



Memorandum

TO: HONORABLE CITY COUNCIL

FROM: Councilmember Jimenez
Councilmember Torres
Councilmember Cohen
Councilmember Foley

SUBJECT: SEE BELOW

DATE: November 9, 2023

Approved

Date: 11/9/2023

SUBJECT: Response to the Investigations of Police Misconduct in San José Report by Moeel, Lah, Fakhoury, LLP

RECOMMENDATION

1. Defer consideration of the report responding to the Investigations of Police Misconduct in San José report by Moeel, Lah, Fakhoury, LLP, until after a permanent Independent Police Auditor is hired, but no later than May 2024.
2. Direct the City Manager to return with an MBA on evaluating adding two or more positions to the Independent Police Auditor office.
3. Direct the Independent Police Auditor to create a policy and procedures manual before hiring a new IPA.

BACKGROUND

We appreciate the significant work done by Moeel, Lah, Fakhoury, LLP, in preparing this report. However, considering the recommendations should not occur until after the City Council has selected a permanent Independent Police Auditor. The new IPA must have sufficient time to evaluate the state of the office and provide recommendations consistent with the vision and goals established by the City Council.

Requesting the City Manager to present an MBA during the budget cycle to evaluate the implication of adding two or more positions is crucial. This would enable the IPA to adhere to timelines and collaborate effectively with the police department to review all cases thoroughly.

It is important for the IPA to establish a comprehensive policies and procedures manual, ensuring uniformity and coherence across the department. This foundational document will promote consistency and standardize practices within the office.

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.