



## AGENDA

### CITIZEN PUBLIC SAFETY OVERSIGHT TASK FORCE

A Regular Meeting via Teleconference

Wednesday, July 15, 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/96378674237>

Telephone (Audio only)

(669) 900-6833 or (253) 215-8782 | Webinar ID: 963 7867 4237

#### **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](mailto: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](mailto: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**

## **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 SPECIAL MEETING HELD WEDNESDAY JULY 1, 2020**
2. **BRIEFING ON THE ROLES AND RESPONSIBILITIES OF A CITIZEN POLICE REVIEW BOARD** – National City Citizen Police Review Board Members
3. **DISCUSSION REGARDING THE POSSIBLE TRANSITION OF THE CITIZEN PUBLIC SAFETY OVERSIGHT TASK FORCE TO A CITIZEN POLICE REVIEW BOARD**
4. **DISCUSSION OF THE PROPOSAL TO ESTABLISH A CITIZEN POLICE REVIEW BOARD FOR LEGAL COUNSEL REVIEW**
5. **BRIEFING ON LA MESA PD INTERNAL AFFAIRS INVESTIGATIONS OVER THE LAST 5 YEARS** – Task Force Member Evans
6. **DISCUSSION OF CONDUCTING A SURVEY TO ESTABLISH BASELINE DATA TO DETERMINE CHANGES TO THE POPULATION OVER TIME**
7. **STAFF AND TASK FORCE MEMBER ANNOUNCEMENTS**

**ADJOURNMENT** to the Regular meeting of Wednesday, August 20, 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](mailto:rfreeman@cityoflamesa.us).

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

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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.)*

**SPECIAL 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  
July 1, 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**

City Clerk Wiegelman called the meeting to order at 5:02 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
- Joshua David Morse X
- Steven Evans X
- Jack Shu X
- Vacant (Police Beat 4 Resident Representative)

Others present: Megan Wiegelman, City Clerk; Lieutenant Katherine Lynch, La Mesa Police Department; Community Service Officer Nora Allsberry, La Mesa Police Department

**PLEDGE OF ALLEGIANCE**

**PRESENTATIONS**

**AN OVERVIEW OF POLICE OVERSIGHT BOARDS PRESENTED BY SUE QUINN, FORMER PRESIDENT OF NATIONAL ASSOCIATION FOR CIVIL OVERSIGHT OF LAW ENFORCEMENT**

Sue Quinn described different types of boards or commissions. Boards or commissions can be dependent, independent or hybrid. Ms. Quinn also discussed how a commission’s members should be selected.

Following Task Force questions and comments, no action was taken.

## **KEY ELEMENTS OF AN EFFECTIVE POLICE OVERSIGHT BOARD PRESENTED BY ANDREA ST. JULIAN, ATTORNEY AND CERTIFIED APPELLATE SPECIALIST**

Andrea St. Julian stated that the core of an effective police oversight board is independence. The board must also have its own legal counsel, discretionary powers, investigatory powers, subpoena power, mediation, the ability to review all investigations done by the police, adequate staffing and the ability to make recommendations.

Following Task Force questions and comments, no action was taken.

## **CITIZEN POLICE OVERSIGHT BOARDS AND WHAT WORKS WELL PRESENTED BY MICHAEL GENNACO, INDEPENDENT POLICE AUDITOR**

Michael Gennaco stated he does not believe an independent investigative body is a necessary part of a police oversight board. Mr. Gennaco believes a board of volunteers is not enough, but requires someone with a level of expertise to look at aspects which are systemic in nature.

Following Task Force questions and comments, no action was taken.

## **PUBLIC COMMENTS**

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

Amanda Rader submitted a comment regarding support for the committee.

Melissa Walter Weiss submitted a comment regarding support for a Police Oversight Committee.

Jennifer Buckel submitted a comment regarding support for LMPD and community sensing.

Amanda Rogers submitted a comment regarding support for LMPD.

Melinda Howard submitted a comment regarding the need for the police department.

Stacy Orchulli submitted a comment regarding her support of La Mesa PD.

Mariela Escobar submitted a comment regarding her support for the La Mesa Police Department.

Mike Boatright submitted a comment regarding his support for the La Mesa Police Department.

Jeff McGreevy submitted a comment regarding his support of community sensing/polling.

Isabela A. submitted a comment regarding her support of community sensing.

Low Gallery submitted a comment regarding bringing transparency to LMPD.

John submitted a comment regarding his appreciation for the La Mesa Police Department.

The following comments were not received by the 3:00 p.m. deadline, and therefore were not read aloud during the Task Force Meeting:

Kevin Worley submitted a comment regarding the need for police department involvement in a Police Oversight Committee.

Pamela Hughes submitted a comment regarding her support for LMPD.

