



CITY OF SOUTH PASADENA
PUBLIC SAFETY COMMISSION REGULAR MEETING AGENDA

AMEDEE O. "DICK" RICHARDS, JR. COUNCIL CHAMBER
1424 MISSION STREET, SOUTH PASADENA, CA 91030
TEL: (626) 403-7210 • FAX: (626) 403-7211
WWW.SOUTHPASADENACA.GOV

Monday, October 19, 2020 at 8:30 a.m.

PUBLIC ADVISORY: THE CITY COUNCIL CHAMBERS WILL NOT BE OPEN TO THE PUBLIC

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the Regular Meeting of the Public Safety Commission for October 19, 2020 will be conducted remotely and held by video conference, beginning at 8:30 a.m. The Meeting will be broadcast live on the City's local cable channel and the City's website at: http://www.spectrumstream.com/streaming/south_pasadena_psc/live.cfm

Please be advised that pursuant to the Executive Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, the Council Chambers will not be open for the meeting. Commissioners will be participating remotely and will not be physically present in the Council Chambers.

If you would like to comment on an agenda item or make a general public comment, members of the public may submit their comments in writing, for Commission consideration, by emailing them to: pscpubliccomment@southpasadenaca.gov

Public Comments must be received by **6 p.m., October 18, 2020** to ensure adequate time to compile. Public Comment portion of the email is limited to 250 words. Please make sure to indicate: 1) your name; 2) what agenda item you are submitting public comment on or if it is a general public comment; and 3) clearly state if you wish for your comment to be read.

South Pasadena Public Safety Commission Statement of Civility

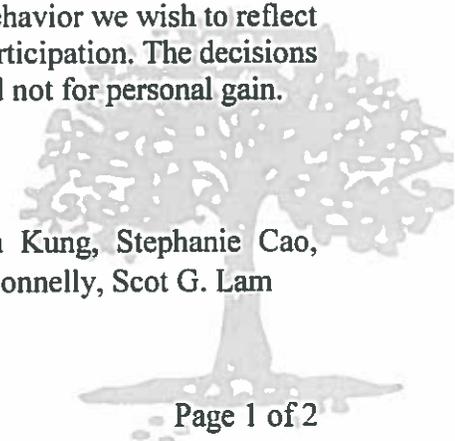
As your appointed governing board we will treat each other, members of the public, and city employees with patience, civility and courtesy as a model of the same behavior we wish to reflect in South Pasadena for the conduct of all city business and community participation. The decisions made today will be for the benefit of the South Pasadena community and not for personal gain.

CALL TO ORDER

Chair Jeremy Ding

ROLL CALL

Commission members Grace Liu Kung, Stephanie Cao, Amin Alsarraf, Alan Ehrlich, Ed Donnelly, Scot G. Lam



PUBLIC COMMENTS AND SUGGESTIONS

The Public Safety Commission welcomes public input. Members of the public may address the Public Safety Commission by emailing: pscpubliccomment@southpasadenaca.gov Public Comments must be received by **6 p.m., October 18, 2020** to ensure adequate time to compile. Public Comment portion of the email is limited to 250 words. Please make sure to indicate: 1) your name; 2) what agenda item you are submitting public comment on or if it is a general public comment; and 3) clearly state if you wish for your comment to be read.

Pursuant to state law, the Public Safety Commission may not discuss or take action on issues not on the meeting agenda, except that members of the Public Safety Commission or staff may briefly respond to statements made or questions posed by persons exercising public testimony rights (Government Code Section 54954.2). Staff may be asked to follow up on such items.

ACTION/DISCUSSION

- 1. Minutes of the Public Safety Commission Meeting of September 14, 2020**
- 2. PSC Ordinance Revision-City Attorney Terri Highsmith**
- 3. Police Reform Subcommittee Update-Commissioners Lam & Donnelly**

COMMUNICATIONS

1. City Council Liaison Communications
2. Staff Liaison Communications
3. Commissioner Communications

*I declare under penalty of perjury that I posted this notice of agenda on the bulletin board in the courtyard of City Hall at 1414 Mission Street, South Pasadena, CA, and the City's website at www.southpasadenaca.gov on **October 13, 2020** as required by law.*

Date: October 13, 2020

Signature: _____


Joe Ortiz, Police Chief



Joe Ortiz

From: Care First South Pasadena <carefirstsouthpas@gmail.com>
Sent: Friday, October 2, 2020 8:17 PM
To: Robert Joe; Diana Mahmud; Michael Cacciotti; Stephen Rossi; Dr. Richard Schneider - Personal
Cc: Public Safety Commission Comment; Pierre Arreola; Joshua Parr; Raymond Regalado
Subject: Community Letter - Investigate South Pasadena Police Chief
Attachments: Care First Community Letter to South Pasadena City Council 10.2.20.pdf

