

The Jimenez- Rarback Report on Policing and Public Safety In Half Moon Bay

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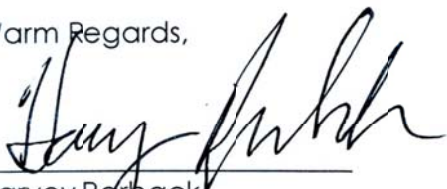
INTRODUCTION

We write this report with the intent to engage the public of Half Moon Bay with the aim of creating needed and critical policy changes in policing and public safety.

Lincoln once said that the dogmas of the quiet past are inadequate for our stormy present. No statement could be more representative of where we are today. If we are to maintain and prosper as a community of great diversity we must start at the beginning by first understanding and then reimagining how the people of Half Moon Bay are treated by their government. Our city needs a policy that reflects our community's diversity and is centered on actual protection of all individuals, including our most vulnerable. We must act firmly and decisively against the natural resistance to change, to redress the balance of force and protection to one that more accurately reflects our community. We need a comprehensive policy that is based on actual data, real world analysis, and real-world financial realities, instead of one based on our latent fears of "the other" that have been with us for many years.

Thank you for taking the time to read this report, and please share it, and your opinions at upcoming City Council meetings. Public participation is the fuel that runs our local government, and without it we will not succeed in our desire to reimagine public safety and policing in Half Moon Bay.

Warm Regards,



Harvey Rorback
Half Moon Bay City Councilmember



Joaquin Jimenez
Half Moon Bay City Councilmember

PART I: HISTORICAL BACKGROUND

The policing model in use today to deal with many public safety issues is similar to the model invented in the 19th century to capture escaped slaves and either punish them or return them to their owners. The police of today are the direct antecedents of yesteryears' slave hunters.

This truth can be seen in the metal badge shaped like a star, the legality of being armed, and the freedom to use that force in mostly unregulated ways that defer to the officer when actions are questioned. To be clear, we are not comparing today's police officers to yesteryears slave hunters. But what we are comparing is the physical structure of the agencies, how they operate, and most importantly- how they operate above and free from nearly all meaningful scrutiny.¹

A SIMPLE SOLUTION TO AN INCREASINGLY COMPLEX PROBLEM

As the United States moved out of the 19th century and into the 20th this policing model spread widely, to the point where it is ubiquitous in the U.S. today. Yet as we evolved as a nation so too did the demands on law enforcement personnel and agencies. Things that no one ever could have dreamed of in the 1860's are commonplace today.

Some examples include the advent of the mob in all its forms, rum-running during Prohibition, enforcing new traffic laws as the motor car replaced the horse, and enforcing civil rights laws. As we moved into the latter part of the last century issues like the widespread use and sale of drugs, and the related violence began to overwhelm police agencies and entire cities. Domestic violence issues became common, as did dealing with mentally-ill people. Coincidentally, the last century also saw the advent of military grade weapons on city streets, something that was unimaginable the century, (or even the decade) before.

Thus what started as a simple solution to a simple problem has since evolved as the need to diversify services and skills in a complex tactical environment forced many changes onto police departments nationwide. Notwithstanding many of the changes implemented nationwide it remains the case that the vast majority of police funds, energy and effort are devoted to the same basic implementation and use of force that were the focus in the very beginning, even though these activities make up a tiny portion of any given officer's daily routine.

THE ADVENT OF THE "MODERN POLICE OFFICER" IN POPULAR MEDIA

Modern popular culture portrays police using violence and extreme force as the primary tool for enforcing policy. A representative example can be found in a TV show that was inspired by a 1987 movie series called Lethal Weapon. The TV show premiered in 2016 and ran for three years. The show saw its two main protagonists engage in numerous long-running gunfights over the course of just the first three episodes. The

¹ While there are regulations in place to govern the actions of police officers it remains the case that they are protected by qualified immunity from liability for nearly everything they do. As a result prosecutions of individual officers for wrongdoing are astonishingly rare, and convictions even more so.

mayhem unleashed on Los Angeles by the two officers is so unrealistic it seems like it is almost a parody of what a normal police officer would do on a daily basis. Yet this style of show, and movie, pervades the consciousness of the public today and that affects the perceptions of the public when it comes to law enforcement in highly prejudicial ways.

