



REGULAR MEETING AGENDA
PUBLIC SAFETY REFORM AND OVERSIGHT COMMISSION
VIRTUAL MEETING

Thursday, December 9, 2021

5:30 P.M.

Join the meeting at: <https://bluejeans.com/540059081/0079>

Call to Order

Roll Call

NOTICE IS HEREBY GIVEN that a regular meeting of the PUBLIC SAFETY REFORM AND OVERSIGHT COMMISSION will be held at 5:30 p.m., on THURSDAY, December 9, 2021, VIA TELECONFERENCE PURSUANT TO EXECUTIVE ORDER N-29-20 ISSUED BY, GOVERNOR GAVIN NEWSOM at <https://bluejeans.com/540059081/0079> for the purpose of only conducting the following business.

Please note that Agenda Items may be reordered during the meeting at the discretion of the body.

1. Special Agenda Items - none

2. Consent Calendar - no items

3. Study Session -

a. Racial and Identity Profiling Act. AB 953. Discussion of requirements and status of SMPD compliance, reporting, and transparency. Presentation from Michele Wittig.

b. Accountability Systems standing committee. Status of committee work. Discussion of improvements to complaint intake, tracking and reporting. Information needed from SMPD. Potential assignments for Inspector General. Ongoing committee agenda and schedule.

c. Protests and Crowd Management Systems standing committee. Discussion of goals and agenda. Information needed from SMPD. Potential assignments for Inspector General. Schedule for meetings.

d. Reimagining Public Safety standing committee. Discussion of goals and agenda. Information needed from SMPD. Potential assignments for Inspector General. Schedule for

meetings.

e. Use of Force Systems standing committee. Discussion of goals and agenda. Information needed from SMPD. Potential assignments for Inspector General. Schedule for meetings.

4. Continued Items -no items

5. Administrative Proceedings - none

6. Staff Administrative Items

- a. Receive and file status update or staff report on the status of information requested by Commission re complaints, discipline and related matters (pending since June 16, 2021).
- b. Receive and file status update on Commission's August 12 Request to City Manager or City Attorney to provide information on status of hiring Inspector General to support and work at the direction of the Commission, including selection process, conflicts of interest process and key contractual terms.
- c. Receive and file status update on Commission request for information from SMPD regarding recent media reports about cliques and other groups within law enforcement entities. (Commissioner Centeno)

7. Public Hearing - none

8. Resolutions - none

9. Written Communications

10. Public Safety Reform and Oversight Commission Member Discussion Items

- a. Discussion of Final PSROC Report to City Council re May 31, 2020 events (approved by PSROC November 11, 2021). Recommended next steps. Potential decisions re same, including meeting with City Council, City Manager, and Police Chief re recommendations.
- b. Request for SMPD to investigate potential misconduct revealed in September 9, 2020 testimony to PSROC.
- c. Discussion and action re initial assignments for Inspector General.

11. Public Input: The Commission will provide time for additional public input on matters within its purview on items that were not on the agenda. State law

prohibits the Commission from taking any action on items not listed on the agenda, including issues raised under this agenda item.

Adjournment

STANDARDS OF BEHAVIOR THAT PROMOTE CIVILITY AT ALL PUBLIC MEETINGS:

- Treat everyone courteously
 - Listen to others respectfully
 - Give open-minded consideration to all viewpoints
 - Focus on the issues and avoid personalizing debate
1. Embrace respectful disagreement and dissent as democratic rights, inherent components of an inclusive public process, and tools for forging sound decisions

This agenda is available in alternate formats upon request. If you require any special disability related accommodations (i.e. sign language interpreting, language interpretation, etc.), please contact the City Manager's Office via Lisa.Parson@smgov.net at least 1 day prior to the scheduled meeting.

This agenda is subject to change up to 72 hours prior to a regular meeting. Please check the agenda for prior to the meeting for changes.