Linda and Steve Lilyquist submitted a comment regarding their support and praise for the police.

Frederick W. Lindblom submitted a comment regarding his support for LMPD.

Michelle Beale submitted a comment regarding her gratitude for the La Mesa Police Department.

Tyler Garcia submitted a comment regarding support for La Mesa PD.

Jon Gauger submitted a comment regarding praise for La Mesa PD.

Lisa Amorteguy submitted a comment regarding support for the La Mesa Police Department.

Rick Powell submitted a comment regarding thanks to LMPD and FD.

Lacy Italiano submitted a comment regarding support for LMPD.

Anna Garcia submitted a comment regarding support for LMPD.

Jacki Crandall submitted a comment regarding support for LMPD.

Jessica Hileman submitted a comment regarding support for LMPD.

Cliff and Gayla Henderson submitted a comment regarding their appreciation for the La Mesa Police Department.

Rachel Payne submitted a comment regarding her appreciation for LMPD.

Ryan Powell submitted a comment regarding his objection to an oversight committee.

Hayley Keeling submitted a comment regarding her positive experiences with LMPD.

Lisa Marquis submitted a comment regarding her thanks to La Mesa PD.

Nancy Salas submitted a comment regarding her appreciation for the La Mesa Police Department.

Judith Patterson submitted a comment regarding how a Police Oversight Committee would be formed.

## **CURRENT BUSINESS**

### **1. APPROVAL OF THE MINUTES**

**ACTION:** Motioned by Janet Castanos and seconded by Chair Jamal McRae to approve the minutes for the Citizen Public Safety Oversight Task Force Regular Meeting held Wednesday, June 17, 2020.

**Vote:** 9-0

**Yes:** Robert Duff, Jamal McRae, Susan Wayne, Caitlin Tiffany, Joshua David Morse, Steven Evans, Jack Shu, Dr. Janet Castanos, Patricia Dillard

**No:** None

**Abstained:** None

**Absent:** None

Motion passed.

### **2. UPDATE ON THE RESPONSIBILITY AND TIMELINE OF THE CITIZEN PUBLIC SAFETY OVERSIGHT TASK FORCE AS AMENDED BY THE CITY COUNCIL**

City Clerk Wiegelman updated the Task Force on Items 12 and 13 from the City Council.

J. Tomasello submitted a comment regarding opposition to the police oversight committee.

Rev. Rebecca Littlejohn submitted a comment regarding support of a Council-created commission and a voter-created commission.

### **3. AD HOC SUBCOMMITTEE REPORTS**

#### **A. GENERAL LAW VS. CHARTER CITY**

- i. Bill Larson has been retained as an attorney and is preparing a report for the Task Force. He will attend the next Task Force Meeting.
- ii.

#### **B. POLICE OVERSIGHT COMMISSION OF GENERAL LAW CITIES OF SIMILAR SIZE**

- i. Subcommittee found five General Law cities of similar size with a Police Oversight Commission; assessed functions and powers. The city of Davis looks like a city comparable to La Mesa.

#### **C. IDENTIFYING STAGES/PROCESS/TASKS TO PLACE MEASURE ON THE NOVEMBER BALLOT**

- i. Proposed timeline: Have a draft proposal prepared next week, have the draft proposal open for comment the following week. Discussion resulted in agreement that timeline is too rushed and is not practical.

#### **D. VALUE OF SUBPOENA POWER**

- i. Questions of whether Commission is a Legislative body with the ability to issue subpoenas. Is subpoena power necessary or can officer statements be compelled by the Chief of Police?

Meegan Nolan submitted a comment regarding the lack of transparency at LMPD.  
Rev. Rebecca Littlejohn submitted a comment regarding the desire for an independent oversight commission, rather than a review board.

Following Task Force questions and comments, no action was taken.

**4. DISCUSSION OF CITIZEN PUBLIC SAFETY OVERSIGHT TASK FORCE PROCESS AND TIMELINE**

Melissa submitted a comment regarding the needs of the citizens.

Rev. Rebecca Littlejohn submitted a comment regarding the process of writing procedures.

Rev. Kelly Ryan submitted a comment regarding the creation of a police oversight committee through City Council action.

Following Task Force questions and comments, no action was taken.

**5. DISCUSSION OF ASSIGNMENTS TO BE COMPLETED FOR THE CITIZEN PUBLIC SAFETY OVERSIGHT TASK FORCE SPECIAL MEETING OF WEDNESDAY, JULY 8, 2020**

Following Task Force discussion, no action was taken.

**6. STAFF AND TASK FORCE MEMBER ANNOUNCEMENTS**

Task Force Member Steven Evans invited the other Task Force Members to participate in the use of force simulator located at the La Mesa Police Department. Task Force Member Evans also invited Task Force Members to participate in a ride-along with him.