After you cut through the glitzy veneer, what we see repeatedly in these shows are officers, under color of the law, using excessive and lethal force repeatedly and with abandon, and never with any consequence. Equally notable are the things missing from the presentation- the harm caused to the families or individuals who fall victim to the fictional officers, as well the economic conditions that contributed to their place in society. We also see officers violating the most basic tenets of human rights on an ongoing basis, as well as outright violating the law themselves on a repeating basis. This observation is not intended to vilify what is in reality intended to be fantasy entertainment, but it does explain a significant part of the increased acceptance by the public of the militarization and tendencies towards violence that we see today in modern police forces.

PEOPLE DO WHAT THEY ARE TRAINED TO DO BECAUSE
IT ALSO HAPPENS TO BE WHAT THEY ARE BEST AT.

If you look back at training films from 50-75 years ago showing police training at the academy, you will see quickly that not a lot has changed. The focus is on use of force, general policing, and building a bond with your fellow recruits and officers using the same techniques that the military uses.

A 2006 Department of Justice Report² that looked at overall police training trends found that recruits spent an average of 123 hours learning how to shoot people and defend themselves, as against just 8 hours of mediation skills and conflict management. This despite the fact that the vast majority of any officer's daily routine is in conflict management and mediation.

This inherent bias, which has been ingrained in police agencies since their inception 175 years ago, results in the use of force as the preferred and frequently only response from officers, even when mediation or conflict avoidance measures would have been more effective and safer for both the suspect and the officers themselves.

Here's a thought problem: Let's look at the sad killing of Chinedu Okobi in 2018, at the hands of Sheriff's Deputies, and let's set aside the legality of their actions for a moment. Okobi was stopped by an officer, and he fled for reasons unknown. The officer chased him down, and then immediately applied force in various forms until, after repeated beatings and 7 tasings, Okobi finally stopped struggling- because he was dead. Again, setting aside the legality completely for a moment, what would cause a human being to respond to someone (who has committed no crime) actually trying to disengage with them- by unleashing a torrent of lethal force against the person?

² <https://www.bjs.gov/content/pub/pdf/slleta06.pdf>

Okobi (coincidentally, or not, a black man) was killed for the crime of (essentially) not complying with a Sheriff's Deputy. The similarities to what would have happened to other black men 175 years ago who ran across the law in the deep south are disturbingly present, and if we ignore them now we do so at our own ultimate peril.

With the advent of handheld high definition cameras in nearly every phone, as well as body worn cameras for officers, the general public has been increasingly seeing more deeply into the daily lives of police officers and what they are seeing is highly disturbing. As a result, there is a strong (and somewhat justified) tendency in the public to criticize individual officers for their actions, and for everyone to focus on the "few bad apples," which unfortunately ignores the reality that the training they have been given from their entry into law enforcement has steered them to that moment caught on video when their use of force went horribly wrong.

The increased visibility of officers' actions, and their tendency towards the use of force (or physical restraint), has often led to a heightened degree of hostility between line officers and the general public they serve. Police unions have turned this heightened and understandable outcome into one of dogmatic division. "You are either with us or against us!" is one common theme, as is a stylized American flag with a blue line in place of a red stripe. What totems like these ignore of course is that it is entirely possible to be unhappy with someone's performance, and to want it to be better, without being against them at all. What it also ignores is that without being willing to take an honest look in the mirror no individual or organization can ever improve on its shortcomings.

CONCLUDING THE HISTORICAL PERSPECTIVE

Sometimes things really are that simple, at least in the main. Consider the following:

1. Police today are direct descendants of individuals who used lethal force, and not much else, to hunt down, arrest, and/or punish "the bad guy."
2. Police training has not evolved in substantive ways since the dawn of the existence of police officers in the US, and that training focuses heavily on the use of force and related topics.
3. Mediation, conflict avoidance, mental health and de-escalation occupy a tiny part of the average police officer's education and training, yet these are the areas that the average police officer spends the bulk of their time doing.
4. Numerous forms of popular entertainment glorify and exalt the use of violence by police officers, usually with few or no consequences to those deploying the force.
5. The ubiquity of video cameras, on homes, phones, and on officers has led to an exponential explosion of officers caught violating civil rights, up to and including excessive force leading to death that should not be tolerated in any civil society.

