



MEMO

To: The Honorable Mayor and City Council
via: Bert Lumbreras, City Manager
FROM: Chase Stapp, Director of Public Safety
DATE: August 27, 2020
RE: Ad-hoc Committee Formation – Police Use of Force Policy

During the regular City Council meeting on September 1, 2020 you all will be asked to consider information and provide direction related to the formation of an ad hoc committee to study the Police Department's Use of Force policies and make recommendations where appropriate. As a reminder, Council provided direction to establish this committee during the regular meeting on July 7, 2020. The staff recommendation approved by Council was to charge this committee with achieving the following tasks:

- Receive a training program related to contemporary police use of force case law and policy formation
- Study the San Marcos Police Department policies pertinent to the use of force by officers
- Prepare any appropriate recommendations for potential changes to the policies and present the same to the Chief's Advisory Panel

To accomplish these goals, the ad-hoc committee will work closely with Chief Klett and his team so that they have all of the resources needed to compare the SMPD policy to best practices from across the country. Staff also recommends that the ad-hoc committee conduct public outreach as they work through the policy evaluation process. City staff will be available to assist with this outreach. The committee's final work product should be condensed into a written report to be delivered in a joint meeting with the standing Chief's Advisory Panel. Once these tasks are accomplished, the Chief of Police will receive a set of recommendations from the Chief's Advisory Panel. The Chief will then prepare an update for Council to include feedback and recommendations made by the committees and any resulting changes to the policy.

There are two key components of this process that were not discussed in detail at the July 7 meeting. Our hope is to receive guidance from the Council at the September 1 meeting in these two areas: The size of the ad-hoc committee and the process to be used in nominating committee members. This memo will provide the staff perspective and input on these two components.

Staff recommends that the ad hoc committee be comprised of 14 to 15 San Marcos residents.

A group this size should be small enough to allow for open and meaningful dialogue between all participants. Larger groups often lose agility in their ability to work through their charged tasks. At the same time, a group of this size is large enough to allow for adequate diversity and representation from various segments of our community.

We have formed committees such as this one using different methods in the past. During a regular meeting, Council members could nominate a certain number of community members who they have previously vetted and then go through a process of discussion and elimination to arrive at the correct number of panel members. Alternatively, the process recommended by staff is one that has been used multiple times recently to form various Council committees. That process involves taking applications from interested residents for a certain time period and then nominating panel members during a subsequent meeting to arrive at the desired number of committee members. Staff would work with the City Clerk and our Communications team to create the application form and publish it so that interested residents may apply.

Since this ad-hoc committee is intended to have a limited mission and time span, it would be dissolved after completing their work.

Thanks you for your leadership and direction on this concept.