

# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Jennifer A. Maguire

**SUBJECT: POLICE REFORMS WORK PLAN  
AND REIMAGINING COMMUNITY  
SAFETY UPDATE**

**DATE:** March 17, 2021

Approved



Date

**3/17/2021**

## INFORMATION

The purpose of this memorandum is to update the City Council and the public on the status of the Police Reforms Work Plan and the Reimagining Community Safety process.

- The **Police Reforms Work Plan** is an assembly of the various referrals from the City Council to the Administration regarding police reforms, maintained by the Administration to guide our collective work. The most recent version of the Police Reforms Work Plan Major Tasks document is included as Attachment A.
- The **Reimagining Community Safety** process is listed as item 12 on the Police Reforms Work Plan; its purpose is to conduct a community process to identify new ways in which the Police Department intervenes with social issues and reduces social conflicts that are noncriminal in nature, as well as to identify initiatives or practices to help improve community/police relations.

Each of these items is discussed in turn below.

## **POLICE REFORMS WORK PLAN**

The Police Reforms Work Plan includes a list of tasks with their descriptions, including their source of direction, where the responsibility for completion is assigned to or between the City Manager's Office, the Police Department, and/or the Independent Police Auditor (IPA), in coordination with the City Attorney's Office, as needed. Given that this work plan is maintained by the Administration, it does not include police reform items that were directed to other Council Appointees other than the City Manager, with the exception of the IPA's Independent After Action Report, which is included for reference given dependencies between it and other work plan items.

The Police Reforms Work Plan includes twenty work items. Since this work plan was initiated, nine of the items have been completed. The completed items, with associated dates, are as follows:

- Item 1: Independent Police Auditor Expansion of Authority and Scope (August 4, 2020)
- Item 2: Police Council Items on Regular Agenda (August 4, 2020)
- Item 3: Santa Clara County Board of Supervisors/District Attorney Letter (July 13, 2020)
- Item 5: Public Disclosure of Body Worn Camera Footage and Other Videos/Audios (September 15, 2020/November 10, 2020)
- Item 6: Recent Protests: Police Department After Action Report (September 15, 2020)
- Item 8: Police Duty Manual Amendments (September 15, 2020)
- Item 9: Community Engagement Processes Plan (September 29, 2020)
- Item 11: Less-Than-Lethal Uses of Force Options (February 9, 2021)
- Item 14: Rules of Professional Conduct for Officers (November 13, 2020)

The below matrix lists the work plan items that are still outstanding and summarizes their current status.

**Police Reforms Work Plan: Outstanding Items**

#	Title	Status	Notes
4	Video Clips Release and Review	Partially Complete	<p>Videos of substantial public concern from the George Floyd protests were released and a report was heard on the same by the City Council on August 18, 2020.</p> <p>This item also directs that IPA and Police Department investigatory findings related to these videos be presented to the City Council at a public hearing. Due to litigation, it is uncertain when these investigations will be complete. The IPA and the Administration have agreed that the IPA will bring forward findings related to any investigations that are complete as part of the IPA’s Year End Report for 2020, consistent with applicable law.</p> <p>Projected Completion Date: May 2021</p>
7	Recent Protests: Independent After Action Report	In Progress	<p>The consultant for the Independent After Action Report has been selected and a contract has been executed.</p> <p>Projected Completion Date: May 2021</p>

10	Use of Force Review	In Progress	The consultant for the Use of Force Review, including a review of 21 <sup>st</sup> Century Policing best practices, has been selected, but is not yet under contract.  Projected Completion Date: September 2021
12	Reimagining Community Safety	In Progress	A detailed update on this item is provided in next section of this memorandum.  Projected Completion Date: September 2021
13	Police Department Participation in GARE Process/Racial Equity	In Progress	The procurement process for a diversity, equity and inclusion training consultant is underway. The Police Department and GARE workgroup staff are analyzing sworn demographics and promotional processes for improvement.  Projected Completion Date: September 30, 2021
15	Internal Database: Police Officer History Database	In Progress	This project is also referred to as an “early warning system.” A pilot program for this system is currently underway.  Projected Completion Date: December 2021
16	Public Database: Police Officer Actions	In Progress	A procurement process for this database system is underway.  Projected Completion Date: December 2021
17	Body-Worn Camera Footage Audits	In Progress	The Police Department has identified a technological tool that could potentially be used to facilitate these audits. Policy development for audit implementation is currently underway.  Projected Completion Date: September 2021
18	Labor Negotiations	In Progress	Labor negotiations with the San José Police Officers Association have commenced.  Projected Completion Date: Ongoing