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mayor Joe and Councilmembers,

The Care First South Pasadena coalition submits this letter for the council to initiate an investigation of Police Chief Joe Ortiz's recent actions with the American Society for the Defense of Tradition, Family, and Property, a nationally recognized hate group. The letter is joined by several groups local to South Pasadena and 19 community-based organizations throughout Los Angeles County and California. Chief Ortiz's actions in his official capacity as the head of the police department were alarming, and the association of the city and its governance with white supremacy a grave and serious matter.

We request the City Council to place this as an agenda item for discussion at the upcoming City Council meeting on October 7.

This letter also serves as a personnel complaint against Chief Ortiz, pursuant to the South Pasadena Police Department Policies and Procedures Manual, Section 320.2.2: "A personnel complaint is defined as an allegation of misconduct of an employee received from any source." We expect the City Council to investigate this matter accordingly.

Please let us know when you are available for a meeting. We look forward to working with you.

Sincerely,

Helen Tran, on behalf of

- 1.
2. Care First South Pasadena
- 3.
- 4.
5. South Pasadena Tenants Union
- 6.
- 7.
8. South Pasadena Youth for Police Reform
- 9.

- 4.
5. Asian Pacific American Bar Association of

6. Los Angeles County
- 7.
- 8.
9. Bend the Arc
- 10.
- 11.
12. Dignity and Power Now
- 13.
- 14.
15. From Gangs to Glory Opportunity Foundation
- 16.
- 17.
18. Frontline Wellness Network
- 19.
- 20.
21. Gender Justice LA
- 22.
- 23.
24. JusticeLA Coalition
- 25.
- 26.
27. La Defensa
- 28.
- 29.
30. LGBTQ+ Lawyers LA
- 31.
- 32.
33. Allen Edson, President, NAACP Pasadena Branch
- 34.
- 35.
36. Pasadenans Organizing for Progress (POP!)
- 37.
- 38.
39. Social Justice Committee, Pasadena Jewish
40. Temple and Center
- 41.
- 42.
43. San Bernardino Free Them All
- 44.
- 45.
46. Social Eco Education-LA (SEE-LA)
- 47.
- 48.
49. Russell Jeung, PhD, Co-Founder, Stop AAPI
50. Hate
- 51.
- 52.
53. Cynthia Choi, Co-Executive Director of Chinese
54. for Affirmative Action & Co-Founder, Stop AAPI Hate
- 55.

Joe Ortiz

From: Lindsey Angelats [REDACTED]
Sent: Sunday, October 4, 2020 8:24 PM
To: Public Safety Commission Comment
Subject: Public Comment for 10/12/2020 Public Safety Commission

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Evening:

I am writing to request that the commission agenda and formally review the South Pasadena Police Department's handling of a well publicized event on 10/3/2020, in which a motorist was not cited for driving onto a curb after driving the wrong way on a busy roadway.

The SPPD's failure to cite the motorist for any infraction for this egregious behavior runs the risk of undermining the city's commitment to fairness and justice. As a resident and as a parent, I am concerned about 1) a perception of unequal treatment and 2) failure to penalize behavior that is both hazardous to pedestrians and to those assembling to exercise their 1st amendment rights. Thank you for your attention to this matter, and above all, for your public service to the residents of South Pasadena.

Sincerely,
Lindsey Angelats
[REDACTED]

- 20.
- 21. Manjusha P. Kulkarni, Esq., Executive Director,
- 22. Asian Pacific Policy & Planning Council & Co-Founder, Stop AAPI Hate
- 23.

- 21.
- 22. SURJ (Showing Up for Racial Justice) Altadena
- 23.
- 24.
- 25. White People 4 Black Lives
- 26.



**MONDAY, SEPTEMBER 14, 2020
MINUTES OF THE REGULAR MEETING OF THE
PUBLIC SAFETY COMMISSION
OF THE CITY OF SOUTH PASADENA**

CALL TO ORDER

A Regular Meeting of the Public Safety Commission was called to order by Chair Ding on Monday, September 14, 2020, at 8:33 a.m., in the Amedee O. "Dick" Richards, Jr., Council Chamber, located at 1424 Mission Street, South Pasadena, California.

