



Public Safety Priorities and Proposed Police Reforms

Appropriately fund and faithfully implement the independent Commission on Police Practices.

In the November 2020 election, voters overwhelmingly approved Measure B to amend the San Diego City Charter by dissolving the Community Review Board on Police Practices and replacing it with an independent Commission on Police Practices (CPP). In an effort to strengthen accountability in law enforcement, the new Commission will be required to independently investigate all deaths occurring while a person is in San Diego Police Department's custody, all deaths resulting from interaction with a City police officer, and all City police officer-related shootings. The Commission may also investigate allegations against officers of inappropriate sexual conduct, physical assault, and domestic violence.

Mayor Gloria will ensure that the CPP is appropriately funded and in line with the estimates listed in Independent Budget Analyst report 19-20, "*Analysis of Potential Budgetary Needs for Proposed Commission on Police Practices.*" Also, to ensure adequate support for the CPP, Mayor Gloria is committed to working with the City's Personnel and Finance departments to ensure staffing needs are addressed so the CPP has the resources it needs to succeed.

Explore policies that would limit the use of pretextual stops and consent searches.

In 1996, the U.S. Supreme Court ruled that the Fourth Amendment permits officers to stop vehicles regardless of their pretextual motives as long as they have probable cause to investigate traffic violations. Pretextual stops are a complicated practice that rely heavily on the individual discretion of officers, which can produce disparate policing results.

Consent searches are also complex, as they allow officers to search an individual's car or home without a warrant as long as the individual gives their consent. Community members have expressed concerns that consent is sometimes given when they feel intimidated or confused, creating questions of how and when consent is requested by officers and granted.

Mayor Gloria would like to develop clear expectations for when consent searches are appropriate, training that emphasizes the requirement inherent in a lawful consent search, and requirements for officers to provide an advisement that persons can refuse or withdraw their consent to search.

Additionally, Mayor Gloria will work with Councilmember Montgomery Steppe, the San Diego Police Department, and community groups to collaboratively define what actions constitute pretextual stops, identify ways in which those pretextual stops can be limited, and align community expectations and police practices on this issue.

Explore alternatives to arrest for low-level offense.

Collectively, we are asking a lot out of our police officers, especially when they are dispatched to calls for low-level offenses that pose no threat to public safety or private property. This requires officers to respond to issues that may be out of their training, such as behavioral health, mental health, alcohol and substance abuse, and quality of life calls. This often leads to officers taking attention away from proactive relationship-building with neighborhoods and engaging in community policing.

Instead of a law enforcement response to these types of calls, Mayor Gloria would like to explore alternative dispatch responses such as behavioral health clinicians, mental health professionals, substance abuse counselors, and other civilian responders. We should make thoughtful investments into proven models that prioritize effective, trauma-informed care through robust health care and social services rather than immediately involving law enforcement. When officers must respond, the San Diego Police Department should continue to emphasize a progressive enforcement model, which does not solely rely upon arrests to resolve incidents and work to engage additional resources as necessary that limits prosecutions.

Review the types and categories of calls dispatched to the San Diego Police Department.

There are a number of issues that police officers are dispatched for that involve no criminal activity or safety concerns. Some of these calls include dispatch to water leaks, defective traffic signals, and other issues that do not require a police response. Further, there are sometimes calls for service that include bias by proxy, which is a situation where a civilian racially profiles someone and calls the police as a result.

Mayor Gloria will review the types of calls dispatched to SDPD to ensure officers are dispatched to calls that require their response. Mayor Gloria will also work with Chief Nisleit to ensure dispatchers are continually trained on recognizing bias by proxy so officers are not dispatched to calls on biased pretenses.

Eliminate existing gang injunctions.

A civil gang injunction is a tool used to permanently file a restraining order against individuals associated with specific groups. The injunction labels the group as a nuisance to the community, and restricts individuals associated with that group from engaging in activities in a defined geographic area. Many of these individuals are identified as gang members due to their associations in the community or are reformed gang members that have turned their lives around.

Gang injunctions do not address the root cause of crime and violence, but rather, serve as a barrier to reform and hamper the ability for those listed in the injunction to achieve their full potential.

Mayor Gloria will work with City Attorney Elliott to remove existing gang injunctions in the City of San Diego.

Implement controls for the procurement and use of military-grade weapons.