19	Independent Investigation of Police Misconduct	In Progress	A work plan for this item was approved by the City Council on March 16, 2021.  Projected Completion Date: August 2021
20	Police Officer Disciplinary Appeal Process	In Progress	This item will be addressed through labor negotiations.  Projected Completion Date: June 30, 2021

The City Manager’s Office, Police Department, and IPA will continue to advance these important priorities and will bring them forward as they are completed through City Council meeting agenda items or through Information Memoranda, as appropriate.

## **REIMAGINING COMMUNITY SAFETY**

In June 2020, the City Council directed the Administration to establish a process that broadly engages our community on what the future of policing should look like in San José. The City Council directed that this process evaluate and recommend new ways in which the Police Department intervenes with social issues and reduces social conflicts that are noncriminal in nature, as well as return with recommended initiatives or practices to help improve community/police relations and opportunities for taking ongoing community feedback.

At the September 29, 2020 City Council meeting, the Administration presented a proposed community process, entitled “Reimagining Community Safety.” This process envisioned the establishment of a Reimagining Community Safety Advisory Group, an ad-hoc body with broad multidisciplinary and community representation that would serve as a forum to engage the public on the future of police work as it relates to social issues and reducing conflicts that are noncriminal in nature. As part of that memorandum, the Administration and the IPA also noted that the Advisory Group would serve as a forum for community engagement related to the Use of Force Review work item.

Since that time, the Administration has established the Reimagining Community Safety Advisory Group. Consistent with the plan presented to the City Council, the Advisory Group has a diverse membership representative of San José’s community. The Reimagining Community Safety Advisory Group Membership List is included with this memorandum as Attachment B.

The Advisory Group’s first meeting will take place on Thursday, March 18, 2021, at 1:00 PM. The meeting will be conducted over Zoom and will be open to the public. Members of the public interested in observing or participating in the meeting can join with the Zoom application or by phone using the following access information:

**Web link to join the Zoom meeting:**

<https://sanjoseca.zoom.us/j/96113415324?pwd=a01uLzNmZldlVVMrNnFISXYyYXlNz09>

**Meeting ID and Password:**

*(The following information can be used to access the meeting by clicking the “Join” button in the zoom application.)*

Webinar ID: 961 1341 5324

Passcode: 865496

**Phone Numbers:**

+1 213 338 8477 or +1 408 638 0968 or 877 853 5257 (Toll Free) or 888 475 4499 (Toll Free)

The agendas for Advisory Group meetings will be published on the [City’s agenda website](#) under the “Miscellaneous Agendas” category three days before the meeting.<sup>1</sup> The [agenda](#) for the first Advisory Group meeting on March 18, 2021 has been posted.<sup>2</sup>

The Advisory Group brings together cross-sector community leadership to meet the goals of:

1. Creating a shared vision of community safety;
2. Engaging community stakeholders in a dialogue and community process that evaluates and recommends new ways in which the police department and non-law enforcement sectors intervene with social issues and reduce social conflicts that are non-criminal in nature, and
3. Carrying out an effective and inclusive community engagement process that is transparent, yields high participation from all sides of the issues, and builds strong sustainable relationships and partnerships between community and police.

