



# Council Policy Prioritization: Early Consideration Response Form

Department Police  
 Department Rep. Name/Ext. Assistant Chief Joseph  
 Policy/Ordinance Subject Collaboration with the County Regarding High-Risk Repeat Offenders

Rules Date 6-22-22 Item C.1  
 Council Member Sponsorship Mahan

### Staff Recommendation

|   |  |  |  |
|---|--|--|--|
| <input checked="" type="checkbox"/> <b>GREEN</b> Adopt based on tradeoffs outlined on next page | <input checked="" type="checkbox"/> <b>YELLOW</b> Refer to Priority Setting or to Budget Process | <input type="checkbox"/> <b>RED</b> Recommend Council not adopt nominated idea | <input type="checkbox"/> <b>NEEDS CLARIFICATION OR MORE TIME TO EVALUATE</b> |
|---|--|--|--|

### Staff Evaluation

|   |  |   |   |
|---|--|---|---|
| Is this aligned with City Roadmap?<br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Is this already underway in a Department work plan?<br><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Is this time critical or an emergency?<br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Will this require substantial resources, staffing, budget, or strategic support?<br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
|---|--|---|---|

### Criterion to Determine Scale of Project Complexity

Project complexity is determined by scoring the project in each of the 3 criteria below and then summing the score.

a. Low Complexity is a sum of 6 or less.  
 b. Medium Complexity is a sum of 7 – 9. Total Score = 9  
 c. High Complexity is a sum of 10 or greater.

| Scoring Criterion                              | Low Complexity  | Medium Complexity   | High Complexity   |
|--|---|---|---|
|  | Estimated Duration  | 6 – 9 months <input checked="" type="checkbox"/> = 1  | 9 - 18 months <input type="checkbox"/> = 2  |
| Organizational Complexity (Internal)           | Can Easily be Absorbed into Existing Work Plan <input type="checkbox"/> = 1 | Planned Work (Future) <input type="checkbox"/> = 2  | Work Not Currently Proposed <input checked="" type="checkbox"/> = 3                                 |
|  | Have staff with required skillset/knowledge <input type="checkbox"/> = 1    | Have staff with required skillset/ requires moderate research <input checked="" type="checkbox"/> = 2 | Do not have staff with required skillset/requires significant research <input type="checkbox"/> = 3 |
| Less than or equal 2 staff required (External) | <input type="checkbox"/> = 1  | 3 - 4 staff required <input checked="" type="checkbox"/> = 2  | More than 5 staff required <input type="checkbox"/> = 3   |
|  | 1 Additional Department <input checked="" type="checkbox"/> = 1             | 2 Other Departments Involved <input type="checkbox"/> = 2   | 3 or more Departments Involved <input type="checkbox"/> = 3   |

|                |  |                                  |   |   |   |                                  |                                  |                              |                                  |                               |  |                                     |
|----------------|--|----------------------------------|---|---|---|----------------------------------|----------------------------------|------------------------------|----------------------------------|-------------------------------|--|-------------------------------------|
| DEPT. Required | <input type="checkbox"/> Airport             | <input type="checkbox"/> Auditor | <input checked="" type="checkbox"/> CMO | <input type="checkbox"/> CMO – Communications | <input type="checkbox"/> OED/CA           | <input type="checkbox"/> ESD     | <input type="checkbox"/> Fire    | <input type="checkbox"/> HR  | <input type="checkbox"/> IT      | <input type="checkbox"/> PRNS | <input checked="" type="checkbox"/> Police | <input type="checkbox"/> Retirement |
|                | <input checked="" type="checkbox"/> Attorney | <input type="checkbox"/> Clerk   | <input type="checkbox"/> CMO – Budget   | <input type="checkbox"/> CMO –                | <input type="checkbox"/> Community Energy | <input type="checkbox"/> Finance | <input type="checkbox"/> Housing | <input type="checkbox"/> IPA | <input type="checkbox"/> Library | <input type="checkbox"/> PBCE | <input type="checkbox"/> PW                | <input type="checkbox"/> DOT        |

