



AGENDA

CITIZEN PUBLIC SAFETY OVERSIGHT TASK FORCE

A Regular Meeting via Teleconference

Wednesday, October 21, 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/s/98068149329>

Telephone (Audio only)

(669) 900-6833 or (253) 215-8782 | Webinar ID: 980 6814 9329

Public Comments for Items non 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

ROLL CALL

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. **APPROVAL OF THE MINUTES FOR THE CITIZEN PUBLIC SAFETY OVERSIGHT TASK FORCE REGULAR MEETING HELD WEDNESDAY, SEPTEMBER 16, 2020**
2. **REVIEW AND POSSIBLE APPROVAL OF THE COMPLAINT HANDBOOK**
3. **PRESENTATION OF LA MESA POLICE DEPARTMENT INVESTIGATIONS FOR THE LAST FIVE YEARS – Lieutenant Bell**
4. **DISCUSSION OF SURVEY DISTRIBUTION**
5. **DISCUSSION REGARDING RESEARCHING THE QUALIFICATIONS OF AN INDEPENDENT AUDITOR**
6. **STAFF AND TASK FORCE MEMBER ANNOUNCEMENTS**

ADJOURNMENT to the Regular meeting of Wednesday, November 18, 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 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.

State of California**ELECTIONS CODE****Section 9**

9. (a) Counting of words, for purposes of this code, shall be as follows:
- (1) Punctuation is not counted.
 - (2) Each word shall be counted as one word except as specified in this section.
 - (3) All proper nouns, including geographical names, shall be considered as one word; for example, "City and County of San Francisco" shall be counted as one word.
 - (4) Each abbreviation for a word, phrase, or expression shall be counted as one word.
 - (5) Hyphenated words that appear in any generally available standard reference dictionary, published in the United States at any time within the 10 calendar years immediately preceding the election for which the words are counted, shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.
 - (6) Dates shall be counted as one word.
 - (7) Any number consisting of a digit or digits shall be considered as one word. Any number which is spelled, such as "one," shall be considered as a separate word or words. "One" shall be counted as one word whereas "one hundred" shall be counted as two words. "100" shall be counted as one word.
 - (8) Telephone numbers shall be counted as one word.
 - (9) Internet Web site addresses shall be counted as one word.
- (b) This section shall not apply to counting words for ballot designations under Section 13107.

(Amended by Stats. 2014, Ch. 697, Sec. 3. (SB 1253) Effective January 1, 2015.)

**REGULAR MEETING OF THE CITY OF LA MESA
CITIZEN PUBLIC SAFETY OVERSIGHT TASK FORCE
5:00 PM, LA MESA POLICE DEPARTMENT COMMUNITY ROOM
8085 UNIVERSITY AVENUE, LA MESA, CA 91942**

**MINUTES
September 16, 2020**

This meeting was 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 Agenda Items were considered in the order presented, except for Items 2 and 3, which were considered together.

CALL TO ORDER

City Clerk Wiegelman called the meeting to order at 5:00 p.m.

ROLL CALL (X indicates present)

- Robert Duff X
- Dr. Janet Castanos X
- Jamal McRae X
- Susan Wayne X
- Caitlin Tiffany X
- Patricia Dillard X
- Rev. Frank Willey X
- Joshua David Morse X
- Kathie Taylor
- Andy Trimlett X
- Vacant (La Mesa Police Officers' Association Representative)

Others present: City Clerk Wiegelman; Lieutenant Lynch; Community Service Officer Allsberry; General Counsel Larson; General Counsel Sheridan Ordin; General Counsel Chiappetti

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

City Clerk Wiegelman read aloud the emailed public comments submitted by 3:00 p.m. the day of the Task Force Meeting.

Meegan Nolan submitted a comment regarding the Police Officers Association's request to

meet and confer.

Demetrius Antuna submitted a comment regarding the Police Officers Association's request to meet and confer.

Cheri Robertson submitted a comment regarding the Police Officers Association's request to meet and confer.

Melissa Walter submitted a comment regarding the Police Officers Association's request to meet and confer.

Nicole Chenelle submitted a comment regarding the Police Officers Association's request to meet and confer.

Quintin Lucas submitted a comment regarding the Police Officers Association's request to meet and confer.

Sasha Jonestein submitted a comment regarding the Police Officers Association's request to meet and confer.