The first meeting will feature introductions from members and staff as well as a framing presentation regarding the purpose, scope and approach to the Reimagining Community Safety project. The second meeting will provide the Advisory Group with background information on policing in San José. Information will include a summary of past and ongoing work to improve policing, an overview of calls for service received by the department, and a departmental organizational chart. This background material will help establish a common base of understanding for the Advisory Group and help frame the Group's exploration of opportunities for improvement, consistent with City Council direction. The Advisory Group is anticipated to meet biweekly through August 2021, with recommendations returning to the City Council in late September 2021.

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<sup>1</sup> The City’s agenda website can be found here:[//sanjose.legistar.com/Calendar.aspx](https://sanjose.legistar.com/Calendar.aspx)

<sup>2</sup> The March 18, 2021 agenda can be found here:

<https://sanjose.legistar.com/MeetingDetail.aspx?ID=851073&GUID=2318BB8B-33CC-4BCF-AF10-CE71076A5161&Options=&Search=>

HONORABLE MAYOR AND CITY COUNCIL

March 17, 2021

**Subject: Police Reforms Work Plan and Reimagining Community Safety Update**

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Assistant City Manager

For questions, please contact Jennifer Maguire, Assistant City Manager, at (408) 535-8185 or Angel Rios, Deputy City Manager, at [angel.rios@sanjoseca.gov](mailto:angel.rios@sanjoseca.gov).

Attachments:

Attachment A: Police Reforms Work Plan Major Tasks

Attachment B: Reimagining Community Safety Advisory Group Membership List

**Attachment A**  
**POLICE REFORMS WORK PLAN MAJOR TASKS**  
(Shaded tasks are complete)

Tasks	Description	Source of Direction	Who
1. Independent Police Auditor Expansion of Authority and Scope	Return to Council by the first week of August with ballot language articulating the expansion of authority for the Independent Police Auditor. This language should provide a higher level of transparency and accountability over “use of force” investigations and access to police records, including body worn camera footage, as achieved through negotiation with the Police Officers’ Association. Further explore additional expansion of IPA authority within the legal parameters mandated by the California Supreme Court’s decision in Seal Beach Peace Officers Association v. Seal Beach. This can include language to allow for future expansion of authority through a meet and confer process that doesn’t require a Charter Amendment.	06/09/20 City Council Memorandum (Mayor, Jones, Peralez, Diep, and Carrasco); Item 3.6, #7  06/16/20 City Council Memorandum (Mayor); Item 3.3, Page 6	City Manager’s Office/ City Attorney’s Office
2. Police Council Items on Regular Agenda	Require that all future Council actions approving SJPD requests, such as the purchase of new equipment or acceptance of equipment from the Pentagon, be agendized on the regular agenda rather than the consent calendar.	06/12/20 City Council Memorandum (Diep); Item 3.1, #2	City Manager’s Office

Tasks	Description	Source of Direction	Who
3. Santa Clara County Board of Supervisors/District Attorney Letter	<p>Write a letter on behalf of the Mayor and City Council directed to the Santa Clara County District Attorney Office and the County Board of Supervisors with the following requests:</p> <ul style="list-style-type: none"> <li>• Consider a non-punitive approach towards resolving cases in which peaceful demonstrators from the George Floyd protests ended up detained and in police custody due to the San Jose curfew violations.</li> <li>• Consider the creation of an Independent Investigation Bureau similar to that of San Francisco’s District Attorney’s Independent Investigations Bureau, which seeks to bolster community trust through transparency and accountability.</li> <li>• Consider developing a restorative justice process that seeks to build trust and mutual understanding between our police and community.</li> <li>• Acknowledge the importance of our County’s District Attorney’s Office role in responding to allegations of officer misconduct in a manner that supports public safety and builds community trust.</li> </ul>	06/12/20 City Council Memorandum (Jimenez); Item 3.1, #5	City Manager’s Office



