



# *Memorandum*

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**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** David Sykes

**SUBJECT:** SEE BELOW

**DATE:** January 13, 2021

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**SUBJECT: ADOPTION OF STATEMENT OF POLICY AND QUESTIONS FOR THE  
PROSPECTIVE CHIEF OF POLICE**

## **RECOMMENDATION**

Adopt a Statement of Policy and City Council Questions related to the selection of a prospective Chief of Police as described in this memorandum, in compliance with City Charter Section 411.1.

## **OUTCOME**

The results of this action will be City Council input to me regarding the selection of a Chief of Police in compliance with City Charter provisions.

## **BACKGROUND**

In compliance with City Charter Section 411.1, the City Council has adopted a process for City Council confirmation of Department Director appointments which includes the Chief of Police position. The process requires that the City Council adopt a statement of policy for the involved department, along with proposed questions for the City Council to present to the City Manager's recommended candidate for the appointment. This step is done prior to the City Council's meeting with the candidate.

At my direction, staff is coordinating the efforts of the executive search firm, Public Sector Search & Consulting, Inc., who was retained to conduct the nationwide recruitment. City Council adoption of the Statement of Policy and Questions will not only assist in candidate selection as the recruitment progresses, but also used for the City Council confirmation process of the final nominee.

## **ANALYSIS**

Public Sector Search & Consulting, Inc. has conducted a nationwide recruitment for qualified Chief of Police candidates. Later this month, the Administration will be conducting a candidate forum and interview process guided by the input provided by the City Council through its adoption of the attached policy and questions as well as community and other stakeholder feedback. At the conclusion of that process, I will present my recommended candidate for Chief of Police to the City Council for confirmation during Closed Session, along with the written answers to the questions adopted by the City Council as part of this action. If the City Council confirms my nominee, the appointment would be formally approved at that afternoon's City Council meeting.

The proposed Statement of Policy (Attachment 1) contains the broad goals, objectives, and aspirations for the department as reflected in the department's mission, core services, performance measures, and resource allocation as approved by the City Council as part of the 2020-2021 Adopted Budget.

The proposed City Council Questions (Attachment 2) include those adopted for recent Department Director hiring processes, as well as ones specific to this recruitment. It should be noted that the development of the City Council questions reflect input from meetings the Administration held with each City Council member last fall regarding the knowledge, skills, and abilities desired of the next Chief of Police as well as the input received regarding the same from recent stakeholder outreach, including community members, Police Department employees, San José Police Officers' Association, and selected Senior Staff and City Council Appointees. The City Council may modify, add, or subtract from this list of suggested questions at the January 26, 2021 City Council meeting, and of course, City Council members will be able to ask further questions of the recommended candidate during Closed Session.

## **EVALUATION AND FOLLOW-UP**

No additional follow-up with the City Council on the Statement of Policy and Questions for the prospective Chief of Police is expected at this time. My recommended Chief of Police candidate is expected to be brought forward for City Council confirmation at a Closed Session meeting in February, 2021 where further discussion will take place.

## **CLIMATE SMART SAN JOSE**

The recommendation in this memo has no effect on Climate Smart San José energy, water, or mobility goals

## **PUBLIC OUTREACH**

This memorandum will be posted on the City's website for the January 26, 2021 City Council Agenda. In addition, the Administration and the executive search firm convened discussions with

various stakeholders to gather feedback on the knowledge, skills, and abilities that should be considered for the selection of the Chief of Police, as well as an understanding of the challenges and opportunities facing the San Jose Police Department. Those stakeholders included City Council members, community members, Police Department employees, San José Police Officers' Association and selected Senior Staff and City Council Appointees.

Nine Community outreach meetings were conducted on at the end of October and early November over Zoom. The chart below provides the dates of each of those meetings:

<b>Date</b>	<b>Time</b>	<b>Council District/Language Specific</b>
<b>October 21, 2020</b>	7:00 pm	Council Districts 2 and 10
<b>October 22, 2020</b>	7:00 pm	Council Districts 1 and 0
<b>October 24, 2020`</b>	9:00 am	Spanish Language Access
<b>October 26, 2020</b>	7:00 pm	Council Districts 7 and 8
<b>October 28, 2020</b>	7:00 pm	Council Districts 4 and 5
<b>October 29, 2020</b>	7:00 pm	Vietnamese Language Access
<b>November 2, 2020</b>	7:00 pm	Council Districts 3 and 6
<b>November 4, 2020</b>	7:00 pm	Spanish Language Access
<b>November 7, 2020</b>	9:00 am	Vietnamese Language Access

Additionally, an online survey was created and distributed to all employees in the Police Department and provided to members of the public in English, Spanish, Chinese and Vietnamese.

#### **COMMISSION RECOMMENDATION/INPUT**

No commission recommendation or input is associated with this action.

#### **CEQA**

Not a Project, File No. PP17 010, City Organizational and Administrative Activities resulting in no changes to the physical environment.

  
DAVID SYKES  
City Manager

For questions, please contact Lee Wilcox, Chief of Staff for the City Manager's Office, at [leland.wilcox@sanjoseca.gov](mailto:leland.wilcox@sanjoseca.gov).