ACTION: Motioned by Vice Chair Jack Shu and seconded by Steven Evans to form a subcommittee to draft a proposal to the City Council.

Vote: 9-0

Yes: Robert Duff, Jamal McRae, Susan Wayne, Caitlin Tiffany, Joshua David Morse, Steven Evans, Jack Shu, Dr. Janet Castanos, Patricia Dillard

No: None

Abstained: None

Absent: None

Motion passed.



**ADJOURNMENT**

City Clerk Wiegelman adjourned the meeting at 8:29 p.m.

The next regular meeting is scheduled for Wednesday, July 15, 2020.

Prepared by:

Nora Allsberry, Community Service Officer

DRAFT

**Proposed Resolution/Ordinance for the establishment of  
La Mesa Citizen Police ~~Review~~Oversight Board (~~CPRB~~CPOB)**

**Purpose and Intent -**

(a) It is the purpose and intent of this resolution to create a Citizen Police ~~Review~~Oversight Board (~~CPR~~OB) that will strengthen police-community relations, foster trust, increase transparency, build accountability, and serve as a liaison between community members and the police department. The ~~CPRB~~CPOB shall serve as an independent body that makes recommendations to the Police Chief, Mayor, City Council, and City Manager on La Mesa Police Department (LMPD) policies, practices, and programs.

~~(b) The CPRB shall coordinate with an independent auditor to research, consult, review, evaluate, and advise the LMPD on issues related to police complaints, policies, practices, programs, trainings, and actions. This ongoing process of quality improvement and assessment will bring about greater responsiveness to community concerns.~~

(c) The ~~CPRB~~CPOB shall function as a means of community participation and oversight in recommending and reviewing policies, practices and programs designed to bring about community policing that is sensitive, effective, and responsive to the needs of the City.

(d) It is further intended that the ~~CPRB~~CPOB shall promote and encourage open communication and cooperation between the LMPD and residents of the City, recognizing that policing the City of La Mesa is a shared responsibility. The ~~CPRB~~CPOB shall also develop and make recommendations directed toward informing the community of its rights and responsibilities when coming into contact with police officers.

**Citizen Police ~~Review~~Oversight Board (~~CPRB~~CPOB) established –**

(a) There is hereby created a Citizen Police ~~Review~~Oversight Board consisting of eleven (11) voting members who shall serve without compensation. With consultation from one other City Council member, the Mayor shall appoint ~~CPRB~~CPOB members ~~following~~followed by confirmation by the City Council. The ~~CPRB~~CPOB members shall serve for a two-year term and each member shall serve until his or her successor is duly appointed and qualified. The expiration date of all terms shall be January 1. During January of each year, the Mayor may designate one (1) member as chairperson; however, in the absence of such designation, the ~~CPRB~~CPOB shall on or after February 15, select a chairperson from among the ~~CPRB~~CPOB members.

The members shall be appointed in such a manner so that the terms of not more than six (6) members shall expire in any year. Therefore, when the initial eleven (11) members are selected, five (5) of them shall be randomly chosen to serve an initial one-year term and the remaining six (6) members shall serve an initial two-year term. Any member missing three (3) or more consecutive meetings shall forfeit membership on the ~~CPRB~~CPOB unless good and valid reasons for such absences are presented to and approved by the City Council.

(b) All members of the [GPRBCPOB](#) shall be residents of the City of La Mesa unless otherwise waived by the Council pursuant to Council Policy \_\_\_\_\_. The [GPRBCPOB](#) shall include one (1) representative from each of the four (4) beat areas of the City; one (1) member shall be representatives of a La Mesa faith-based community; one (1) member shall be a representative of the business community; one (1) member shall be a representative of Helix Charter High School, one (1) member shall be a representative of the La Mesa-Spring Valley School District, two (2) members shall represent young adults (one age 18-21 and another one age 22-30), and one (1) member shall represent seniors (55+).

Appointment of [GPRBCPOB](#) members shall reflect a diverse representation of the community and include citizens of various ethnicities, racial backgrounds, sexual orientations, economic status, beliefs, etc. It is recommended that some members appointed by council shall have demonstrated previous adverse interactions with the LMPD and it is also recommended that no one be excluded from the [GPRBCPOB](#) who has a criminal record.

No current officers or their relatives may serve on the board. However, in the interest of upholding and modeling a positive relationship between the citizens of La Mesa and the La Mesa Police Department, the La Mesa Chief of Police or their designee shall be invited as a guest to attend all open session meetings of the [GPRBCPOB](#) and, as the first order of new business, be given five (5) minutes on the agenda to comment or report on any matters under consideration by the [GPRBCPOB](#). In some cases, the board may elect to extend the allotted time for these comments and/or to allow time for questions and further discussion.