Tasks	Description	Source of Direction	Who
4. Video Clips Release and Review	<p>To provide greater transparency to the public and accountability:</p> <ul style="list-style-type: none"> <li>• For the approximately half-dozen video clips that have raised substantial public concern on social media regarding potential SJPD misconduct or possible unlawful use of force, release to the public any videos in possession or readily available to SJPD that provide a fuller picture of the incident, such as longer duration (particularly the period prior to the video clip in question), alternative view angles, etc., within two weeks, so long as consistent with what is allowable under California state law.</li> </ul> <p>Those videos should include, at a minimum,</p> <ol style="list-style-type: none"> <li>a. The incident involving the collision between the police motorcycle and the running pedestrian, and</li> <li>b. The incident involving a physical altercation between police and a male who is pulled back behind the police line by multiple officers, and subjected to repeated blows by police, and</li> <li>c. The incident involving an officer responding to a protestor with expletives.</li> </ol> <ul style="list-style-type: none"> <li>• At the earliest opportunity for public hearing – whether at our upcoming Independent Police Auditor use of force review or for the after-action report public hearing, present to the Council and public, the IPA and SJPD findings relating to investigations and investigation reviews of each of those clips.</li> </ul>	06/09/20 City Council Memorandum (Mayor, Jones, Peralez, Diep, and Carrasco); Item 3.6, #5	Police Department/City Manager’s Office/ City Attorney’s Office/Independent Police Auditor

Tasks	Description	Source of Direction	Who
<p>5. Public Disclosure of Body Worn Camera Footage and Other Videos/Audios</p>	<p>To enable Council to evaluate how and whether to mandate expedited public disclosure of body-worn camera footage of incidents of substantial public concern, such as major protests or controversial uses of force:</p> <ul style="list-style-type: none"> <li>• Return to Council in closed session to receive assessment from the City Attorney of the requirements of POBAR and other state legal restrictions on release of evidence, and of any legal risks to the City and City taxpayers;</li> <li>• Return to Council in open session to discuss resources required to rapidly reproduce video that complies with legal requirements, i.e., privacy mandates to obscure faces and identities of people other than the police officers involved in the incident.</li> </ul> <p>Evaluate and set up process, as appropriate, for release of all department generated videos (e.g., body worn camera and helicopter) where there are incidents of significant public concern rather than holding videos back due to ongoing investigations.</p> <p>Within 2 weeks of Council vote on this item (<i>by September 29</i>), the City Manager shall release body-worn camera or other City-generated video and audio clips regarding each of the incidents of extraordinary public interest identified in paragraph 1 (<i>a. the incident involving the collision between the police motorcycle and the running pedestrian, and b. the incident involving a physical altercation between the police and a male who is pulled back behind the police line by multiple officers, and subjected to repeated blows by the police, and c. the incident involving an officer responding to a protester with expletives, including “shut up, bitch.”</i>) under the following conditions:</p> <ul style="list-style-type: none"> <li>• All video sources shall be provided, but where multiple such sources exist and production of all sources would unduly consume time and labor, the City shall identify the three videos that most clearly and fully capture the event;</li> <li>• At least ten minutes of footage prior to the actual interaction or event shall be provided in each case, to ensure the viewer has the benefit of the full context of the incident;</li> </ul>	<p>08/18/20 City Council Memorandum (Mayor, Jones, Diep, Carrasco); Item 4.3, #7</p> <p>08/18/20 City Council Verbal Direction (Mayor); Item 4.2</p> <p>08/26/20 Rules Committee Memorandum (Mayor); Item G.4, #2, #3</p>	<p>Police Department /City Manager’s Office/City Attorney’s Office</p>