CMO Approval: /s/ Lee Wilcox Date 06/21/22

**Analysis**

**Explain the rationale for staff recommendation, including any mitigating factors that need to be considered (recent legislative action, significant work plan changes, etc.). Please address the following as well.**

GREEN LIGHT: The Administration can implement this Nominated Idea under its current work plan. Item should be sent to Council to add to Department work plan. (1) How will the Idea be approached? (2) If adopted, what is its impact and/or tradeoff to the City Roadmap or to a Department work plan, including strategic support? (3) What is the minimum viable scope to move the Idea forward and reduce its complexity?

Recommendation 2a - GREEN – The Police Department will provide a plan for expending funds intended to address re-arresting high-risk individuals. It can provide this plan to the PSFSS Committee in October, after it has participated in the joint committee meeting described below, to ensure that any strategies or insights from that meeting are integrated in the spending plan.

YELLOW LIGHT: The Administration recommends Council send this Nominated Idea to the Priority Setting Process due to (describe cost implications, workload impacts, or other factors).

Please see below:

RED LIGHT: The Administration recommends Council not adopt this Nominated Idea due to (describe reason implementation would be difficult if not impossible – conflict with other laws, etc.).

## Analysis (Continued)

Recommendation 1 - Green - At the Rules and Open Government Committee (Committee) discussion on April 27, 2022, related to a memo titled "Addressing Rising Crime and Expanding Treatment for Arrestees" from Mayor Liccardo and Councilmembers Carrasco and Mahan, committee members discussed how City staff should respond to very similar direction that considered, 1) re-arresting repeat felony and violent offenders, 2) detaining high-risk arrestees, and 3) improving accountability and informing policy, among other policy issues.

In its Early Consideration Form response, the Administration acknowledged that cross-sector collaboration is essential to leverage the strengths, information, and data required to formulate a long-term, sustainable solution to the problem of detaining "high-risk" individuals and repeat felons. The Administration further noted that having intentional engagement with key stakeholders across different jurisdictions, including the Sheriff's Office, District Attorney's Office, and the Santa Clara County Police Chiefs' Association is necessary with the goal of reaching a new depth of collaboration that enables effective interventions that serve our community's needs. Indeed, the Administrative response acknowledged that the City has a role to play to address these community challenges, and will need to more fully engage, align, and advocate to, and with, other local agencies to address these issues in a comprehensive manner.

At the conclusion of the Committee's discussion on this issue, direction was given to hold a joint meeting between the City's Public Safety, Finance, and Strategic Support Committee (PSFSS) and the Santa Clara County's Public Safety and Justice Committee, chaired by Supervisor Ellenberg. The Administration, Councilmember Peralez, and Supervisor Ellenberg are currently working collaboratively to schedule a meeting for September, or early fall, of this year. The subject matter of this meeting is likely to include, but is not limited to, a discussion pertaining to high-risk individuals, violent offenders, felons, and re-arrests. (The meeting scope, which is under development, may also include discussions on substance use and treatment options, as well as options to protect small businesses from crime.) Due to the intersecting nature of this memo and the previous direction given, the Administration recommends integrating this discussion into the planned joint meeting. Although the desired deliverable noted in this memo cannot be guaranteed--the joint meeting will be focused on understanding the problem from different perspectives and a conclusion of that meeting cannot be assumed--its subject matter very much intersects with that of the planned meeting. The intent of that meeting will be to identify next steps to better coordinate and find solutions to the problem.

Recommendation 2 - Yellow – Returning to Council in September with criteria and protocols established by the City and County is not possible under the current work plan, considering that a joint meeting between the City and Council will be scheduled that month. However, depending on the outcome of the conversation had at that meeting, there may be related deliverables that are integrated into the PSFSS workplan.