While there are opportunities for the City to procure excess military equipment through the Department of Defense's Federal 1033 program, SDPD has not participated in and should continue to refrain from participating in those programs.

Mayor Gloria will work with Chief Nisleit to introduce a resolution to the Public Safety & Livable Neighborhoods committee and Council by this summer to ensure that the City of San Diego does not engage with the Federal 1033 program to procure military-grade weapons. The resolution will also include a provision that will require public notification if military-grade equipment is procured. Further, Mayor Gloria will also work with Chief Nisleit to limit the use of military-grade equipment (such as armored vehicles) to very specific situations, which may include terrorist attacks, active shooter situations, and hostage rescue situations.

Strengthen "unconscious" or "implicit bias" training for all officers.

Implicit bias is a subconscious association that an individual makes about groups of people based on personal characteristics. This may lead officers to assume that some people are inherently more dangerous based on personal characteristics and cause them to act on those assumptions in a way that has a discriminatory effect. Implicit bias can lead to distrustful relationships between officers and members in our community.

Mayor Gloria will work with Chief Nisleit to ensure that all officers are continually trained to recognize their implicit biases and minimize action on those biases once recognized to ensure all people are treated equally regardless of the color of their skin or their gender, sexuality, class, or creed.

It is important that we also expand alternatives to deter officers from using force, promote de-escalation tactics, and continue to build the trust and relationships between our residents and police officers.

Explore options that would limit the use of tear gas and other specialty munitions.

SDPD recently implemented Procedure 4.17, titled "*First Amendment Activity Facilitation and Management*," which outlines the department's guidelines for responses to protests and other First Amendment activities.

Procedure 4.17 details that authorization for tear gas grenades and rubber sting balls must be obtained by an Assistant Chief level officer and carried out by the SWAT munitions Team Leader.

Mayor Gloria will work with Chief Nisleit, as well as state legislators, to explore narrowing the use of tear gas and other specialty munitions (which may include pepper spray, blast balls, flash bangs, rubber bullets, sound cannons, and microwave cannons) to very specific scenarios.

Review police hiring practices to ensure we attract the best candidates.

SDPD should prioritize the recruitment, hiring, and retention of officers that are community-minded. While the department already practices a hiring process that does not hire officers with troubled records, Mayor Gloria has asked for a review of all hiring practices to ensure we attract police candidates free of misconduct, racial bias, excessive force, or discrimination.

Mayor Gloria will also begin conversations with Chief Nisleit and Councilmember Montgomery Steppe to develop recruitment guidelines that will increase efforts to reach out to individuals in underrepresented populations and recruit them into programs that capture their interest, develop their skills, build their connection to unbiased policing, and prepare them to succeed.

Adopt and implement the Surveillance and Privacy Advisory Board ordinances.

On November 10, 2020, the Council unanimously introduced the Surveillance and Privacy Advisory Board ordinances. These ordinances establish guidelines for governance and oversight over the use of surveillance technologies by the City of San Diego. They are now subject to the City's meet and confer process with our six recognized employee organizations. That process is currently underway and a timeline for implementation is pending before the ordinances return to the Council for adoption during their second readings.

Mayor Gloria is committed to seeing the adoption and implementation of both ordinances to ensure the public has the opportunity to weigh in on the proposed use of surveillance technologies so the use of technology balances privacy rights with public safety.

Remove the Office of Homeland Security as a program of the San Diego Police Department.

The City of San Diego's Office of Homeland Security (SD-OHS) oversees the City's emergency Prevention, Protection, and Response Program; Recovery and Mitigation Program; Advanced Planning Program; and Regional Training Program. SD-OHS was created in 2003, but was moved into SDPD in Fiscal Year 2020 as a program of the police department.

The vision of SD-OHS is to safeguard lives, property, and the environment by developing, supporting, and coordinating City-level emergency capabilities before, during, and after catastrophic and large-scale emergency events.

While there are similarities in function between SD-OHS and SDPD, Mayor Gloria will work with the Chief Operating Officer to bifurcate both departments to ensure SD-OHS has the opportunity to focus on large-scale anti-terrorism and emergency efforts, while SDPD focuses on building trust and

public safety in our communities. Further, the City must work to implement more transparency so the Council and the public is aware of SD-OHS efforts.