on the Agenda

Members of the public who wish to make public comments may submit their comments by email to be read aloud at the Citizen Public Safety Oversight Task Force meeting by staff. Email comments must be submitted to Comments@cityoflamesa.us by 3:00 p.m. the day of the Task Force meeting and be no more than 300 words. Any language beyond the 300 words shall not be read during the Task Force meeting. The counting of words, for the purposes of public comment submissions, shall follow the same standards as set forth in Elections Code § 9 (see Attachment A). Please note in your email subject line that this is for "PUBLIC COMMENT". All email comments shall be subject to the same rules as would otherwise govern speaker comments at the Task Force meeting.

Public Comments for Items on the Agenda

Members of the public who wish to make comments on items on the agenda may submit their comments by email to be read aloud at the Citizen Public Safety Oversight Task Force meeting by staff. Email comments will be accepted prior to the Task Force meeting and up until the time that the Chair announces that public comment is closed for that item. Email comments must be submitted to Comments@cityoflamesa.us and be no more than 300 words. Any language beyond the 300 words shall not be read during the Task Force meeting. The counting of words, for the purposes of public comment submissions, shall follow the same standards as set forth in Elections Code § 9 (see Attachment A). Please note in your email subject line the agenda item number related to the comment. All email comments shall be subject to the same rules as would otherwise govern speaker comments at the Task Force meeting.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

NOTE: Members of the public may address the Task Force on subjects within the jurisdiction of the Task Force. Unless such subjects are contained within this agenda, there can be no discussion or action by the Task Force until a subsequent, publicly noticed meeting.

CURRENT BUSINESS

1. **BRIEFING ON SUBPOENA POWER, GENERAL LAW CITIES, CHARTER CITIES, AND MAJOR COMPONENTS OF A CITIZEN POLICE REVIEW BOARD –** Andrea Sheridan Ordin and Dale Larson, Strumwasser & Woocher LLP
2. **DISCUSSION OF CITIZEN PUBLIC SAFETY OVERSIGHT TASK FORCE SCHEDULE AND OBJECTIVES**
3. **DISCUSSION AND POSSIBLE RECOMMENDATION TO CITY COUNCIL OF PROPOSED RESOLUTION/ORDINANCE FOR THE ESTABLISHMENT OF A LA MESA CITIZEN POLICE REVIEW BOARD**
4. **STAFF AND TASK FORCE MEMBER ANNOUNCEMENTS**

ADJOURNMENT to the Regular meeting of Wednesday, July 15, 2020 at 5:00 p.m. in the La Mesa Police Department Community Room, 8085 University Avenue.

Materials related to an item on this agenda submitted to the Task Force after distribution of the agenda packet are available for public inspection in the City Clerk's Office, 8130 Allison Avenue, during normal business hours.

Copies of the Task Force Agenda are posted for public review on the lobby door of the La Mesa Police Department and the announcement boards located near the entrance to City Hall and the entrance to the Council Chambers, 8130 Allison Avenue, La Mesa, California, no less than seventy-two (72) hours prior to a Regular meeting of the Task Force and twenty-four (24) hours prior to a Special meeting of the Task Force.

The City of La Mesa encourages the participation of disabled individuals in the services, activities and programs provided by the City. Individuals with disabilities, who require reasonable accommodation in order to participate in Task Force meetings, should contact the City's Americans with Disabilities Act (ADA) Coordinator, Rida Freeman, Director of Administrative Services, 48 hours prior to the meeting at 619.667.1175, fax 619.667.1163, or rfreeman@cityoflamesa.us.

DRAFT June 29, 2020 - Task Force Schedule and Objectives

La Mesa Citizen Public Safety Oversight Task Force

During the June 17 meeting, the Task Force adopted the accelerated work plan, to hold three meetings in the beginning of July and submit a report with recommendations to the City Council in mid July. The Task Force also agreed to have two tracks or products. One was to propose an emergency citizens police review board (CRB) which would be activated immediately after the Task Force completes its work. A possibility is for it to function for a 12 month period before it is improved based on its first year of work. Second, provide recommendations to place on the November 2020 ballot a Citywide measure which would form a permanent citizens police oversight board.

July 1 Objectives:

- Develop a baseline of common information about citizen review boards and commissions from local experts and research.
- Know the basic types of CRBs working in the country.
- Determine with some legal assurance, what a general law city's council can do to form a CRB as compared to having a CRB formed by a ballot measure. Learn the advantages and disadvantages of each method of forming a CRB.
- Based on input gathered and research, make a list of the main features, functions and duties of CRBs. This includes how members are selected to achieve diversity, equity, balance as well as independence.

July 8 Objectives:

- With input from others in La Mesa who are not part of the Task Force, determine what are the primary features that a CRB for La Mesa needs to have.
- Develop
 1. Actions for the City Council to form a CRB immediately and
 2. If the Task Force feels is necessary, a proposal to use the ballot process to form a CRB.
- Begin drafting a report to the Council with recommended actions and ordinance language.

July 15 Objectives:

- Hear public comments on a draft report and recommendation for the City Council.
- Complete report with findings, support materials and recommended actions to the City Council.

Potential of most members of the Task Force to immediately become a CRB. They would get screened and trained and begin work within a month of when the Council acts to form the Board.