What is surprising about all of this is not that we are finally realizing that when you train people to kill and act in ways that will injure others, they will tend to do so. What is surprising is that it is only dawning on us now that the system we have employed since

before the Civil War is woefully obsolete, and it doesn't represent the needs of our community as they apply to public safety at all.

PART II: PUBLIC SAFETY, DEFINED

Now that we've established that police responses to myriad issues may not be appropriate due mostly to inadequate training and a culture of violence and forced compliance, what are we left with?

To determine that we first have to determine what the words "public safety" even mean.

To Ken, who lives on Poplar between Hwy 1 and the beach, public safety might mean stopping cars filled with drunk kids from speeding up and down his street.

To Barbara, who has a shop on Main Street, public safety might mean stopping the teens who shoplift from her every week. Or possibly it might mean dealing with the homeless guy in a wheelchair who sits outside Cunha's store at all hours of the day.

To the half dozen or so people who have drowned on Half Moon Bay beaches over the past ten years public safety would probably mean a lifesaving system that would have saved them and their families from a tragic loss.

To Mathilda, who lives near Cunha Elementary School it might mean getting the obviously drunk guy in the pocket park out of her neighborhood. He's obviously up to no good and it looks like he's trying to break the security tops of liquor bottles.

To Mario and Jacinda it might mean someone to help with their now 15 year-old's frequent bipolar episodes, which often end with the home being trashed.

To Sue it might mean someone to help her deal with an alcoholic husband who beats her when he is in a foul mood, without carting him off to jail, which never seems to accomplish anything.

To Ben it might mean an officer to run down and stop the two cars racing on Hwy 1, who both nearly killed an innocent third party.

To Heidi it might mean wanting the police to come and peacefully disarm a mentally ill gun-toting woman walking down Main Street, who was obviously not in her right mind.

To Bev and Max it might mean someone to help them deliver their baby- since he decided to come right when traffic is unmanageable on a Sunday afternoon and the hospital is out of reach.

To Ernie and Bert, and because they are about to come to blows, it might mean someone to come mediate between them as they fight over where a fence should be between their properties.

To Liana it might mean someone to come find the peeping Tom she just saw spying in her neighbor's window.

To James it might mean someone to come take a report on his beloved 1977 Vega, which was stolen last night from his driveway. And for Sarah next door it might mean the

same, except that she had the catalytic converter stolen from her Prius, probably by the same people.

That is not even a remotely complete list of things any given police officer can face on any given day. However it is representative of the breadth of calls a typical officer sees on a routine basis. Yet if you read the list carefully you will see very quickly that few, if any of those situations require the use, or even presence of force, deadly or otherwise.

So what are the services that would actually meet most of those needs?

1. Mediation services, whether between neighbors, spouses, or parents and children.
2. Crisis mental health competency and care.
3. A response that focuses on de-escalation from the outset, not on confrontation and then compliance through the use of force.
4. Basic report taking and data processing for purposes of conducting an investigation.
5. In the case of our beaches- a system to provide minimal protection and lifesaving capability for the general public during king tide and high-surf events.

How many of those needs require the individual responding to be armed?

If you answered one you would probably be correct, although in that actual example there was obviously no need for an armed law enforcement officer to speak to the woman- as was demonstrated by the actual 911 call, where a member of the public described a perfectly pleasant, if odd, interaction with the gun-toting woman speaking about a race-war.

Think about that for a second. In the incident in question, the woman was sitting in an RV having a benign discussion with the resident when Sheriff's Deputies appeared and banged aggressively on the side of the RV while yelling at her to come out. Prior to that, and not long before, the woman had a pleasant if disturbed conversation with a woman gardening on Main Street. It was only when an armed deputy showed up and started banging on the side of the RV that she exhibited any aggressive tendencies at all.

