



AGENDA

CITIZEN PUBLIC SAFETY OVERSIGHT TASK FORCE

A Special Meeting via Teleconference

Wednesday, September 23, 2020 at 5:00 p.m.

La Mesa Police Department Community Room
8085 University Avenue, La Mesa, California

This meeting is being conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order N-29-20 dated March 17, 2020, regarding the COVID-19 pandemic.

The public may view the meeting live using the following remote options:

Teleconference Meeting Webinar

<https://zoom.us/j/98570066804>

Telephone (Audio only)

(669) 900-6833 or (253) 215-8782 | Webinar ID: 985 7006 6804

Public Comments for Items non on the Agenda

Members of the public who wish to make public comments may submit their comments by email to be read aloud at the Citizen Public Safety Oversight Task force meeting by staff. Email comments must be submitted to Comments@cityoflamesa.us by 3:00 p.m. the day of the Task Force meeting and be no more than 300 words. Any language beyond the 300 words shall not be read during the Task Force meeting. The counting of words, for the purposes of public comment submissions, shall follow the same standards as set forth in Elections Code § 9 (see Attachment A). Please note in your email subject line that this is for "PUBLIC COMMENT". All email comments shall be subject to the same rules as would otherwise govern speaker comments at the Task Force meeting.

Public Comments for Items on the Agenda

Members of the public who wish to make comments on items on the agenda may submit their comments by email to be read aloud at the Citizen Public Safety Oversight Task Force meeting by staff. Email comments will be accepted prior to the Task Force meeting and up until the time that the Chair announces that public comment is closed for that item. Email comments must be submitted to Comments@cityoflamesa.us and be no more than 300 words. Any language beyond the 300 words shall not be read during the Task Force meeting. The counting of words, for the purposes of public comment submissions, shall follow the same standards as set forth in Elections Code § 9 (see Attachment A). Please note in your email subject line the agenda item number related to the comment. All email comments shall be subject to the same rules as would otherwise govern speaker comments at the Task Force meeting.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

NOTE: Members of the public may address the Task Force on subjects within the jurisdiction of the Task Force. Unless such subjects are contained within this agenda, there can be no discussion or action by the Task Force until a subsequent, publicly noticed meeting.

CURRENT BUSINESS

1. **APPROVAL OF THE MINUTES FOR THE CITIZEN PUBLIC SAFETY OVERSIGHT TASK FORCE REGULAR MEETING HELD WEDNESDAY, AUGUST 19, 2020**
2. **REVIEW AND APPROVAL OF THE CITIZEN PUBLIC SAFETY OVERSIGHT TASK FORCE'S RESPONSE LETTER REGARDING THE LA MESA POLICE OFFICERS ASSOCIATION'S "REQUEST TO MEET AND CONFER" LETTER**
3. **STAFF AND TASK FORCE MEMBER ANNOUNCEMENTS**

ADJOURNMENT to the Regular meeting of Wednesday, October 21, 2020 at 5:00 p.m. in the La Mesa Police Department Community Room, 8085 University Avenue.

Materials related to an item on this agenda submitted to the Task Force after distribution of the agenda packet are available for public inspection in the City Clerk's Office, 8130 Allison Avenue, during normal business hours.

Copies of the Task Force Agenda are posted for public review on the lobby door of the La Mesa Police Department and the announcement boards located near the entrance to City Hall and the entrance to the Council Chambers, 8130 Allison Avenue, La Mesa, California, no less than seventy-two (72) hours prior to a meeting of the Task Force

The City of La Mesa encourages the participation of disabled individuals in the services, activities and programs provided by the City. Individuals with disabilities, who require reasonable accommodation in order to participate in Task Force meetings, should contact the City's Americans with Disabilities Act (ADA) Coordinator, Rida Freeman, Director of Administrative Services, 48 hours prior to the meeting at 619.667.1175, fax 619.667.1163, or rfreeman@cityoflamesa.us.

