

Police Reforms Work Plan: Reimagining Community Safety Status Report

June 22, 2021

Item 4.3

Angel Rios
Deputy City Manager



1. Project Background

Murder of George Floyd

- May 25, 2020: George Floyd murdered by a Minneapolis police officer
- May 29, 2020: Protests begin in San Jose
- June 12 and 16, 2020: City Council provides direction on a community process on policing.

June 2020 Council Direction

Source	Direction
Memorandum from Councilmember Peralez from June 12, 2020 City Council meeting	“Accept the recommendations in the memorandum dated June 5, 2020 , amending recommendation 6 to establish not only a process to review our use of force policies, but to also include a process that broadly engages our community on what the future of policing should look like in San José.”
Memorandum from Vice Mayor Jones from June 16, 2020 City Council meeting	“Allocate an additional \$100,000 to 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.”
Memorandum from Councilmember Arenas from June 16, 2020 City Council meeting	“Direct the City Manager to 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.”
Memorandum from Councilmember Carrasco from June 16, 2020 City Council meeting	“Direct the City Manager to 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.”

Project Scope Based on Council Direction

- **Alternatives to Policing:** Develop recommendation on how the City can respond differently to issues that currently fall under the responsibility of the Police Department. This effort includes identifying alternative, non-police programs or services that could address calls for service currently handled by the police, with the goal to reduce social conflicts that are noncriminal in nature.
- **Community/Police Relations:** Develop recommendations on improving the relationship between the Police Department and the community and on providing opportunities for ongoing community feedback.

Reimagining Community Safety Advisory Group

Goals of the Advisory Group, based on project scope:

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.
4. Generate recommendations that enable the vision of community safety.

Project Timeline

- March 18, 2021: First Advisory Group Meeting
- April 9, 2021: Second Advisory Group Meeting
- April 22, 2021: Third Advisory Group Meeting
 - Project paused after third meeting due to resignations over concern about the process. Most significant process concerns were:
 - A desire to include police policies and practices and police accountability within the project scope.
 - A desire for a community-led process
- May 20, 2021 update provided to Public Safety, Finance and Strategic Support Committee.
- June 22, 2021 update to City Council and direction on path forward

2. Options For Revised Process

Potential Process Frameworks

- Body Advisory to the City Manager (*original process*)
- Body Advisory to the City Council (*coalition proposal*)
- Exterior Process
- Bifurcated Process

Coalition Proposal

On June 12, 2021, a coalition of community organizations submitted a proposal for a revised process. Major features of this proposal include:

- An expanded project scope.
- A community-led process, including:
 - An Advisory Committee composed of 27 voting members appointed by community organizations. This body would also include 8 non-voting members who would provide expertise or represent various agencies.
 - A Youth Council composed of 12 members appointed by community organizations. The Youth Council would be parallel to and independent from the Advisory Committee. It would have the same scope but could deliver its own recommendations independent from the Advisory Committee.
- Request for staff support, consultant support and independent legal counsel.
- A project timeline of approximately 6 months

Staff Recommendations on Coalition Proposal

#	Recommendation
1	Project Scope
2	Project Timeline
3	Formation of a Steering Committee
4	Community Outreach
5	Advisory Committee Voting Members
6	Advisory Committee Non-Voting Members
7	Alternative Model for Youth Council
8	Staff Role
9	Consultant Procurement
10	Recommend Not Pursuing Outside Legal Counsel

