



Agenda Report

20-624

Agenda Date: 6/23/2020

REPORT TO COUNCIL

SUBJECT

Adopt a Resolution in Support of the Commit to Action Initiative

BACKGROUND

On June 4, 2020, Mayor Lisa M. Gillmor signed on to former President Barack Obama's Commit to Action initiative (Initiative), which aims to ensure safer policing and increased trust between communities and law enforcement. The same day, the Mayor, Police Chief, City Manager, and City Attorney authored a Community Letter (Attachment 1) regarding Racial Injustice.

The Initiative calls for commitment to action on evaluating and reforming common-sense limits on police use of force policies and calls on Mayors to commit to certain actions listed below in the Discussion section of this report.

Mayor Gillmor and Police Chief Nikolai also released a video message outlining their commitment to this Initiative on June 5, 2020. In 90 days, the Obama Foundation will release a report listing all the cities that have responded to the Initiative and their progress.

DISCUSSION

A Resolution in support of the Commit to Action Initiative (Resolution) has been prepared for Council consideration (Attachment 2). This Resolution affirms the City of Santa Clara's commitment to the following four actions:

- (1) Review police use of force policies;
- (2) Engage communities by including a diverse range of input, experiences, and stories in the review;
- (3) Report the findings of the review to the community and seek feedback; and
- (4) Reform the community's police use of force policies as outlined in the Initiative.

Adoption of this resolution is one step toward safer policing and increased trust between communities and law enforcement.

In addition to committing to this Initiative, the Police Department has begun some preliminary work towards beginning the conversation around this topic, including:

- Implementation of Lexipol Policy Manual, an industry standard among California law enforcement agencies. Lexipol policies are based on Constitutional law and a "best practice" philosophy
- Meeting with Santa Clara University's Chief of Campus Security, Phil Beltran, and SCU Igwebuike members on June 9, 2020

- Meeting with Townsend Public Affairs regarding current and pending public safety legislation on June 11, 2020
- Police Chief virtual Townhall on June 11, 2020. The meeting had 172 unique viewers, was recorded and is available online at <https://youtu.be/ISW2telsHmU>
- Provided input to the County of Santa Clara Human Rights Commission for their meeting on June 16, 2020
- Conduct a special meeting among the Chief's Advisory Committee on June 22, 2020
- Information Report on Police Department Community Engagement Initiatives to Council on June 23, 2020
- Creation of a webpage, titled Commitment to Action, that attempts to address the questions posed to the Police Department in recent weeks, how our policies align with **#8CANTWAIT** principles, and our commitment to the community moving forward. The website is www.SantaClaraCA.gov/CommitmenttoAction [<http://www.SantaClaraCA.gov/CommitmenttoAction>](http://www.SantaClaraCA.gov/CommitmenttoAction).
 - The eight principles include:
 1. Ban Chokeholds and Strangleholds;
 2. Require De-escalation;
 3. Require Warning Before Shooting;
 4. Required Exhaust all Alternatives Before Shooting;
 5. Duty to Intervene;
 6. Ban Shooting at Moving Vehicles;
 7. Require Use of Force Continuum; and
 8. Require Comprehensive Reporting.
- Meeting with the Chief's Advisory Committee on this matter, July 27, 2020

Next Steps

Recent events have strengthened the Police Department's conviction about the importance of police-community partnerships and supporting a community where neighbors feel welcome and can rely on one another. In addition, the Police Department acknowledges there is a need to enhance public confidence and trust.

Following the above initiatives, the Police Department will convene a committee to review the community's feedback in comparison with our current recruitment efforts, Department policies, and training program. Meanwhile, efforts will continue with the transition to Lexipol as well as adjustments to policies based on pending legislation. The committee will share their findings and proposed recommendations with the Chief's Advisory Committee, prior to returning to the community with a proposal for review and feedback. Implementation will follow City Council approval of the recommendations.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

FISCAL IMPACT

There is no fiscal impact to the City other than staff time.

COORDINATION

This report was coordinated with the City Attorney's Office and the Police Department.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <<mailto:clerk@santaclaraca.gov>>.

RECOMMENDATION

Adopt a Resolution in Support of the Commit to Action Initiative.

Reviewed by: Brian Doyle, City Attorney and Patrick Nikolai, Chief of Police

Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Community Letter regarding Racial Injustice
2. Resolution in Support of the Commit to Action Initiative