ROLL CALL

Present: Commissioners: Amin Alsarraf, Ed Donnelly, Grace Liu Kung, and Scot Lam; Chair Jeremy Ding, Vice-Chair Alan Ehrlich

Absent: Commissioner: Stephanie Cao

Officials

Present: Councilmember/City Council Liaison Richard D. Schneider, M.D., Mayor Pro Tem/City Council Diana Mahmud, Police Chief/Staff Liaison Joe Ortiz, Deputy Police Chief Brian Solinsky, Fire Chief/Staff Liaison Paul Riddle, Deputy City Clerk Maria Ayala, and Management Aide/Recording Secretary Kim Kha. Other staff members presented reports or responded to questions as indicated in the minutes.

Absent: None

PUBLIC COMMENTS AND SUGGESTIONS

Chief City Clerk Ayala read emailed public comments.

Sally Kilby and Dean Serwin (South Pasadena Residents): The South Pasadena YES on Measure U committee urges support to renew the Utility Users Tax (UUT) at the November 3rd General Election. Renewing is a way to maintain South Pasadena's basic services, especially now due to pandemic-related losses. Visit www.SouthPasYesonU.com.

John Srebalus (South Pasadena Resident): Care First South Pasadena demands city leaders adopt the priorities of a Care First approach. Realign city budget to support community services, not excessive levels of policing. Can be reached at carefirstsouthpas@gmail.com. (Signed by 128 individuals)

Larry Abelson (South Pasadena Resident): Mobile and Transportation Infrastructure Commission hears and discuss concerns from the community on traffic issues. Demand for enforcement greatly outweighs the supply. Sincerely appreciates SPPD assistances while awaiting Public Works Department's permanent solutions.

ACTION/DISCUSSION

1. Minutes of the Public Safety Commission Meeting of August 10, 2020

MOTION BY VICE-CHAIR EHRLICH, AND SECOND BY COMMISSIONER DONNELLY, CARRIED 5-0, to approve the Minutes of the August 10, 2020 Public Safety Commission Regular Meeting.

Commissioner Alsarraf abstain.

2. Mandated Inspection Report-Chief Paul Riddle

Chair Ding noted that this was on the upcoming City Council Agenda for discussion, advised Commissioners to follow and if any questions, email staff.

3. COVID-19 Subcommittee Update-Chief Paul Riddle

None.

4. PSC Ordinance Revision-City Attorney Terri Highsmith

City Attorney Highsmith discussed the revisions of the charter including new recommendations/proposals from the City Council Subcommittee, such as a broader and updated authority, required training and duties, and reducing the Commission from seven members to five for more efficiency; explained that the Public Safety Commission's draft had areas that was inconsistent with the council-manager form of government and general law city, in violation of public complaints procedures (penal code section 832.5 and 832.7), and a requirement of "meet and confer" with Unions before implementing (Meyers-Milias-Brown Act); advised that the revision was made as close as possible to the draft but modeled after the City of Claremont Police Commission.

Commissioners' expressed concerns with the new recommendations/proposals, noting less accountability, efficiency, and the decrease in the amount of community involvement with a five-member commission, questioned the training and specific background for the Public Safety Commission especially when not required for other City commissions; expressed concerns with the process of the revision, noting that the Public Safety Commission spent

a lot of time and effort on a document that was appropriate and presentable to the City Council, but instead find a different document modeled after another City and without feedback or clarifications as to the inconsistencies and violations; explained that the community wants more transparencies and discussions put on the agenda but the current code limits the Public Safety Commission the authority to discuss, review, and recommend; request further explanation and clarification to the revision, expressed that it would have been helpful for the Council Subcommittee to work collaboratively with the Commission.

Chief City Clerk Ayala read emailed public comments.

South Pasadena Youth for Police Reform: Expressed that the SPPD's draft displayed fundamental misunderstanding of how representative democracy should function, argued that the PSC should not be filtered through the City Manager and should operate at the behest of Council, urges the PSC and City Manager to bring both versions before Council.

Matthew Barbato (South Pasadena Resident): Opposed the Police Department and the City Attorney's attempts to take control of the Public Safety Commission, any changes to the Public Safety Commission charter should only serve to expand transparency and influence by the community.

Evelyn Zneimer (South Pasadena Resident): Expressed that the Public Safety Commission should be an independent advisory body free from the control of the city manager's office and provide direct recommendation to the City Council.

Larry Abelson (South Pasadena Resident): Expressed concerns on staff's revision, conveyed that the PSC is the voice of the community on public safety issues, and should be allowed to communicate with staff and make requests and recommendations on issues without being filtered through the City Manager.