## **STATEMENT OF POLICY**

### **Police Department**

#### **Department Mission**

The San Jose Police Department is a dynamic, progressive and professional organization dedicated to maintaining community partnerships which promote a high quality of life for the City's diverse population. The Department is committed to treating all people with dignity, fairness and respect, protecting their rights and providing equal protection under the law.

#### **Core Services**

- Crime Prevention & Community Education – Provide programs and services through community education and partnerships to reduce criminal activity and enhance public safety.
- Investigative Services – Provide for the objective examination of events through the collection of evidence, interviewing of witnesses, the interrogation of suspects, and other activities, to arrive at a resolution or successful prosecution.
- Regulatory Services – Provide for the mandated regulation of businesses and activities and the issuance of those attendant mandated permits that are in the public interest.
- Respond to Calls for Service – Provide for 24-hour emergency and non-emergency police calls, which include but are not limited to crimes against persons and property, disturbances, traffic accidents, disasters, and medical emergencies.
- Special Events Services – Provide for safe and orderly special events including festivals and parades, free-speech demonstrations, political rallies, labor disputes, and dignitary visits, as well as other incidents requiring extra-ordinary planning and/or resources.
- Traffic Safety Services – Provide for the safe and free flow of traffic through enforcement, education, investigation, and traffic control.
- Strategic Support – Public Information, Fiscal Integrity, Systems Availability, Recruiting/Training, Facilities and Vehicle Management, Wellness of the Workforce, and Safety.

#### **Council Policy**

Council policy as to performance measures, resource allocation, and project delivery is contained in the [2020-2021 Adopted Operating Budget](#).

## **CITY COUNCIL QUESTIONS**

### **CHIEF OF POLICE HIRING PROCESS**

**The following is a core set of suggested questions that the City Council may use in the Closed Session confirmation process for the new Chief of Police. The City Council may add or subtract from this list of questions.**

1. Please describe your education, experience, and accomplishments, and explain how they prepare you for this position.
2. What is your plan for ensuring that you maintain good communication with the Mayor, City Council, and City Manager?
3. How would you ensure that the San José Police Department is aligned with the City's mission and overall goals?
4. The San José Police Officers' Association is an important stakeholder and critical partner, but it should be expected that they might disagree at times with stated actions from the Chief of Police. How would you manage any conflict and still maintain positive working relationships during those times?
5. What would you do to create, or attract, a more diverse pool of talent from which to make recruit and command staff appointments? What are some best practices that you believe are most effective in retaining staff?
6. How would you approach workforce planning and leadership development in the department?
7. How would you ensure a safe and productive work environment for all police staff?
8. These are very challenging times for police officers; how would you deal with any low morale issues as well as a department in transition? How would you maintain positivity within the department and encourage police personnel to stay motivated?
9. What trainings do you believe should be prioritized in order to deploy resources efficiently and maintain positive relationships with the community?
10. What is your position on civilianization of sworn police duties? Would you propose civilianizing any of the current sworn duties of San Jose Police Department staff?
11. From the outreach that was done regarding this recruitment, a key theme heard from the community and workforce was that the next Chief of Police needs to be a courageous leader. From your perspective, what is courageous leadership and how do you demonstrate this quality?

12. The San Jose Police Department is a very lean department. What would be your strategy and approaches for delivering effective public safety services to our community? What would be your strategy and approaches for managing the department's budget, including monitoring and reducing overtime costs?
13. Community policing is a commonly used term given the current interest around ongoing community safety reform. What are the key elements of a sound contemporary community policing philosophy? What are primary police practices associated with community policing? How would you go about instituting these policies?
14. How would you ensure that bridges and relationships are built and maintained between the San José Police Department and the community? What would be your plan for introducing yourself to the community? What would be your plan for ensuring that you maintain good communication with the community? Specifically, how would you ensure communication reaches San José's most at-risk residents and neighborhoods?
15. Approximately 58% of San José area residents speak another language at home. Additionally, approximately 40% of San José area residents are foreign born. In a diversity rich community like San José, language skills and cultural responsiveness are very important. What experience do you have in this area?
16. How does systemic racism affect policing? What role do feel you have in addressing it? How would you go about engaging in systems-change racial equity work as the San José Police Chief?
17. The City will be convening a community engagement process that will bring together diverse stakeholders to explore ways to "reimagine community safety." One of the goals of this effort is to identify opportunities for the police, community, and other non-traditional partners to work together to address social conflicts that are noncriminal in nature. How would you go about reconciling divergent perspectives and approaches between the community and police? What partners would you engage to enhance community safety in San Jose.
18. Please describe how you would approach your relationship with the Office of the Independent Auditor (IPA), which is San José's model for police oversight. How would you ensure a proactive working relationship between the Department and the IPA?
19. There have been unique challenges that have arisen for policing during the COVID-19 global pandemic including potential under reporting of Sexual Assault and Domestic Violence. How would you prioritize a focus on these types of crimes given the possible underreporting during a public health emergency?
20. What else should the City Council know about you?