Tasks	Description	Source of Direction	Who
	<ul style="list-style-type: none"> <li>Provision of this video shall be limited only by the exceptions outlined in state law under SB 748 for responses to Public Records Act requests for video of “critical incidents,” mandating disclosure except where doing so would “substantially interfere” with an ongoing criminal or administrative investigation, such as “endangering a witness’ or confidential source’s safety,” as demonstrated by clear and convincing evidence.</li> </ul> <p>Return to Council with an ordinance or Council Policy requiring release of body-worn camera footage under similar conditions similar to those described in Paragraph 2 (<i>Paragraph 3 above</i>) for all incidents that the Council deems to be “police incidents of extraordinary public interest,” unless Staff recommends different conditions based on public input and Staff’s experience.</p>		
6. Recent Protests: Police Department After Action Report	Develop and agendize for City Council consideration a Police Department After Action Report of the recent protests	Police Department/ City Manager’s Office	Police Department / City Manager’s Office
7. Recent Protests: Independent After Action Report	Produce an independent after action incident report of the recent protests.	06/16/20 City Council Memorandum (Peralez); Item 3.3, #3  06/16/20 City Council Memorandum (Carrasco); Item 3.3, #3	Independent Police Auditor

Tasks	Description	Source of Direction	Who
8. Police Duty Manual Amendments	<p>Adopt the following items into the San Jose Police Duty Manual. If any of the items are subject to meet and confer, the City Administration is directed to begin the adoption process immediately:</p> <ul style="list-style-type: none"> <li>• Create a policy that establishes a minimum age at which minors can be placed in handcuffs.</li> <li>• Restructure the San Jose Police Hiring Protocols and Standards to meet the following goals: <ul style="list-style-type: none"> <li>a. An emphasis on hiring well-rounded, experienced officers that range in age, have high educational attainment, and come from diverse backgrounds and demographics.</li> <li>b. Establish a policy within Section C 1418.5 of the Duty Manual that prohibits the practice of hiring recruits with body art that is considered racist and/or associated with hate groups.</li> </ul> </li> </ul> <p>Explore amending the SJPD duty manual to explicitly:</p> <ul style="list-style-type: none"> <li>• Prohibit officers from covering their badge and requiring officers to provide their name and badge number upon request.</li> <li>• Prohibit the use of “no knock” entries where a warrant has been required, unless there is a reasonable and articulable belief that evidence may be destroyed by knocking. By default, officers must announce themselves.</li> </ul> <p>Amend the SJPD Duty Manual to prohibit the use of kinetic impact projectiles (KIP), i.e., rubber or foam bullets, within a dense crowd as a measure of crowd control, and to make this action immediate.</p>	<p>06/12/20 City Council Memorandum (Jimenez); Item 3.1, #2a, #2b</p> <p>06/12/20 City Council Memorandum (Diep); Item 3.1, #1a, #1b</p> <p>06/17/20 Rules Committee Memorandum (Mayor, Jones, Peralez, Diep, Carrasco); Item G.7, #1</p>	Police Department/ City Manager’s Office

Tasks	Description	Source of Direction	Who
<p>9. Community Engagement Processes Plan</p>	<p>Return to discuss how to commence community processes—informed by experts, consultants, and research—to:</p> <ul style="list-style-type: none"> <li>• Publicly review use of force policy in the Duty Manual, and explore potential reforms, and</li> <li>• Reimagine public safety response, such as by supplanting SJPD response to many non-criminal matters with civilian response.</li> </ul> <p>Return to Council by September 29, 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:</p> <ul style="list-style-type: none"> <li>• Create a timeline and sequence for outreach that includes a process and a clear strategy for including for including neighborhoods that have historically endured high rates of crime and poverty.</li> <li>• 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.</li> <li>• 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 the digital platforms currently used.</li> </ul> <p>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.</p>	<p>08/18/20 City Council Memorandum (Mayor, Jones, Diep, Carrasco); Item 4.3, #5</p> <p>08/18/20 City Council Memorandum (Mayor, Jones, Diep, Peralez, Carrasco); Item 4.3, #2, #3</p>	<p>City Manager’s Office/ Independent Police Auditor</p>