Mayor Pro Temp Mahmud provided background to the staff revision, explained that the revision was modeled after the municipal code of the City of Claremont Police Commission because of its detailed description of citizen's input into law enforcement and public safety issues, advised that only two cities in the San Gabriel Valley, San Marino and Claremont, had anything close to a public safety department/commission, while other cities utilize and contract with the Los Angeles County Sheriff Department as their public safety, noted that some of the changes were to provide Commissioners with in-depth insights and understandings, providing a balance between the City and the community, and committed to keeping a police department despite being among the lowest paid in the region, expressed interest, and happy to work together with the commission on the charter revision.

MOTION BY VICE-CHAIR EHRLICH, SECOND BY COMMISSIONER DONNELLY, CARRIED 6-0, to reject the current ordinance revision provided by staff.

SUBSTITUTE MOTION BY CHAIR DING, SECOND BY COMMISSIONER ALSARRAF, CARRIED 6-0, to also have staff review the PSC version and provide clarifications on sections that would violate laws, polices, regulations, etc.

MOTION BY CHAIR DING, SECOND BY COMMISSIONER DONNELLY, CARRIED 6-0, to appoint Commissioner Alsarraf and Commissioner Kung to work with Council Subcommittee and the City Attorney's Office on the Public Safety Commission charter revision.

5. Police Reform Subcommittee Update-Commissioners Lam & Donnelly

Commissioner Lam informed that the subcommittee met and heard concerns from the community, police interest groups, police employees, and former committee members with law enforcement background regarding police reform, gave presentation and analysis of the current SPPD Policy, the draft updated Lexipol SPPD Policy, and the Public Safety Commission Subcommittee comments and recommendations on each of the "8 Can't Wait" issues, stressed that this was a draft and continues to be an ongoing discussion and meetings.

Commissioner Donnelly commended Commissioner Lam in doing a fantastic job looking at the policy in a granular way as it exists; informed that the subcommittee also looked at what the liability implications were going from the suggested policies of Lexipol into a local agency policy, as well as what case law and how that impacts on the way the policies are written, noted a comprehensive look at all not just the specific wording of each suggestions, encouraged to see how close the policies were to the 8 Can't Wait recommendations, stated "I just wanted to make sure folks understand that this isn't just about reading the text, it's about looking at the context of how that actually works in the real world as well."

Chair Ding echoed Commissioner Donnelly, adding that it was a lot of work, a lot of time, and a lot of meetings that the subcommittee put in to produce a great product, advised of an upcoming meeting with the police department to discuss some of the proposed recommendations and reforms.

COMMUNICATIONS

1. City Counsel Liaison Communications

Councilmember Schneider informed that City Manager DeWolfe retired last week and Fire Chief Riddle is our Acting City Manager.

2. Staff Liaison Communications

Fire Chief Riddle provided update on brush fires, informed that the fire crews have responded to more than twelve fires throughout the state, recently dispatch from the El Dorado Fire and deployed to the Bobcat Fire, ensured that all costs including administrative fees are fully reimbursable to the City; informed of the firefighter/paramedic recruitment.

Police Chief Ortiz informed that the South Pasadena Police Department have been on tactical alert due to civil unrest, assisting the City of Pasadena in several volatile situations, most recently seven overdoses with three ending in deaths, two shootings and a stabbing;

emphasized public awareness and to please do not hesitate to call, “see something, say something,” informed of an upcoming management-level training to assist on frontline response and an updated first aid staff training.

3. Commissioner Communications

Commissioner Kung informed that schools have been in session for a month and continues to be distant learning.

ADJOURNMENT

Chair Ding adjourned the meeting at 10:23 a.m., noting a follow up with staff on October’s meeting.

Respectfully Submitted:

Approved By:

Kim Kha
Recording Secretary

Jeremy Ding
Chair

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF SOUTH PASADENA AMNDING CHAPTER 2
("ADMINISTRATION"), ARTICLE IVB ("PUBLIC SAFETY COMMISSION") OF THE
CITY OF SOUTH PASADENA MUNICIPAL APPLICABLE TO ALL CITY OFFICIALS**

The people of the City of South Pasadena do hereby ordain as follows:

SECTION 1. Article IVB ("Public Safety Commission") of Chapter 2 ("Administration") of the South Pasadena Municipal Code is amended to read as follows:

"2.40 Creation, composition and member training.

(a) There is hereby created a public safety commission for the city, consisting of seven adult members, who shall be appointed pursuant to section 2.23 herein. At least two of the seven members should have a background in public safety.

(b) Within 90 days of appointment each member should complete a total of eight hours of "ride-a-long" training with a member of the police department, with four hours spent on a day shift and four hours spent on a night shift. On an annual basis thereafter, each member shall complete a four hour 'ride-a-long' with a member of the police department as refresher training.