The City Manager and City Attorney shall provide appropriate staff support when requested. Funding for an Independent Auditor and outside legal support shall be provided upon approval from the City Council.

[\(b\) The GPRBCPOB shall coordinate with an independent auditor to research, consult, review, evaluate, and advise the LMPD on issues related to police complaints, policies, practices, programs, trainings, and actions. This ongoing process of quality improvement and assessment will bring about greater responsiveness to community concerns.](#)

### **Function of the Citizen Police ~~Review~~ Oversight Board \***

The Citizen Police ~~Review~~ Oversight Board shall:

(1) Hold [meetings at least semi-monthly during the first year after the Board is formed, and at least monthly ~~meetings thereafter~~](#) allowing for public notice, community input, and be open to the public.

(2) Receive information from the LMPD in an effort to identify and prioritize areas to audit. The [GPRBCPOB](#) will then work with an Independent Auditor to provide input and recommendations on areas to address when auditing the LMPD regarding policies, procedures, practices, complaints, investigations, and training.

(3) [11\) Have the duty to investigate serious all complaints arising out of officer-related deaths, shootings, and/or interactions resulting in serious bodily injury \(not including taser usage\) and have the discretion to investigate all other complaints of misconduct.](#)

~~such as officer-related deaths, shootings, and/or serious bodily injury and have the discretion to investigate all other complaints that it is not required to investigate.~~

~~Investigate all complaints of any police officer involved death or shooting and/or interaction that resulted in serious bodily injury (not including taser usage). The CPRB may request the City Council to issue subpoenas related to the investigation.~~

(4) Receive, register, review, and evaluate all complaints against officers of the LMPD and be given the power to investigate all complaints the CPRBCPOB determines necessary.

(54) –Request in writing that the Recognize the power of the City Council issue to subpoena pursuant to its inherent subpoena power and acknowledge that the Board may ask the assistance of the City Council subpoena power if necessary to support the CPRBCPOB's powers and to audit and investigate purposes.

(6) Develop a program for the mediation of complaints, in coordination with the Chief of Police and with the assistance of resources such as National Conflict Resolution Center or other similarly qualified experts. Obtain reports on misconduct complaints and work with mediation groups (such as National Conflict Resolution Center) to identify possible peaceful resolution options. The CPRB will have the power to mediate complaints between a complainant and the involved police officer. The CPRB makes the ultimate decision on whether a mediation takes place.

(75) Review Police Academy and in-service trainings in de-escalation techniques, human relations instruction, and implicit bias training and then make recommendations to the Police Chief, Mayor, City Council, and City Manager.

(68) Develop and recommend strategies to the Police Chief, Mayor, City Council, and City Manager for improving city-wide crime prevention efforts.

(79) Develop and recommend to the, in conjunction with the LMPD, Police Chief, Mayor, City Council and City Manager, education programs and community outreach events (e.g., townhall meetings designed to obtain feedback, or events designed to inform the public of its rights and responsibilities when coming into contact with police officers).

~~(8) Develop community outreach events in conjunction with LMPD, Mayor, City Council, and City Manager to receive comments and feedback from the public and provide education programs. For example, inform the public of its rights and responsibilities when coming into contact with police officers (townhall style meetings).~~

(910) Develop and make recommendations to the Police Chief, Mayor, City Council and City Manager with respect to community-oriented policing.

~~10) Receive register, review, and evaluate all complaints against officers of the LMPD and be given the power to investigate all complaints the CPRB determines necessary.~~

~~11) Have the duty to investigate serious complaints such as officer-related deaths, shootings, and/or serious bodily injury and have the discretion to investigate all other complaints that it is not required to investigate.~~

~~12) Have subpoena power through the City Council to support the CPRB's power to investigate. This includes the ability to subpoena police officers and documents.~~

~~13) Receive a Memorandum of Understanding (MOU) giving the CPRB the ability to subpoena witnesses.~~

~~14) Review and evaluate all complaint investigations completed by the LMPD.~~

15(11) Have the ability to work with an independent auditor to make findings and recommendation of both discipline and changes to the LMPD (within the guidelines of the Police Officers Bill of Rights). These recommendations are advisory and must be made public (as allowed by State and Federal law).

~~16) Have access to staff, independent contractors, investigators, and police analysts in whatever manner City Council and the CPRB determine to be appropriate and necessary to effectively advise and assist the CPRB in its duties and functions.~~

(\* ) The specific study and review areas set forth above are to be considered as examples of the areas to be studied and reviewed and are not intended to be limitations.

Section 2. That a full reading of this ordinance is dispensed with prior to passage, a written copy having been made available to the Council and the public prior to the day of its passage.

Section 3. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: \_\_\_\_\_, City Attorney

By