Missy Solis submitted a comment regarding the Police Officers Association's request to meet and confer.

Rev. Rebecca Littlejohn submitted a comment regarding the Police Officers Association's request to meet and confer.

The following comment was not received by the 3:00 p.m. deadline, and therefore was not read aloud during the Task Force Meeting:

Apryl Stepp submitted a comment regarding the Police Officers Association's request to meet and confer.

CURRENT BUSINESS

1. APPROVAL OF THE MINUTES FOR THE CITIZEN PUBLIC SAFETY OVERSIGHT TASK FORCE REGULAR MEETING HELD WEDNESDAY JULY 15, 2020 AND SPECIAL MEETING HELD WEDNESDAY, JULY 29, 2020

ACTION: Motioned by Member Wayne and seconded by Member Willey to approve the minutes for the Citizen Public Safety Oversight Task Force Regular Meeting held Wednesday, July 15, 2020.

Vote: 8-0

Yes: Chair McRae, Vice Chair Castanos, Members Wayne, Tiffany, Dillard, Willey,

Trimlett, and Morse
No: None
Abstained:None
Absent: Members Taylor and Duff

Motion passed.

ACTION: Motioned by Member Wayne and seconded by Member Dillard to approve the minutes for the Citizen Public Safety Oversight Task Force Special Meeting held Wednesday, July 29, 2020.

Vote: 8-0

Yes: Jamal McRae, Susan Wayne, Caitlin Tiffany, Dr. Janet Castanos, Patricia Dillard, Rev. Frank Willey, Andy Trimlett, Joshua David Morse
No: None
Abstained:None
Absent: Kathie Taylor, Bob Duff

Motion passed.

Task Force Member Duff joined the meeting.

Agenda Item Nos. 2 and 3 were considered together.

- 2. REVIEW AND APPROVAL OF SUGGESTED CHANGES TO THE TASK FORCE'S PROPOSAL BY THE LA MESA CITY COUNCIL FROM THE SEPTEMBER 15, 2020 CITY COUNCIL SPECIAL MEETING**
- 3. DISCUSSION OF PRESENTATION FOR THE SEPTEMBER 22, 2020 LA MESA CITY COUNCIL MEETING – General Counsel Larson**

General Counsel Larson explained that changes made to the document were based on Task Force recommendations, not recommendations from City Council.

Substantive changes to the proposal included:

- The clarification of the eligibility of former public safety officers.
- Clarification of who will appoint the positions on the board.
- An added provision regarding the review of serious incidents from the past.

The Task Force discussed the time period of five years for looking back at past incidents within La Mesa Police Department. It was determined that this time frame was based on state law for records retention.

The Task Force discussed the letter received by City Council from the La Mesa Police Department Police Officers' Association's legal counsel regarding the request to meet and confer.

City Clerk Wiegelman read aloud the emailed public comments submitted for Item 2 and 3.

Dave Myers submitted a comment regarding language and clarification of parts of the proposal, internal investigations and the suggestion of a press conference.

Gene Carpenter submitted a comment regarding City Council Member Baber's acceptance of a La Mesa Police Department POA donation.

ACTION: Motioned by Janet Castanos and seconded by Bob Duff for Task Force Members Trimlett, Taylor, Willey, Castanos and Dillard to draft a letter to the POA, to be discussed at a Special Meeting on Wednesday, September 23, 2020.

Vote: 9-0

Yes: Chair McRae, Vice Chair Castanos, and Members Wayne, Tiffany, Dillard, Willey, Trimlett, Morse, Duff

No: None

Abstained: None

Absent: Member Taylor

Motion passed.

4. REVIEW OF THE DRAFT COMMUNITY COMPLAINT PROCESS HANDBOOK – Chair McRae and Members Dillard and Willey

Task Force Member Dillard gave an overview of the handbook, explaining that the goal was for the handbook to be user friendly. The Task Force discussed legal issues, language and also ensured the handbook was consistent with the Ordinance.

5. STAFF AND TASK FORCE MEMBER ANNOUNCEMENTS

General Counsel Larson told the Task Force that he was optimistic and encouraged the Task Force to feel the same way.

ADJOURNMENT

Vice Chair Castanos adjourned the meeting at 7:04 p.m.

The next regular meeting is scheduled for Wednesday, October 21, 2020.