State of California**ELECTIONS CODE****Section 9**

9. (a) Counting of words, for purposes of this code, shall be as follows:
- (1) Punctuation is not counted.
 - (2) Each word shall be counted as one word except as specified in this section.
 - (3) All proper nouns, including geographical names, shall be considered as one word; for example, "City and County of San Francisco" shall be counted as one word.
 - (4) Each abbreviation for a word, phrase, or expression shall be counted as one word.
 - (5) Hyphenated words that appear in any generally available standard reference dictionary, published in the United States at any time within the 10 calendar years immediately preceding the election for which the words are counted, shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.
 - (6) Dates shall be counted as one word.
 - (7) Any number consisting of a digit or digits shall be considered as one word. Any number which is spelled, such as "one," shall be considered as a separate word or words. "One" shall be counted as one word whereas "one hundred" shall be counted as two words. "100" shall be counted as one word.
 - (8) Telephone numbers shall be counted as one word.
 - (9) Internet Web site addresses shall be counted as one word.
- (b) This section shall not apply to counting words for ballot designations under Section 13107.

(Amended by Stats. 2014, Ch. 697, Sec. 3. (SB 1253) Effective January 1, 2015.)

**REGULAR MEETING OF THE CITY OF LA MESA
CITIZEN PUBLIC SAFETY OVERSIGHT TASK FORCE
5:00 PM, LA MESA POLICE DEPARTMENT COMMUNITY ROOM
8085 UNIVERSITY AVENUE, LA MESA, CA 91942**

**MINUTES
August 19, 2020**

This meeting was conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order N-29-20 dated March 17, 2020, regarding the COVID-19 pandemic.

CALL TO ORDER

Chair Jamal McRae called the meeting to order at 5:01 p.m.

ROLL CALL (X indicates present)

Robert Duff	X
Dr. Janet Castanos	X
Jamal McRae	X
Susan Wayne	X
Caitlin Tiffany	X
Patricia Dillard	X
Rev. Frank Willey	X
Joshua David Morse	
Steven Evans	X
Kathie Taylor	X
Andy Trimlett	X
VACANT	

Others present: City Clerk Wiegelman; Lieutenant Bell; Community Service Officer Allsberry; General Counsel Larson, Ordin, and Chiappetti.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

City Clerk Wiegelman and Lieutenant Bell read aloud the emailed public comments submitted by 3:00 p.m. the day of the Task Force Meeting.

Dunla Seain submitted a comment regarding support of an independent citizens police oversight board.

Rev. Marcus C. Lohrmann submitted a comment regarding racism and anti-racism in La Mesa.

Melissa James submitted a comment regarding support of a strong proposal for the Citizen's Police Oversight Board.

Rev. Greg Batson submitted a comment regarding support of a permanent Community Police Oversight Board.

Jennifer Grigg submitted a comment regarding opposition to the City Council presentation of the CPOB proposal.

Z Julius submitted a comment regarding support of the creation of a community police oversight board and a community complaint handbook.

Lois Knowlton submitted a comment regarding support of a paid executive director for the commission.

Julienne Mallete submitted a comment regarding cats and dogs.

The Agenda Items were considered in the order presented, except for Item 3 which was heard prior to Item 2.

CURRENT BUSINESS

1. APPROVAL OF THE MINUTES FOR THE CITIZEN PUBLIC SAFETY OVERSIGHT TASK FORCE REGULAR MEETING HELD WEDNESDAY JULY 15, 2020

ACTION: Motioned by Member Duff and seconded by Vice Chair Castanos to approve the minutes for the Citizen Public Safety Oversight Task Force Special Meeting held Wednesday, July 15, 2020, as amended, to correct Jack Shu's title to Vice Chair and Janet Castanos to Member.

Vote: 10-0

Yes: Chair McRae, Vice Chair Castanos, and Members Duff, Wayne, Tiffany, Evans, Dillard, Willey, Taylor, Trimlett

No: None

Abstained: None

Absent: None

Motion passed.

ACTION: Motioned by Vice Chair Castanos and seconded by Member Dillard to have the police department make a presentation about the internal investigations process at a future meeting.

Vote: 9-1

Yes: Chair McRae, Vice Chair Castanos, and Members Duff, Wayne, Tiffany, Evans, Dillard, Willey, Taylor, Trimlett
No: Chair McRae
Abstained: None
Absent: None

Motion passed.

