

Proposed Response to Grand Jury Report:

Citizen Oversight Boards of Police Behavior

IBA Report 16-32

PS&LN Committee, Item 6
September 28, 2016



Independent Budget Analyst



This Grand Jury report discusses issues related to the Citizens' Review Board on Police Practices

- Filed by Grand Jury on May 25, 2016
- Includes 3 findings & 3 recommendations directed to the Mayor and City Council
- IBA's Office worked collaboratively with the Mayor's Office to develop a proposed joint Council/Mayoral response
- Response due to the Superior Court Presiding Judge by October 28, 2016

Prescribed Grand Jury Responses

- For each Finding:
 - Agree
 - Disagree wholly or partially
- For each Recommendation:
 - Has been implemented
 - Has not yet been implemented, but will be
 - Requires further analysis
 - Will not be implemented because it is not warranted or is not reasonable

Highlights of Finding 02

Using the City Attorney as legal counsel to CRB while also defending SDPD represents a potential conflict of interest

Proposed Response: **Disagree**

- City Attorney's office has provided legal services to CRB since 1988 without conflict of interest
- Attorneys who advise and represent SDPD are "walled off" from CRB attorneys
- FY 2017 Adopted Budget includes \$25,000 for as-needed outside counsel for CRB

Highlights of Recommendation 16-27

Provide CRB with independent legal counsel

Proposed Response: ***The recommendation will not be implemented because it is not warranted***

- Providing legal advice to multiple departments in the City does not constitute a conflict of interest under the Charter or California law
- In the event a conflict arises, resources exist for the CRB to obtain outside legal counsel
- \$25,000 included in FY 2017 Adopted Budget for this purpose

Highlights of Finding 03

Modest compensation and reimbursement of expenses to board members could encourage greater community involvement and increase board diversity

Proposed Response: **Disagree**

- No data available to suggest compensation would lead to greater involvement or diversity
- Compensation is inconsistent with volunteer board concept and City policy for other boards
- City provides free parking to CRB members for meetings at City Hall and SDPD Headquarters

Highlights of Recommendation 16-28

Provide modest compensation for board member time and expenses

Proposed Response: ***The recommendation will not be implemented because it is not warranted***

- Compensation runs counter to the volunteer board concept
- CRB has instead used outreach and education to increase diversity and community involvement



Highlights of Finding 04

Annual reports provide the public with timely information on CRB activities and increase transparency

Proposed Response: **Agree**

Highlights of Recommendation 16-26

Prepare and publish annual reports on CRB actions

Proposed Response: ***The recommendation has been implemented***

- CRB Annual Report for FY 2015 released in April 2016
- CRB Annual Report for FY 2016 released in September 2016
- Reports available on CRB website

Next Steps

We request that the Public Safety & Livable Neighborhoods Committee provide feedback and forward its approved response to the full City Council.