Was an armed response required? Probably. But was an armed deputy, acting with great aggression, and who actually shot at the woman before she had a chance to do anything aggressive, the best person to be there on point that night? Probably not.

So the first thing we as a City Council, and we as a community, must decide, is what exactly represents the public safety interest, and how are we going to fund that interest?

Our view on this is that the Council should actively investigate and determine/declare what defines public safety in Half Moon Bay. And it should do so not from a position of fear of change, but rather from the position of what really is, absent any political

influence, the best way to apply our resources towards ensuring that the public is as safe as it can be. By that we mean *all of the public*. Our ethical responsibilities and the trust the people have placed in us mean that we must also include the significant minority members of our community who have had bad experiences with law enforcement, or who have family members who have had bad experiences.

Because we all need a place from which to start we will lay out our own proposed Department of Public Safety and how it should be staffed and funded in the sections that follow. However, this plan is intended as a starting point from which to move forward towards an achievable goal.

So step one was to define what public safety means, which is something we have not yet seen done in Half Moon Bay and is what we have tried to do here. Now that we have an idea of what defines the boundaries of "public safety", we can start building a solution based on the real needs of our community while trying not to repeat the mistakes of the past.

PART III: REIMAGINING PUBLIC SAFETY

A good place to start with the reimagining of public safety in Half Moon Bay is the recent and tragic case of Sandra Harmon. What if a mental health crisis intervention specialist had been on-call the night that Sandra Harmon was shot and killed? Would it have ended any differently?

We think it would have. Here's why:

Ms. Harmon was sitting in an RV, in a tightly defined space, meaning that she was not going to be able to escape to somewhere else that night. Once officers knew (or suspected) where she was she was fully contained and wasn't going anywhere.

We already know the outcome after a solo officer rushed in unprepared,³ so we'll skip that version here. Instead let's imagine how a response from a public safety department and the Sheriff's office, working together, might have gone:⁴

In our alternative scenario, at the same time that Deputies were dispatched for a woman with a gun, a bottle of wine and talk about a race-war, the on-duty Coastside Behavioral Health Emergency Response Unit was also dispatched. Responding with lights and siren to the area they were near the RV when the deputy discovered it. Knowing that he had assets and resources incoming, instead of barging in he parked his vehicle at the entrance to the Pasta Moon parking lot and called in the Behavioral Health specialist. The specialist met him two minutes later at his vehicle and after being briefed decided to approach the vehicle while wearing body armor and while supported by armed deputies. The officers and the specialist went over an incident plan, including where she would place herself for safety if things went south, to allow a clear lane of fire for the supporting armed deputies. They also insured that she had an open mic transmitting so all deputies could hear what was happening near the suspect.

Once they had the plan down, which took about five minutes, two deputies took up positions with rifles, covering both the rear and side of the RV. The specialist went up to the side of the RV, and knocked gently on the side. The owner called out "Who is it?" to which the specialist answered; "My name is Jane, I was wondering if it would be OK to talk to you for a minute?"

³ Deputy Dominguez' excuse for not turning on his body-worn camera was "it was all too rushed..."

⁴ We are fully aware of the school of thought that implies that questioning what a police officer does in the line of duty is akin to a form of betrayal or treason. We do not accept this reasoning. When an airline pilot makes a decision in the heat of the moment and the result is 140 dead passengers we do not stop from examining in microscopic detail what happened and why, instead we have an entire federal agency tasked with doing exactly that. This is because it was recognized long ago that the best way to keep from repeating mistakes (whether human or mechanical) is to learn from them. Refusing to examine the actions of any given police officer involved in a use of force incident because "you can't judge what an officer should do in such a circumstance" or because "you can't understand what it was like, or what the officer saw" is simply a disingenuous and myopic attempt to keep yourself, and everyone else, from knowing the truth about what happened- for better or worse.