1. Project Scope

Original Coalition Proposal Language	Staff Proposed Language
<p>Alternatives to policing. Redirecting resources toward community-based programs and interventions that will significantly change, reduce, or eliminate the role of law enforcement in addressing social challenges. These involve both the creation of alternative emergency response systems and preventative approaches.</p>	<p>Alternatives to policing. Make recommendations to the City Council on identification and resourcing of community-based programs and interventions and alternative City service models that will significantly change, reduce, or eliminate the role of law enforcement in addressing social challenges. These may involve both the creation of alternative emergency response systems and preventative approaches</p>
<p>Transformation of police policies and practices. The Council must develop a detailed understanding of current SJPD policies and institutional context to inform policy recommendations moving forward. The body will explore what police policies require immediate reform, including but not limited to crowd control techniques, use of force policies, training, hiring, oversight, and disciplinary practices.</p>	<p>Transformation of police policies and practices. The Commission must develop a detailed understanding of current SJPD policies and institutional context to inform policy recommendations moving forward. The body will explore what police policies require immediate reform and make recommendations to the City Council on reform of those policies and practices, including, but are not limited to, crowd control techniques, use of force policies, training, and hiring.</p>
<p>Increased police accountability and transparency to the public.</p>	<p>Increased police accountability and transparency to the public. Make recommendations to the City Council on increased police accountability, which may include, but are not limited to, oversight and disciplinary practices, and transparency to the public.</p>
<p>Implementation strategies to employ alternatives to policing, apply necessary policy reforms, and increase public accountability/transparency in San José.</p>	<p>Implementation strategies. Make recommendations to the City Council on implementation strategies for alternatives to policing, applying necessary policy reforms, and increasing public accountability/transparency in San José. Implementation recommendations may include, but are not limited to, proposals for publicly tracking implementation of recommendations and identifying resource needs and funding strategies</p>

2. Project Timeline

- June – July 2021: Receive membership nominations from nominating organizations and establish Committee roster.
- August 2021: Begin Committee meetings
- August – September 2021: Conduct consultant procurement
- November 2021: Report on project status to the PSFSS Committee.
- March 2022: Finalize Committee report
- April 2022: Present report to City Council

3. Formation of a Steering Committee

The Advisory Committee will establish a steering committee or other leadership structure that will be a primary point of contact for meeting planning, coordination, or similar activities.

4. Community Outreach

Establish outreach expectations:

- Outreach will be conducted, both targeted to specific communities and to the general public
- Target populations may include communities of color, faith communities, communities disproportionately impacted by policing or public safety issues, business community, police rank-and-file, and other communities, especially those that have traditionally been left out of City decision-making processes.
- Make space for a wide variety of different opinions to be heard through outreach process
- The Advisory Committee will take the lead on setting the outreach strategy, but City staff will have the opportunity to provide input on outreach approach.

5. Advisory Committee Voting Members

- City Council would approve a list of nominating organizations for each seat on the Advisory Committee. Nominating organizations would appoint members to designated seats.
- Staff recommends adding 6 seats to the list of advisory committee seats proposed by the coalition. Criteria for these seats would be as follows:
 - Appointees must reside within an area designated as a Mayor's Gang Prevention Task Force 2019-2020 Gang Hotspot Area or a neighborhood participating in the City's Project Hope program.
 - Appointees must be actively involved in their neighborhoods, such as through a neighborhood association or other community organization or project.
 - Appointees must be interested in advocating on behalf of their neighborhood on issues of neighborhood concern related to public safety.
- The appointment process for these seats will be as follows:
 - Staff will develop an application form for these six seats based on the above criteria and work with City Council Offices, City program staff, and relevant community organizations to solicit applications.
 - Once received, applications will be evaluated according to the above criteria.
 - Based on this evaluation, the City Manager's Office will forward 6 recommended candidates to fill these seats to the full Advisory Committee.
 - The voting members of the Committee would then vote on whether to seat each of the six candidates on the Advisory Committee.

8. Staff Role

The coalition requests support from staff and/or consultants in the following three areas:

- Meeting support
- Stakeholder engagement
- Development of recommendations and drafting of final report

Staff recommends that the substantive work of research, meeting and outreach material preparation, policy development and report writing required under all three bullets be primarily undertaken by the consultant and the members of the Advisory Committee. Staff's role will be to provide logistical support, through hiring of a temporary support staff position, and to provide feedback on outreach strategy and on policy questions and potential recommendations, but will not take the lead on drafting recommendations.

9. Consultant Procurement

- Set a budget for the new consultant contract and translation services of \$100,000- \$125,000 funded by the existing budget allocation for the Police Reforms Work Plan.
- Staff will develop RFP for consultant with input from Advisory Committee members. Advisory Committee members will be given an opportunity to sit on the procurement panel.

Next Steps

- If the City Council approves the staff recommendations on the coalition proposal, staff will proceed according to the timeline proposed in Recommendation 2.
- If the Council wishes to pursue another strategy staff will develop a revised project plan and timeline, depending on the Council's direction.

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