



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Edgardo Garcia

**SUBJECT: RELEASE OF POLICE  
DEPARTMENT VIDEO FOOTAGE**

**DATE:** September 11, 2020

Approved

Date

9/11/20

## SUPPLEMENTAL

### REASON FOR SUPPLEMENTAL

The Police Department's release of Body Worn Video (BWC) clips of three police incidents of extraordinary public interest will provide the City Council and public the ability to view such incidents.

### BACKGROUND

In July of 2020 the Police Department released some video footage from the protests of May and June. The videos released were in the Department's possession after having been collected from the public domain. The July release of footage did not include Department generated footage. The Department initially withheld certain BWC footage as allowed under the law in order to avoid compromising any criminal and administrative investigations. Since that time, the City Council has agendized an item for the September 15<sup>th</sup> City Council meeting that, among other things, considers directing the City Manager to release BWC footage for each of three specific events:

- 1) The incident involving the collision between the police motorcycle and the running pedestrian;
- 2) 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
- 3) The incident involving an officer responding to a protester with expletives, including "shut up, b\*\*\*h."

## **ANALYSIS**

After weighing the value in releasing this footage against its potential effect on ongoing investigations, the Department has concluded that the greater good is served by releasing these videos to the public. Thus, on September 11, 2020, the Department released BWC footage from each of the three events. The videos are available for public review from SJPd.org or by using the link below. Each of the three incidents is represented with its own separate video that includes a Department generated introduction followed by unedited BWC footage (except for privacy redactions intended to protect private persons as provided under the law). The videos include the following:

- The motorcycle vs. pedestrian video was a rapidly evolving event with only 1 minute and 22 seconds of video prior to the collision. The unedited footage contains four camera views totaling about 19 minutes of video.
- The unedited video of the man who was arrested by force at a police skirmish line includes 10 minutes of pre-arrest footage and six different camera views showing about 24 minutes of footage.
- The unedited footage of an officer using expletives to a protester, has 10 minutes of pre-incident footage, five separate camera angles and a total of about 23 minutes of video.

Link to protest videos on SJPd.org: [http://www.sjpd.org/records/protest\\_videos.html](http://www.sjpd.org/records/protest_videos.html)

## **CONCLUSION**

Because the Police Department recognizes the strong public interest in releasing this footage, it has chosen to release it now rather than wait for the Council to vote on the matter.

## **EVALUATION AND FOLLOW-UP**

The Police Department awaits a vote of the Council on this item. The Department is currently working to develop a process for the release of future videos identified as being of extraordinary public interest. With an affirmative vote of the City Council, this work item will be added to the police reform work plan and a new City Council policy will be developed for consideration by the City Council on a future agenda.

## **PUBLIC OUTREACH**

This memorandum will be posted on the City Council Agenda website for the September 15, 2020 Council Meeting.

HONORABLE MAYOR AND CITY COUNCIL  
September 11, 2020  
**Subject: Police Department Public Release of Videos**  
Page 3

**COORDINATION**

This memorandum has been coordinated with the City Attorney's Office.

A handwritten signature in black ink, appearing to be 'Edgardo Garcia', with a stylized flourish extending to the right.

EDGARDO GARCIA  
Chief of Police

By Acting Chief of Police  
DAVE KNOPF

For questions, please contact Paul Cook, Police Lieutenant, at 408-277-5200.