



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Councilmember Pam Foley

SUBJECT: SEE BELOW

DATE: June 8, 2020

APPROVED:

DATE: 06/08/2020

A handwritten signature in black ink that reads "Pam Foley".

SUBJECT: DISCUSSION AND ACTIONS RELATED TO POLICE USE OF FORCE
AND CROWD CONTROL MEASURES

RECOMMENDATION

1. Approve the memorandum from Mayor Liccardo, Vice Mayor Jones, Councilmembers Peralez, Diep and Carrasco.

BACKGROUND

Just like the City of San José, the San José Police Department is an ever improving organization. It is managed and held accountable by multiple bodies of government including this very City Council. We rely on this organization for public safety. It is critical that we never stop advocating for this betterment.

The protests in response to the murder of George Floyd over the last several weeks were like nothing our police department had ever seen. These events exposed painful shortcomings that we must rectify.

Rubber bullets have caused injuries. Profuse coughing caused by tear gas may have potentially increased the spread of COVID-19. Police misconduct went viral and shook the public's trust in the department's ability to interact with protests under pressure.

I stand in solidarity with peaceful protesters everywhere, who are advocating against racial injustice and harmful police practices. While protesting against police brutality, advocates should not be subjected to excessive force or potential injury. Our residents

should never feel unsafe, especially while exercising their First Amendment rights. I fully support my Council colleagues in establishing a process to review our use of force policies.

However, we cannot stop here. Our City needs to go further and take action now. Let's also use this opportunity to begin the conversation about adopting more restrictive use of force policies. These include policies that require police to exhaust all alternatives before shooting a firearm, officers to give a verbal warning before shooting, and outright ban shooting at a moving vehicle.

We are already seeing cities across the country legislate reforms as a result of the death of George Floyd and Black Lives Matter protests. In San Jose, the onus rests on us to advance positive change within our own police department. Let's do our part to reflect on everything these last few weeks have taught us and impact meaningful modifications here in San José.