Prepared by:

Nora Allsberry, Community Service Officer

Online Brochure

How to File a Complaint About Police Conduct in the City of La Mesa

INTRODUCTION

The Community Police Oversight Board (CPOB) is committed to ensuring that the complaint process is accessible to all community members. An open and reliable complaint process fosters community confidence, trust, understanding, and respect. To this end, the CPOB, together with the Independent Police Auditor (IPA), receive all complaints filed against the La Mesa Police Department (LMPD). The CPOB is also empowered to initiate independent audits of police investigations and practices and to make recommendations to the Police Chief regarding LMPD policies, procedures, and programs.

THE PROCESS OF FILING A COMPLAINT

Community complaints made through an open and responsive process can foster community confidence in the police. Such confidence can only help to increase officers' effectiveness in helping to ensure public safety.

Any individual citizen or group of citizens has the right to file a complaint against any officer of the LMPD. Among other things, such complaints can provide the LMPD and CPOB with helpful information that may be used:

- To hold officers accountable when they violate Department or City policies, procedures, rules and/or regulations, or other applicable law.
- To improve police services through the refinement of policies, procedures and training.
- To identify points of friction between officers and the community which can, in turn, inform the development of more effective community outreach and education.

A complaint concerning misconduct by any LMPD officer may be made directly to the CPOB or Independent Police Monitor (IPA). Note that complaints may be made anonymously by a person not directly involved in an incident. All complaints submitted to the CPOB or IPA will be forwarded to the LMPD for investigation.

The CPOB Complaint Form is available at [City Hall](#) and [online](#), and may be filed in a variety of ways:

- By online submission to the CPOB <https://www.cityoflamesa.us/DocumentCenter/View/16322/Complaint-Form?bidId=>
- By email to the IPA (add email address)
- By mail to the CPOB (add address)
- By submission to the CPOB public dropbox (add address)

Complaints concerning officer misconduct may also be made directly to the LMPD. All complaints submitted to the LMPD will be forwarded to the IPA, who may share the complaints with the CPOB. The CPOB may receive a redacted version of the complaints hiding certain confidential information to be compliant with state law. A complaint may be filed with LMPD in a variety of ways:

- In person at LMPD 8085 University Ave, La Mesa, CA 91942

- By telephone to the LMPD 619-667-1400
- By mail to LMPD, 8085 University Ave, La Mesa, CA 91942
- By fax 619-667-7519
- On the LMPD website ([add website URL](#))
- To any supervisor at the scene of an incident

Whether submitted to the CPOB, the IPA, or the LMPD, once received by the LMPD, a complaint will be:

1. Forwarded to the appropriate LMPD Division Commander, who will assign the complaint an internal affairs number, provide a copy of the complaint to the Chief of Police, and assign the investigation to a staff member;
2. Forwarded to the IPA, if directly received by the LMPD;
3. Investigated pursuant to the LMPD's Disciplinary Policy, and returned to the Division Commander upon completion of the investigation. The Division Commander then recommends the proposed disciplinary action (if applicable) and forwards the complaint to the Chief of Police, who may approve the proposed discipline or request that it be amended or modified; Returned to the Division Commander, who notifies the officer of the disposition of the investigation and proposed discipline, where applicable. If discipline is recommended, the officer is advised of the right to respond, orally or in writing, to the Chief;
4. Returned to the Chief of Police for final approval of findings and disciplinary action, and disciplinary action is imposed, if applicable;

All complaints, regardless of disposition, shall have each page dated and initialed by the concerned employee and recorded in the annual complaint file in the office of the Chief of Police. A copy of all sustained complaints is also filed in the concerned officer's file maintained in the office of the Chief of Police.

Upon completion of the investigation, a complainant will receive written notification from the LMPD that the complaint has been thoroughly investigated, and whether departmental action has been taken.

Note: the average time it takes to fully process and investigate a complaint can be between 3 and 6 months.

FINDINGS: A complainant will receive written notification of the findings of any formal complaint.

The possible findings are:

- a. Unfounded –The investigation clearly established that the allegation is not true.
- b. Not Sustained –The investigation failed to disclose sufficient evidence to clearly prove or disprove the allegation in the complaint.
- c. Sustained –The investigation disclosed sufficient evidence to prove the truth of allegation in the complaint by the preponderance of evidence.
- d. Exonerated –The investigation clearly established that the actions of the personnel that formed the basis of the complaint are not a violation of law or agency policy.
- e. Frivolous –Means totally and completely without merit or for the sole purpose of harassing an opposing party.
- f. Alternative Conflict Resolution –The complaint is resolved in accordance with the ACR Program.