Tasks	Description	Source of Direction	Who
<p>10. Use of Force Review</p>	<p>Establish a process, consistent with that advocated by the Obama Foundation’s My Brother’s Keeper Alliance Mayoral Action Pledge, to:</p> <ul style="list-style-type: none"> <li>• Review our “use of force” policies, engage our community on proposed changes, seek the feedback of our community on the findings, and produce recommendations to reform those policies consistent with the best thinking nationally.</li> <li>• Include in the review of policies: duty to intervene, exhaust all alternatives before shooting, require officers to report when they point a firearm, and all other policies on the Police Use of Force Project’s list not currently adopted.</li> <li>• The process should engage the entire community, including faith leaders, social justice advocates, leadership within our communities of color, criminal justice experts, the police union, the police rank-and-file, the Chief of Police, and the Independent Police Auditor.</li> <li>• Engage San Jose youth in the reform process, including, but not limited to, already established City committees, programs, Mayor’s Gang Prevention Task Force, and youth groups within the City’s jurisdiction.</li> <li>• Present findings and recommendations for reforms to the Council for adoption.</li> </ul> <p>Return to Council by September 29, 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 21<sup>st</sup> Century Policing best practices.</p>	<p>06/09/20 City Council Memorandum (Mayor, Jones, Peralez, Diep, and Carrasco); Item 3.6, #6</p> <p>06/12/20 City Council Memorandum (Jimenez); Item 3.1, #3</p> <p>06/12/20 City Council Memorandum (Arenas); Item 3.1, #1a, #1b</p> <p>06/12/20 City Council Memorandum (Esparza); Item 3.1, #1a, #1b</p> <p>06/16/20 City Council Memorandum (Mayor); Item 3.3, Page 5, 6</p> <p>08/18/20 City Council Memorandum (Mayor, Jones, Diep, Peralez, Carrasco); Item 4.3, #1</p>	<p>Independent Police Auditor/ Police Department/ City Manager’s Office</p>
<p>11. Less-Than-Lethal Uses of Force Options</p>	<p>Utilize funding from the SJPD budget to investigate, explore, and report back to the Council about any emerging less-than-lethal options that could reduce the need for police to rely upon the use of a baton, projectiles, or firearms.</p>	<p>06/16/20 City Council Memorandum (Mayor); Item 3.3, Page 6</p>	<p>Police Department/ City Manager’s Office</p>

Tasks	Description	Source of Direction	Who
<p>12. Public Safety Community Process and Relations/ Future of Policing (Reimagining Community Safety)</p>	<p>Create a Public Safety Community Process tasked with evaluating and recommending new ways in which our police department intervenes with social issues and reduces social conflicts that are noncriminal in nature.</p> <p>Establish a process that broadly engages our community on what the future of policing should look like in San Jose.</p> <p>Explore and return to Council with recommendations on initiatives to help improve community/police relations and opportunities for taking ongoing community feedback as a continuation to the My Brother's Keeper process as referenced in the Mayor's memo.</p>	<p>06/16/20 City Council Memorandum (Jones); Item 3.3, #1</p> <p>06/12/20 City Council Memorandum (Peralez); Item 3.6</p> <p>06/12/20 City Council Memorandum (Arenas); Item 3.1, #6</p> <p>06/12/20 City Council Memorandum (Esparza); Item 3.1, #6</p>	<p>Police Department/ City Manager's Office/ Independent Police Auditor</p>
<p>13. Police Department Participation in GARE Process/Racial Equity</p>	<p>Expand San Jose Police Department's participation in the GARE Process, in coordination with the Office of Racial Equity. Among the goals SJPD participation in the GARE Process should be:</p> <ul style="list-style-type: none"> <li>• Producing internal policies to support diverse recruitment and policies that remove barriers to promotion for officers of color.</li> <li>• Ongoing improvements to community policing and community relations.</li> </ul>	<p>06/12/20 City Council Memorandum (Arenas); Item 3.1, #3</p> <p>06/12/20 City Council Memorandum (Esparza); Item 3.1, #3</p>	<p>Police Department/ City Manager's Office</p>
<p>14. Rules of Professional Conduct for Officers</p>	<p>Begin the process creating Rules of Professional Conduct for SJPD officers – like the rules that govern the legal and medical professions – consisting of specific and objective standards by which San Jose residents can expect officers to behave and be judged.</p>	<p>06/12/20 City Council Memorandum (Diep); Item 3.1, #3c</p>	<p>Police Department/ City Manager's Office</p>
<p>15. Internal Database: Police Officer History Database</p>	<p>Engage with the San Jose Police Officers' Association to either join an already established database that tracks officers with histories of misconduct and use of force, or take leadership in creating one.</p>	<p>06/12/20 City Council Memorandum (Jimenez); Item 3.1, #4</p>	<p>Police Department/ City Manager's Office</p>