Jane went to the door of the RV, and saw an agitated and probably high woman with a shotgun in her hands. Juan looked at her helplessly, knowing that this was a dangerous situation to be in. Jane made sure to stay away from the muzzle end of the shotgun, which Ms. Harmon never pointed at her- not seeing her as a threat. Over the course of the next half hour Jane was able to secure the weapon and escort Ms. Harmon out of the RV safely.

It could have gone badly as well. Jane could have approached the RV and knocked and Ms. Harmon could have emerged just as she did in real life. But then Deputies would have been in place to immediately neutralize the threat using deadly force- and there would not be any lingering questions about what happened and why.

In the end the outcome of any public safety incident is determined as much by the tool used to resolve it as anything else. At the moment the only tool we have in our toolkit is the Sheriff's Office, so it falls on deputies, who are not very well trained in mediation and de-escalation but who are trained extensively in the use of force, as the primary solution for most problems they face.

This has important policy implications for our City. Yes, you can use a screwdriver to bash in a nail, at some risk to the nail and whatever you are bashing it into. But if you have a complete toolbox filled with appropriate tools- including a hammer, and you are bashing the nail with a screwdriver solely because that's the way your whole family has pounded nails going back to the 1800s, well that's just unacceptable to us from a policy standpoint.

As a city we have immense practical tools and resources available to us to handle the multitude of public safety challenges confronting us. It is concomitant upon us, as the leaders of this community, to stand and say enough is enough. The problems are not new; they are well known. The potentially effective solutions are not new; they too are well known. So why would we or any Councilmember advocate continuing to send the wrong individuals or tools to respond to public emergencies?

Yet we still resist changing our approach.⁵ We should send armed emergency responders only when they are needed, and only in situations where the use of force is the best (and preferably last) possible solution.

As a result, and until we as a city make a significant and meaningful change to how we go about the protection of the public safety, we will continue to see disaffected people at high risk of unfortunate encounters with law enforcement, until inevitably someone else dies on our watch.

⁵ See Half Moon Bay City Council meeting 5/04/2021 here: <https://www.youtube.com/watch?v=FF0fUjfses&list=PLFUunuheJ0ZWjgtkC6V0ZleGSuPmtFILv&index=2&t=10s>

PART IV: THE ROLE OF THE CHIEF OF POLICE

How as a City can we achieve better outcomes?

The first step in this process is to achieve true *accountability* for all policing and public safety activities. At the moment we are told that neither the City Council, nor the City can set policy for the Sheriff because our contract does not allow it. That is a crazy position to be in and one which we must work together change.

Cities like Half Moon Bay are statutorily required to have a bona fide⁶ Chief of Police who has been appointed by the City Council. In fact, state statutes call specifically for the power of the City to be vested in five offices; the city council, the treasurer, the city clerk, the fire chief and the police chief.⁷ The City Attorney has stated that the only office that has the authority to make, set, and enforce city policing policy is that of the Chief of Police. It is for that reason that our road to reform must start with this office.

Historically the Chief of Police does exactly what it sounds like they do. He or she oversees the operational concerns of the police department and is the interface between the Council and the line officers. The chief implements policy at the direction of the Council. If there is a negative operational outcome or some other failure the Chief of Police answers to the Council directly, and if necessary implements changes at the direction of the Council. If the Council is unhappy with the Chief of Police they can replace him or her at any time.

This is why the true beginning of reform in Half Moon Bay must begin with the statutory framework that is already in place for this purpose. *We must appoint a Chief of Police.* We must do this not simply to fill the role of accountability that is currently completely absent, but also to begin to assemble the framework of a holistic solution to the current challenges facing our community when it comes to public safety. Without a Chief of Police to exercise the will of the Council over all matters public-safety related⁸ we will never be able to implement any actual reform in this area.

⁶ The City Attorney has stated that she believes that the Sheriff is the current *de facto* Chief of Police, a statement for which she has offered no support as there is no provision in CA Code for a provisional Chief of Police that is not employed solely at the pleasure of the City Council. The authority held by the Chief of Police is granted directly by the City Council, which means he or she is directly answerable to and accountable to the City Council. Yet paradoxically, as the City Attorney has offered- the Sheriff is legally *not answerable* to the City Council. It is this missing link of accountability that fails the assertion that a *de facto* Chief of Police who does not report to the City Council may still fill that role.