**Proposed Resolution/Ordinance for the establishment of
La Mesa Citizen Police Review Board (CPRB)**

Purpose and Intent -

- (a) It is the purpose and intent of this resolution to create a Citizen Police Review Board (CPRB) that will strengthen police-community relations, foster trust, increase transparency, build accountability, and serve as a liaison between community members and the police department. The CPRB shall serve as an independent body that makes recommendations to the Police Chief, Mayor, City Council, and City Manager on La Mesa Police Department (LMPD) policies, practices, and programs.
- (b) The CPRB shall coordinate with an independent auditor to research, consult, review, evaluate, and advise the LMPD on issues related to police complaints, policies, practices, programs, trainings, and actions. This ongoing process of quality improvement and assessment will bring about greater responsiveness to community concerns.
- (c) The CPRB shall function as a means of community participation and oversight in recommending and reviewing policies, practices and programs designed to bring about community policing that is sensitive, effective, and responsive to the needs of the City.
- (d) It is further intended that the CPRB shall promote and encourage open communication and cooperation between the LMPD and residents of the City, recognizing that policing the City of La Mesa is a shared responsibility. The CPRB shall also develop and make recommendations directed toward informing the community of its rights and responsibilities when coming into contact with police officers.

Citizen Police Review Board (CPRB) established –

- (a) There is hereby created a Citizen Police Review Board consisting of eleven (11) voting members who shall serve without compensation. The members shall be appointed by the Mayor and confirmed by the Council. The members shall serve for a two-year term and each member shall serve until his or her successor is duly appointed and qualified. The expiration date of all terms shall be January 1. During January of each year, the Mayor may designate one (1) member as chairperson; however, in the absence of such designation, the CPRB shall on or after February 15, select a chairperson from among the CPRB members.

The members shall be appointed in such a manner so that the terms of not more than six (6) members shall expire in any year. Any member missing three (3) or more consecutive meetings shall forfeit membership on the CPRB unless good and valid reasons for such absences are presented to and approved by the City Council.

- (b) All members of the CPRB shall be residents of the City of La Mesa unless otherwise waived by the Council pursuant to Council Policy _____. The CPRB shall include one (1) representative from each of the four (4) beat areas of the City; one (1) member shall be representatives of a La

Mesa faith-based community; one (1) member shall be a representative of the business community; one (1) member shall be a representative of Helix Charter High School, one (1) member shall be a representative of the La Mesa-Spring Valley School District, one (1) member shall represent youth (10th - 12th grade), one (1) member shall represent young adults (ages 18-29), and one (1) member shall represent seniors (55+). Appointment of CPRB members shall reflect a diverse representation of the community and include citizens of various ethnicities, racial backgrounds, sexual orientations, economic status, etc. A minimum of two members appointed by council shall have demonstrated previous adverse interactions with the LMPD. No current officers or their relatives may serve on the board.

The City Manager and City Attorney shall provide appropriate support when requested. Funding for an Independent Auditor and outside legal support shall be provided upon approval from the City Council.

Function of the Citizen Police Review Board *

The Citizen Police Review Board shall:

- (1) Hold monthly meetings allowing for public notice, community input, and be open to the public.
- (2) Receive information from the LMPD in an effort to identify and prioritize areas to audit. The CPRB will then work with an Independent Auditor to provide input and recommendations on areas to address when auditing the LMPD regarding policies, procedures, practices, complaints, investigations, and training.
- (3) Investigate all complaints of any police officer-involved death or shooting and/or interaction that resulted in serious bodily injury (not including taser usage). The CPRB may request the City Council to issue subpoenas related to the investigation.
- (4) Obtain reports on misconduct complaints and work with mediation groups (such as National Conflict Resolution Center) to identify possible peaceful resolution options. The CPRB will have the power to mediate complaints between a complainant and the involved police officer. The CPRB makes the ultimate decision on whether a mediation takes place.
- (5) Review Police Academy and in-service trainings in de-escalation techniques, human relations instruction, and implicit bias training and then make recommendations to the Police Chief, Mayor, City Council, and City Manager.
- (6) Develop and recommend strategies to the Police Chief, Mayor, City Council, and City Manager for improving city-wide crime prevention efforts.
- (7) Develop and recommend to the Police Chief, Mayor, City Council and City Manager education programs designed to inform the public of its rights and responsibilities when coming into contact with police officers
- (8) Develop community outreach events in conjunction with LMPD, Mayor, City Council, and City Manager to receive comments and feedback from the public and provide education programs. For example, inform the public of its rights and responsibilities when coming into contact with police officers (townhall style meetings).

(9) Develop and make recommendations to the Police Chief, Mayor, City Council and City Manager with respect to community-oriented policing.

10) Receive register, review, and evaluate all complaints against officers of the LMPD and be given the power to investigate all complaints the CPRB determines necessary.

11) Have the duty to investigate serious complaints such as officer-related deaths, shootings, and/or serious bodily injury and have the discretion to investigate all other complaints that it is not mandated to investigate.

12) Have subpoena power through the City Council to support the CPRB's power to investigate. This includes the ability to subpoena police officers and documents.

13) Receive a Memorandum of Understanding (MOU) giving the CPRB the power to subpoena witnesses. The CPRB will have leverage to enter into an MOU with the LMPD requiring officers to speak to the CPRB even when no subpoena is issued.

14) Be required to review investigations done by the LMPD. The CPRB must review and evaluate all complaints against officers of the police department even if the CPRB does not do a full investigation.

15) Have the ability to work with an independent auditor to make findings and recommendation of both discipline and changes to the LMPD (within the guidelines of the Police Officers Bill of Rights). These recommendations can either be advisory or mandatory, and must be made public (as allowed by State and Federal law).

16) Have access to staff, independent contractors, investigators, and police analysts in whatever manor City Council and the CPRB determine to be appropriate and necessary to effectively advise the CPRB in its duties and functions.

(*) The specific study and review areas set forth above are to be considered as examples of the areas to be studied and reviewed and are not intended to be limitations.

Section 2. That a full reading of this ordinance is dispensed with prior to passage, a written copy having been made available to the Council and the public prior to the day of its passage.

Section 3. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: _____, City Attorney

By