Transportation Information: This meeting is being held virtually. No in person access is available.

Protests & Crowd Management Systems (Item 3b)

Meetings to be held on the fourth Wednesday of each month 6:30-7:30pm

Session 1: [Wed., Dec. 22] Topic: Current Law and Policies Regarding Lawful Protests

Listening session explores current policies surrounding Lawful protests and how that law is enforced. Would like to gain insight on policies regarding the use of body cameras and how that policy is enforced (i.e., require carrying spare batteries for body cameras). From an accountability perspective, the discussion will also explore the role of Emergency Response and Third-Party agencies working in tandem during protests to ensure measures are in place to avoid creating situations that precipitate confrontation (i.e., avoid officer deployment in the path of peaceful protestors).

Recommended Presenters: SM City Attorney, SMPD, Emergency Response Team, ACLU (or comparable outside agency), Inspector General (provide current policies in comparable cities).

Session 2: [Wed., Jan. 26] Topic: Unlawful Protest

Listening session explores the protocols and required to declare a protest unlawful. Explore current policies surrounding required variables that determine when a peaceful protest is no longer lawful. How are these policies created? How often are they amended? What are the laws on state- and national levels?

Recommended Presenters: SM City Attorney, SMPD, Emergency Response Team, ACLU (or comparable outside agency), Inspector General (provide current policies in comparable cities).

Session 3: [Wed., Feb. 23] Topic: Unlawful Protest Policies

Listening session explores the policies in place once a protest is declared unlawful. How is this information distributed?

Recommended Presenters: SM City Attorney, SMPD, Emergency Response Team, ACLU (or comparable outside agency), Inspector General (provide current policies in comparable cities).

Session 4: [Wed., March. 23] Topic: Rules and Policies Regarding the Use of Curfews and Safe Exit Plan

Listening session explores what happens once a protest has been declared unlawful. What

contingency plans are in place to ensure the overall safety of protestors, law enforcement, community members, and local businesses.

Recommended Presenters: SM City Attorney, SMPD, Emergency Response Team, ACLU (or comparable outside agency), Inspector General (provide current policies in comparable cities), local business owners, and community members.

Session 5: [Wed., Apr. 27] Topic: Notifications to Businesses of Protest Activity

Listening session explores the current policy with respect to notifying businesses of potential and active peaceful protests that may disrupt businesses. Explore how communication with businesses is monitored to ensure support and/or compliance to avoid potential disruption.

Recommended Presenters: SM City Attorney, SMPD, Emergency Response Team, ACLU (or comparable outside agency), Inspector General (provide current policies in comparable cities), members from SM Chamber of Commerce, local business owners, and community members.

Session 6: [Wed., May. 25] Topic: Crowd Management Tools

Listening session designed to gain insight into policies regarding specific crowd management tools used by law enforcement and third-party agencies to subdue unlawful protestors. Based on OIR recommendations, discuss tools that have been deactivated and/or implemented to assist with de-escalation.

In addition, the following listening sessions allow for deeper dives into specific crowd management tools:

1. **Session 6-A. [Wed., Jun. 22]** Tear Gas
2. **Session 6-B. [Wed., Jul. 27]** Pepper Spray
3. **Session 6-C. [Wed., Aug. 24]** Projectiles
4. **Session 6-D. [Wed., Sep. 28]** Flashbang grenade

Recommended Presenters: SM City Attorney, SMPD, Emergency Response Team, ACLU (or comparable outside agency), Inspector General (provide current policies in comparable cities), and community members.

Session 7. [Wed., Oct. 26] Topic: De-escalation Policies for Lawful Protests

Listening session explores current policies and training in place to address de-escalation with respect to new implementations following OIR recommendations. Discuss frequency of de-escalation training and how successful training outcome is measured.

Recommended Presenters: SM City Attorney, SMPD, Emergency Response Team, ACLU

(or comparable outside agency), Inspector General (provide current policies in comparable cities).