Tasks	Description	Source of Direction	Who
16. Public Database: Police Officer Actions	<p>Work to create a public, searchable database that allows the public easy access to information on when SJPD officers are involved in serious uses of force, sexual assault, and dishonesty related to investigations, consistent with what is now legally accessible to the public via Public Records Act requests per SB 1421.</p> <p>Begin a conversation with the Police Officers' Association to identify what other information on police misconduct may be included in this database in light of the Police Officer's Bill of Rights.</p>	06/12/20 City Council Memorandum (Diep); Item 3.1, #3a, #3b	Police Department / City Manager's Office
17. Body-Worn Camera Footage Audits	Return with a recommendation on a process for random audits of officer-worn body camera footage.	<p>06/12/20 City Council Memorandum (Arenas); Item 3.1, #2</p> <p>06/12/20 City Council Memorandum (Esparza); Item 3.1, #2</p>	Police Department/ City Manager's Office
18. Labor Negotiations	Return to Council in Closed Session to direct City negotiators to commence labor negotiations, to the extent required by the Meyers-Milias Brown Act and related provisions of state law, with the POA and any other relevant bargaining units.	08/18/20 City Council Memorandum (Mayor, Jones, Diep, Carrasco); Item 4.3, #4	City Manager's Office



Tasks	Description	Source of Direction	Who
<p>19. Independent Investigation of Police Misconduct</p>	<p>Provide Council with specific recommendations for how the Independent Police Auditor (IPA) would take over investigations of police misconduct from SJPD’s internal affairs that would incorporate the following elements:</p> <ul style="list-style-type: none"> <li>• Reallocating resources to introduce investigatory capacity within the IPA by the conclusion of negotiations;</li> <li>• Enabling the IPA to make factual findings based on its investigations of misconduct allegations; and</li> <li>• Enabling the IPA to continue to report concerns between her factual findings and the Department’s disciplinary decisions to the Council and public.</li> </ul> <p>Report back to the City Council in public session by March 1, 2021 with a proposed workplan, policy formulation, possible budget impacts, and negotiation schedule for the expansion of the authority of the Independent Police Auditor to include investigation of police misconduct</p>	<p>08/18/20 City Council Memorandum (Mayor, Jones, Diep, Carrasco); Item 4.3, #1</p> <p>11/18/20 Rules Committee Memorandum (Mayor, Carrasco); Item G.4, #2</p>	<p>City Manager’s Office/ Independent Police Auditor/City Attorney’s Office</p>
<p>20. Police Officer Disciplinary Appeal Process</p>	<p>Provide Council with specific recommendations to reform the officer disciplinary appeal process—particularly after a termination decision—to either:</p> <ul style="list-style-type: none"> <li>• Identify and implement an alternative to binding arbitration for disciplinary appeals, and/or</li> <li>• Reform the arbitration process to enable greater accountability and transparency, in: <ul style="list-style-type: none"> <li>a. Arbitrator selection;</li> <li>b. Limitation of the arbitrator’s scope of review, such as by requiring deference to the factual findings of the IPA;</li> <li>c. Public disclosure of arbitration decisions;</li> <li>d. Appeal of arbitration decisions to a court of competent jurisdiction; and/or</li> <li>e. Other worthwhile reforms made apparent through discussions with the community and in negotiation with the POA.</li> </ul> </li> </ul> <p>Include on the list of items to be negotiated in the upcoming Police Officers Association contract the reform of the arbitration process used to challenge disciplinary and termination decisions of the Chief of Police to enable full transparency and accountability.</p>	<p>08/18/20 City Council Memorandum (Mayor, Jones, Diep, Carrasco); Item 4.3, #2</p> <p>11/18/20 Rules Committee Memorandum (Mayor, Carrasco); Item G.4, #3</p>	<p>City Manager’s Office/ Independent Police Auditor/City Attorney’s Office</p>

