

## ***CITY ATTORNEY IMPARTIAL ANALYSIS OF MEASURE G***

Measure G was placed on the ballot by the City Council and, if approved by the voters, would amend the City Charter to expand the authority of the Independent Police Auditor (“IPA”), change the Planning Commission’s size and composition, and allow the Council to establish different timelines for redistricting if Census results are late.

### **Independent Police Auditor**

Currently, the Charter specifies the IPA’s duties as follows:

- review complaints from members of the public against police officers to determine if the investigation was complete, thorough, objective and fair;
- make recommendations regarding San José Police Department policies and procedures from its review of investigations; and
- conduct outreach to educate the public on the IPA’s role and assist the community on investigation procedures.

Measure G would amend the IPA’s duties under the Charter to add the authority to:

- review administrative investigations initiated by the Police Department against police officers;
- permit the IPA to review unredacted police records related to officer-involved shootings and use of force incidents resulting in death or great bodily injury, even without a complaint, and review redacted police records if certain criteria are met, in order to make recommendations to the Police Department on policies and procedures; and
- enter into contracts consistent with the Charter and Council authorization.

Finally, Measure G would allow the City Council to assign other duties to the IPA consistent with the Charter, subject to any requirement to meet and confer with the recognized employee organization for police officers including any impasse procedures.

### **Planning Commission**

Under the Charter, the Planning Commission is composed of 7 at-large members appointed by the Council.

Measure G would amend the Charter to increase the Planning Commission to 11 members with one member appointed by the Council from each Council District and one at-large member. To allow for staggered terms, the eighth and ninth member would serve for a term ending June 30, 2022 and the tenth and eleventh member would serve for a term ending June 30, 2024.

## **Redistricting**

The Charter establishes the redistricting process for Council Districts following the completion of the Census. The Charter requires the Council to appoint an Advisory Commission by February 1 in the year after the Census. The Advisory Commission is to study and make recommendations on District boundaries, hold three public hearings concerning its recommendations, and submit a report to the Council within 120 days of appointment. The Charter requires the Council to consider this report and adopt an ordinance to redistrict District boundaries by October 31 in the year after the Census.

Measure G would amend the Charter to permit the Council, by ordinance, to adjust the timeline to enact the redistricting ordinance if the results of the Census are delivered after April 1, and permit the Council to establish the timeframe for the Advisory Commission to submit its report and recommendations. If the Council does not establish a specific timeframe, however, the Advisory Commission will have to submit its report to the Council within 120 days following appointment.

A “Yes” vote is a vote to amend the Charter.

A “No” vote is a vote to not amend the Charter.

*Nora Frimann*

Nora Frimann (Aug 18, 2020 08:55 PDT)

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The above statement is an impartial analysis of Measure G. If you would like to read the full text of the measure, see [www.sanjoseca.gov/measureG2020](http://www.sanjoseca.gov/measureG2020) or call 408-535-1260 and a copy will be sent at no cost to you.