2. REVIEW OF DRAFT REPORT TO CITY COUNCIL RECOMMENDING THE CREATION OF A COMMUNITY POLICE OVERSIGHT BOARD

Agenda Items 2 and 3 were discussed simultaneously.

General Counsel Larson asked for any requested changes or questions regarding the draft report.

The word “civilian” will be replaced with the word “community” in the name of the board.

ACTION: Motioned by Chair McRae and seconded by Member Willey to approve Chair McRae and General Counsel from Strumwasser & Woocher LLP present the draft report to the City Council with the modifications discussed.

Vote: 10-0

Yes: Chair McRae, Vice Chair Castanos, and Members Duff, Wayne, Tiffany, Evans, Dillard, Willey, Taylor, Trimlett
No: None
Abstained: None
Absent: None

Motion passed.

3. REVIEW AND APPROVAL OF PROPOSED ORDINANCE CREATING A COMMUNITY POLICE OVERSIGHT BOARD FOR CITY COUNCIL CONSIDERATION

General Counsel Larson introduced Caroline Chiappetti, who had been working with the legal team. General Counsel Larson explained that the oversight body would have two main functions: the review of investigations through an independent police auditor (IPA) in the case of serious incidents, and to make public those records that do not violate confidentiality. General Counsel Larson also discussed other functions of the board.

Richard Hammett submitted a comment regarding suggested revisions to the proposed ordinance.

Rev. Rebecca Littlejohn submitted a comment regarding suggestions to strengthen parts of the proposal.

ACTION: Motioned by Member Dillard and seconded by Vice Chair Castanos to approve Chair McRae and General Counsel from Strumwasser & Woocher LLP to present the proposed ordinance to the City Council with the modifications discussed.

Vote: 10-0

Yes: Chair McRae, Vice Chair Castanos, and Members Duff, Wayne, Tiffany, Evans, Dillard, Willey, Taylor, Trimlett

No: None

Abstained: None

Absent: None

Motion passed.

4. STAFF AND TASK FORCE MEMBER ANNOUNCEMENTS

Member Evans announced that he had accepted an offer with another agency and this would be his last meeting with the Task Force. Alex White would be the new representative for the POA.

ADJOURNMENT

Chair McRae adjourned the meeting at 6:43 p.m.

The next regular meeting is scheduled for Wednesday, September 16, 2020.

Prepared by:

Nora Allsberry, Community Service Officer

Mayor Arapostathis, Vice Mayor Weber, and City Council Members,

We, the current members of the Citizen Public Safety Oversight Task Force, thank you for giving us the opportunity to address this issue that is so critical to our community. The mission you assigned us was to draft a proposal for the oversight of police in La Mesa. Over the past seven months, we have volunteered countless hours researching, consulting and crafting a plan that best fits the needs of our city. It's been an honor to do so. We unanimously believe that the draft ordinance we presented to you on September 15 would make La Mesa a stronger, safer, more welcoming place for everyone who lives in and visits our beautiful city. And that's why we were deeply dismayed when, just hours before our presentation, the La Mesa Police Officers' Association (POA) delivered a letter demanding the initiation of a Meet and Confer, a process that can take half a year to complete. We ask that you ensure that any discussion with the POA is resolved quickly and is not allowed to delay the critical work that the police oversight board will do.

Delay is not an option

We want to alert and warn the City Council how this last-minute attempt to delay the establishment of independent police oversight looks to the citizenry of La Mesa. We've already heard from many La Mesa citizens who see it as a tactic aimed at stalling and even undermining the passage of the proposed ordinance. Some even see it as an attempt to disempower the Citizens' Police Oversight Board (CPOB) that we are proposing. It is our conviction that any attempt by the POA to stall or undermine the passage of the ordinance and the establishment of the oversight board will be invidious and taken by La Mesa citizens as an attempt to protect a "good old boy" network and otherwise maintain the status quo that has repeatedly led to gross injustices by the police.

It's critical to understand that the oversight board will be charged with protecting everyone who lives, works in and visits La Mesa - and that includes police officers. People are angry. We've seen unprecedented numbers of people marching in our streets. We had a riot that terrified all of us. And police are being attacked right here in California. We live in fear of what another incident with police will spark in our community and we want to keep our officers safe. But no amount of weapons and body armor will bring about peace in our city. The only answer is justice.