## Attachment B: Reimagining Community Safety Advisory Group Membership List

Advisory Group Member	Title	Organization
Serena Alvarez	Director, District 14	League of United Latin American Citizens (LULAC)
Gabrielle Antolovich	Executive Director	Billy DeFrank LGBTQ Community Center
Dr. William Armaline	Director	San José State University, Human Rights Program
Chris Arriola	Supervising Deputy District Attorney	District Attorney's Office, Community Prosecution Unit
Briena Brown	Student Activist	San José State University/Art Community
Chava Bustamante	Treasurer	Latinos United for a New America
Pete Carrillo	Principal	Silicon Valley Advisors
James Carter	Chair	Neighborhoods Commission
Angelica Cortez	Vice President of Racial Justice & Equity	Silicon Valley Leadership Group
Jenny Do	Executive Director	Friends of Hue
Maha Elgenaidi	Chief Innovation Officer	Islamic Networks Group
Paula Escobar	Commissioner, District 8	San José Youth Commission
Mica Estremera	President	La Raza Lawyers Association
LaToya Fernandez	Founder and Chief Executive Officer	Youth Hype
Diane Fisher	Director	Jewish Community Relations Council
Shay Franco-Clausen	Vice Chair of the Board of Directors	Santa Clara County Open Space Authority
Laura Garnette	Chief Probation Officer	Santa Clara County Probation Department
Darcie Green	Community Health Advocate	American Leadership Forum Reimagining Public Safety
Poncho Guevara	Executive Director	Sacred Heart Community Service
Sparky Harlan	Chief Executive Officer	Bill Wilson Center
Scott Knies	Executive Director	San José Downtown Association
Jennifer Loving	Chief Executive Officer	Destination Home
Katherine Lucero	Judge	Superior Court
Dr. Rocio Luna	Deputy County Executive	County of Santa Clara
Tiffany Maciel	Disability Advocate	Not Applicable
Maritza Maldonado	Founder and Executive Director	Amigos de Guadalupe
Anthony Mata	Chief of Police	City of San José
Yvonne Maxwell	Executive Director	Ujima Adult & Family Services
Dr. Scott Myers-Lipton	Professor	San José State University (also affiliated with Silicon Valley Pain Index)
Rev. Ray Montgomery	Executive Director	People Acting in Community Together

<b>Advisory Group Member</b>	<b>Title</b>	<b>Organization</b>
Mimi Nguyen	Board Director	Vietnamese American Roundtable
Jessica Nowlan	Executive Director	Young Woman's Freedom Center
Shivaun Nurre	Independent Police Auditor	City of San José
Molly O'Neal	Public Defender	Public Defender Office
Peter Ortiz	Board Member, Area 6	Santa Clara County Board of Education
Protima Pandey	Director	Santa Clara County Office of Women's Policy
Shannon Rivers	Prevention Specialist	Indian Health Center of Santa Clara Valley
Hector Sanchez-Flores	Executive Director	National Compadres Network (also affiliated with the Mayor's Gang Prevention Task Force)
Hildy Shandell	Co-founder	Ignite Justice
Fred Sidbury	Neighborhood Advocate	McLaughlin Corridor Neighborhood Association
Ruben Solario	Deacon	Sacred Heart Nativity Schools
Jason Ta	Police Captain	San José Police Department
Jahmal Williams	Director of Advocacy for Racial Justice	San José State University (also affiliated with the Black Leadership Kitchen Cabinet)
Walter Wilson	Chief Executive Officer	Silicon Valley Minority Business Consortium
Kathleen Wong	Chief Diversity Officer	San José State University