⁷ CA Govt. Code § 36505

⁸ For practical reasons we are excluding fire and EMS services here.

PART V: THE HALF MOON BAY DEPARTMENT OF PUBLIC SAFETY

After extensive research, we have come to the conclusion that simply moving the players around on the chessboard is insufficient to provide the structural changes that will insure equity in justice for all members of our Half Moon Bay community. If you have made it this far you know that the *policing model* is fundamentally flawed and is based on an old and obsolete premise.

For many people this may seem like an overly ambitious attempt to remake our local government, or an otherwise impossible task for a relatively small city like ours. The truth is quite the opposite. Everything we are about to propose could be accomplished relatively quickly, and would likely have consequential and long-term cost benefits for the city. Finally, this proposal would result in a better standard of living for a significant part of our community.

In our model the organizational structure starts with the Chief of Police, who also holds the concurrent office of *Director of Public Safety*. These two offices collectively would be responsible for all aspects of public safety in Half Moon Bay outside of specific fire and EMS roles that are currently filled by the Coastside Fire Protection District.

The benefits of this structural change are numerous. After taking office this calendar year, the Chief of Police/Public Safety Director (the "Director") would initially be tasked with executing the final plan as approved by the Council to transition from the current structural design to one similar to what we are about to describe. This transition would focus on placing the resources in place, in innovative ways if necessary, to maximize functional responses to each call for emergency services. Additionally the Director would be tasked with expending resources in a more cost-effective way than they are currently being spent, thereby freeing up funds for additional alternative services.

Our envisioning of the new Public Safety Department looks like this:

1. Public Safety would be broken into at least four separate divisions under the Director. These would be, in order of hierarchy:⁹
 - a. Officer involved use of force investigations Division
 - b. Dispatch Services Division
 - c. Emergency Services Division
 - d. Community Services Division
2. Within the Emergency Services Division there would be four separate but collaborative sub-divisions:
 - a. Mental Health Emergencies (HMB/SMC)
 - b. Domestic Violence Emergencies (HMB/SMC)
 - c. Homeless Outreach Emergencies (HMB/SMC)
 - d. Armed Responses (SMCSO)¹⁰

⁹ Many of these services are either shared jointly with the County, or in some cases are provided for exclusively by the County.

¹⁰ Please note that we are not advocating for a change from the current provider for these services in this paper, nor do we believe that this would be beneficial either for the Sheriff's

3. Within the Community Services Division there would be at least six different sub-divisions, some of which are co-located or share personnel.
 - a. Community Policing/Officers (Traffic Enforcement) (HMB)
 - b. Community Policing/Officers (Crime Reports) (HMB)
 - c. Community Policing (Rape Counselors and Special Victims)(HMB/SMC)
 - d. Criminal Investigations (SMCSO/SMCDA)
 - e. Beach Safety Unit (HMB/SMC)
 - f. Citizen Complaint Hotline (HMB)
4. The Officer-involved use of force Division would report directly to the Chief of Police and would investigate any use of force incidents within Half Moon Bay.

We recognize that this reorganization can be hard to take in at first blush, yet in reality, and despite what appears initially as a highly complex structure, this entire organization would be comparable in cost to the current budgeted amount that Half Moon Bay pays to the Sheriff on an annual basis.

The reasons for that are pretty simple. Right now we pay the Sheriff \$2.4 million for a total of 8 full time equivalent deputies that cover the Coastside 24/7. Yet for community services officers we only pay, on average, about \$30/hr. A quick review of the org chart described above shows immediately that a vast number of what are now armed responses would be handled by community policing officers, who cost roughly a third on an individual basis of what an armed deputy costs the City.

In fact, freeing up one deputy position entirely, including the overhead, and reducing the workload of the other deputy by 40 percent would free up at least \$1.6 million for alternative response personnel, many of whom would be on an on-call basis. In an interesting comparison, the average annual cost of a deputy on the Coastside is \$264,000 including salary and benefits, and the cost of a full-time clinical Psychiatrist from the County would only be about \$277,000.¹¹

This organizational structure would also serve to limit the City's liability going forward, ensuring that the right tool is used for each response in our community, no matter what the need is.