The data is clear

Recent events have shown - even more starkly than when the Task Force was formed - that our city is desperately in need of action to address policing. The Task Force meetings have been flooded with comments in support of the creation of an oversight board. Data from the La Mesa PD shows that Black people account for 21% of arrests, but make up less than eight percent of our population. Black people are three and half times as likely to be arrested for a felony as white people in our community. And Black people are more than three times as likely to be stopped by our police officers for a field interview.

Behind these numbers are painful stories. Task Force member Patricia Dillard described watching police officers descend over her fence onto a group of terrified young teenagers enjoying her child's birthday party - no knock on the door, no warning. And all for a complaint about noise. This happened right here in La Mesa. And it's not an isolated incident.

When an officer pulls over a white person, they ask, "Do you know why I pulled you over?" But Ms. Dillard explained that when an officer pulls over a Black person, the first question they are asked is, "Is this your car?"

Clearly, we need to improve. Our city must prove that we are actively addressing these issues - not just with talk, but with action. We support the La Mesa Police Department and the many incredible officers who serve our community. But we cannot continue to assume perfection among the conduct of every officer. If we are going to keep our community and our officers safe, we cannot continue with a system that allows unprofessional and unethical conduct to stay in the dark. We must make a change - and establishing a citizen oversight board will be a powerful step toward justice in La Mesa.

What will the CPOB do?

The CPOB will be a group of diverse, volunteer citizens from across La Mesa. They will review the policies and actions of the La Mesa Police Department and make recommendations that will move La Mesa toward a safer, more welcoming community for all people. When complaints are made against officers - either to the police department or the board itself - the board will review those complaints. If necessary, the board will work with a professional auditor to investigate the validity of those complaints and then recommend actions to be taken. In short, the board will be a place our community and our officers can trust to keep an independent eye on justice in our city.

The POA has been involved every step of the way

At the City Council Meeting, there was a suggestion that the POA did not have the time to properly review the draft ordinance before it was presented to you. This is simply not true. The POA has been involved in this process since the very beginning. Lt. Steven Evans, who represented the POA on the Task Force, attended all of our meetings from February to August. Over nearly twenty hours of public meetings, Lt. Evans provided valuable insight and worked with us on developing the ordinance we presented to you on September 15. A number of items in the ordinance you reviewed were a direct result of the input of Lt. Evans.

On August 14, a full month in advance of our presentation of the proposed ordinance, members of the Task Force received a draft ordinance. We reviewed it on August 19, going through numerous items in detail. No major objections were raised to the proposal.

Meet and Confer is not legally required

The "Meet and Confer" being demanded by the POA is a legal process that only applies when legislation affects the wages, hours or working conditions of officers. This is a process that can be concluded in one or two meetings. It can also drag on for five to seven months. For this reason, we intentionally avoided any language that would affect the wages, hours and working conditions of our officers. The Citizens' Police Oversight Board will NOT have the power to punish officers in any way. It will only have the power to make recommendations. Furthermore, our legal team - the most experienced law firm in the state on citizen oversight - has counseled us that this ordinance in no way requires a Meet and Confer.

Now is the time for action

While we cannot ascribe motivations to those who sent you a letter just hours before you were to vote on this ordinance, we can tell you how it feels. It feels intentional. It feels like the goal is to delay and distract, rather than to truly address the systemic problems in our city. Please, do not let the Police Officers' Association stand in the way of justice.

Right now, we stand at the precipice of a real opportunity. This is our community's chance to make La Mesa a shining light on the hill - an example for other cities in our state and country to follow on the path to justice for all. And the decision rests in your hands. Pass this ordinance today.

Thank you for your time and your service.

Sincerely,

The Members of the Citizen Public Safety Oversight Task Force

Robert Duff
Dr. Janet Castaños
Jamal McRae
Susan Wayne
Caitlin Tiffany
Andy Trimlett
Patricia Dillard
Reverend Frank Willey
Joshua David Morse
Kathie Taylor