If the complaint is sustained, meaning there was wrong doing, the Police Chief will determine whether the employee will be disciplined and/or receive additional training. Discipline may include: reprimand, suspension, demotion or termination. State law does not allow the release of the specific action taken against a public safety employee.

Although we cannot guarantee you will be satisfied with the results of the investigation, we do guarantee that your complaint will be investigated thoroughly and fairly.

INITIATING AN AUDIT

After the Police Department completes its investigation of the complaint, the CBOB may initiate an audit of the investigation by the IPA, if not automatic and deemed necessary. Upon completion of an audit, the CPOB will send complainant(s) a letter confirming that both an investigation and an audit of that investigation have been conducted and informing the complainant of the conclusions of the auditor as to the objectivity, thoroughness, and appropriateness of the investigation and its disposition.

The CPOB receives, registers, and delivers **all** of the complaints it receives to the LMPD for investigation.

However, the CPOB only **automatically** initiates audits of investigations and dispositions of incidents of use of force involving the following:

1. Accidental discharge of weapons;
2. Officer-involved shootings;
3. Officer-involved deaths;
4. Officer-involved interactions resulting in serious bodily injury.

The CPOB may also, **at its discretion**, initiate audits involving other types of allegations, including, but not limited to:

1. False arrests;
2. Criminal conduct;
3. Racial or identity profiling;
4. Use of discriminatory slurs;
5. Excessive force;
6. Poor service
7. Discourtesy
8. Failure to follow any LMPD or City policy, procedure, rule, or regulation
9. Conduct unbecoming an officer

The primary goal of the CPOB is to ensure that all complaints are thoroughly and fairly investigated with equal consideration given to all parties involved.

WHAT TO INCLUDE IN A COMPLAINT

The more detail you can include in your complaint, the better. Please include as much of the following as possible.

- Identify the officer's name and description, badge number, and vehicle number, if obtained.
- Report any witnesses' names, home mailing addresses, email addresses, and telephone numbers.
- Include any other evidence you feel may be important such as copies of citations, photographs, video recordings, etc.
- File your complaint as soon as possible, especially if you are injured so that photographs can be taken and medical records obtained.

Anyone who files a complaint may check on their status by contacting a representative at the email listed below.

(City of La Mesa should provide CPOB an email address for follow-up complaints or other concerns. service@CPOB.org)

La Mesa - Police Review Questionnaire

For the statements below, please place an X in the box that best represents your response.

	Strongly Disagree	Disagree	Somewhat Disagree	Somewhat Agree	Agree	Strongly Agree	N/A
1. I believe most police officers in La Mesa listen to me when I speak to them							
2. I believe most police officers in La Mesa treat me with respect.							
3. I believe most officers in La Mesa will react appropriately to a situation.							
4. I believe most officers in La Mesa view me negatively because of my identity.							
5. I believe most officers in La Mesa will treat me differently because of my identity.							
6. I believe that I will be treated fairly by the criminal justice system.							
7. I myself and/or someone I know has had a negative experience(s) with the police.							
8. I know where and how to file a complaint with the La Mesa Police Dept..							
9. I believe that if I made a serious complaint about the La Mesa Police Dept. it would be addressed fairly and in accordance with the law.							
10. I believe that in La Mesa, police officers are held accountable for their actions if they do something wrong.							
	Strongly Disagree	Disagree	Somewhat Disagree	Somewhat Agree	Agree	Strongly Agree	N/A

Only for statistical purposes, please check or fill in the following information:

Your Age: 20 or younger ____ 21-35 ____ 36-50 ____ 51 or older ____

Zip Code of residence: _____

Gender: Female ____ Male ____ Non-Binary ____ Other ____ Decline to state ____

Do you identify as Person of Color? Yes ____ No ____

Shelter Status: Renter ____ Homeowner ____ Unhoused individual ____

Annual income \$0-\$24,999 ____ \$25,000-\$74,999 ____ \$75,000-\$124,999 ____
 \$125,000-\$174,999 ____ \$175,000-above ____

Is English your primary language? Yes ____ No ____