All of which brings us back to the Chief of Police, who would be carefully selected by the Council to make all of this a reality over the course of the next one to two years, and which is the only position available who could fill the dual roles necessary to truly reform criminal justice and public safety in Half Moon Bay.

We aren't suggesting this would be easy, or that the Sheriff and County will suddenly agree that this is the best approach, but after a careful review of the facts, both locally and nationwide we feel that this path represents the best way forward for Half Moon Bay for economic, and most importantly, humane reasons.

Office or Half Moon Bay. What we are looking at is a structural change to the nature of the relationship, as well as the services rendered by the Sheriff's Office.

¹¹ Dr. Faith Rohlke, who works for County Behavioral Health Services receives total compensation of \$277,000 annually according to Transparent California's website.

PART VI: TIMELINE

We have prepared an affirmative timeline for specific action on the part of the City Council as a part of this paper. We have done this most specifically because our current contract with the San Mateo County Sheriff's Office expires in a year on June 30th, and we are required to provide notice to the Sheriff's Office of any intent to modify or terminate the current agreement by September 30th, 2021.

Any failure to implement positive changes to the overall structure of our public safety services will definitively mean another 3 years of the already dysfunctional relationship we have with the Sheriff's Office.¹² This in turn would result in negative outcomes for any number of our people, and quite possibly another death which we could have prevented.

Hiring a Chief of Police is not rocket science, although hiring one with the qualifications we are seeking might be an interesting journey. We believe that it is entirely possible to open the application period this fall, and to have the Council interview and vet candidates shortly thereafter. This would see our new Chief of Police taking office no later than the end of the year.

The Chief's first responsibilities would be to take the lead on negotiating with the Sheriff's Office and in creating a table of organization for the new department we will have created for him/her/they to run. We expect these tasks to be essentially complete by the spring of 2022.

Once the table of organization has been approved by the City Council, the Director will begin hiring and/or appointing the staff necessary to fill the respective positions in the Public Safety Department. We expect that this will take some time, but the intention is to have the main positions filled by the 1st of July, 2022, at the latest. This will allow the Sheriff's Office and the city's representatives to begin working and training together collaboratively under the new organizational structure.

¹² Dysfunctional is not an understatement or hyperbole. In the Sandra Harmon shooting the City requested, via the City Attorney that the Sheriff provide a copy of the log files for the camera that Deputy Dominguez was wearing that night. Despite an explicit clause in the contract that *requires* the Sheriff to provide a copy of this file the Sheriff politely told the City that we were not going to be given a copy. So yes, our relationship is a dysfunctional one, with the City on the wrong end.

PART VII: CONCLUSION

We have taken the unprecedented step of creating this policy paper because this issue represents one of the greatest, if not the greatest, challenges our city will face during our tenure.

One of the first things to become apparent when we started working towards positive change in public safety was the significant and voluminous number of very loud objections coming from nearly all quarters.

The reasons for that are complex, just like the problems we are trying to solve. Numerous parties, when faced with the magnitude of the problem, were unable to wrap their heads around doing meaningful things to affirmatively alter entrenched policies. To be entirely fair it isn't completely their fault- fixing the myriad issues with law enforcement is a daunting and overwhelming task, and for already overworked legislators and staff the problem at first blush gives all the signs of being a completely intractable timesink that will result in nothing positive.

Yet, the public elected us to find solutions to difficult problems, and that is what we have tried to do here. We have sought in this paper to identify and quantify the many issues facing the city that are related to policing and public safety, as well as how we got to this point in time. It is our hope that this work will serve as a creative template from which staff and our colleagues on the Council can set forth on a path to make our City a more equitable and compassionate place.

We intend to bring this paper, as a working framework on which to build, to an upcoming City Council meeting for the purpose of receiving comment and input, and with the concurrence of Council, directing Staff to begin implementation of the tasks outlined in this paper.