2.41 Ex officio members.

The chief of police of the city and the chief of the fire department of the city shall be ex officio members of the public safety commission. They shall not have the power to vote.

2.42 Meetings.

The public safety commission shall hold a maximum of ten regular meetings per calendar year. The commission shall adopt a schedule of meetings each year, consistent with this section. Special meetings may be called by the commission as needed, if approved by the council liaison.

2.43 Powers and duties generally.

The commission shall provide a forum for community discussion and make recommendations on policy regarding public safety matters, including emergency preparedness, in order to build upon strong community trust with the police and fire departments by promoting transparency, accountability, and information sharing with the community. The commission shall have the following powers and duties:

(a) to engage with the community by maintaining an ongoing dialogue with community members and community organizations.

(b) To review and comment on police and fire department policies, procedures, practices and to assist in setting goals for the departments that reflect community values.

- (c) To review and comment on regular updates presented by the police chief and fire chief on the departments' customer service programs, community-oriented programs, trends, statistics, and prevention programs.
- (d) To review and monitor regular reported data, at least once a quarter, on police use of force, arrests, citations, field interviews, requests for service, and mutual aid requests, to the extent legally permitted.
- (e) To review and monitor regular reported data, at least once a quarter, on fire, medical, rescue, collision and other calls for service, and mutual aid requests, to the extent legally permitted.
- (f) To provide a forum to address concerns, complaints, and commendations regarding the police and fire departments and to receive progress reports on investigations and critical incidents, when legally possible.
- (g) To review and provide recommendations on traffic and pedestrian safety and traffic enforcement.
- (h) To review and provide recommendations on school and community care facility safety, such as the school resource officer, crossing guards, and outreach programs.
- (i) To review and provide recommendations on disaster planning, emergency preparedness, crisis management, and public health emergencies.
- (j) To review and comment on annual reports presented by the police chief and fire chief on the departments' best practices, statistics, recruitment, training, retention, trends, and prevention initiatives. These annual reports will subsequently be presented to the city council with feedback and recommendations from the commission.
- (k) To receive, review and comment on an annual report on homeless issues presented by the police chief after the annual homeless count takes place."

SECTION 2. CEQA. This ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to 14 Cal. Code Regs. Section 15378(b)(5) as an agency organizational or administrative activity that produces no physical changes to the environment.

SECTION 3. EFFECTIVE DATE. This ordinance shall take effect thirty days after its passage and adoption pursuant to California Government Code Section 36937.

SECTION 4. This ordinance shall take effect thirty (30) days after its final passage and within fifteen (15) days after its passage, the City Clerk of the City of South Pasadena shall certify to the passage and adoption of this ordinance and to its approval by the Mayor and City Council and shall cause the same to be published in a newspaper in the manner required by law.

PASSED AND ADOPTED by the City Council of the City of South Pasadena, State of California, on _____, 2020 by the following vote:

AYES:

NOES:

ABSENT:

Robert S. Joe, Mayor

Attest:

Evelyn Zneimer, City Clerk

ORDINANCE NO. _____

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(f) To provide a forum to address concerns, complaints, and commendations regarding the police and fire departments and to receive progress reports on investigations and critical incidents, when legally possible.

(g) To review and provide recommendations on traffic and pedestrian safety and traffic enforcement.

(h) To review and provide recommendations on school and community care facility safety, such as the school resource officer, crossing guards, and outreach programs.

(i) To review and provide recommendations on disaster planning, emergency preparedness, crisis management, and public health emergencies.

(j) To review and comment on annual reports presented by the police chief and fire chief on the departments' best practices, statistics, recruitment, training, retention, trends, and prevention initiatives. These annual reports will subsequently be presented to the city council with feedback and recommendations from the commission.

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the passage and adoption of this ordinance and to its approval by the Mayor and City Council and shall cause the same to be published in a newspaper in the manner required by law.

PASSED AND ADOPTED by the City Council of the City of South Pasadena, State of California, on _____, 2020 by the following vote:

AYES:

NOES:

ABSENT:

Robert S. Joe, Mayor

Attest:

Evelyn Zneimer, City Clerk

SOUTH PASADENA PUBLIC SAFETY COMMISSION (PSC)

POLICE REFORM RECOMMEND FRAMEWORK – OCTOBER 2020 - DRAFT

POLICY, OPERATIONS AND OUTREACH REVIEW

1. Use of Force – Emphasize a reverence for life, de-escalation and a duty to intercede.
 - a. Please refer to Appendix A.
2. Review the processes for hiring, training and supervision.
 - a. Doing these things right greatly increase the chances for officer success.
3. Review complaints, misconduct and disciplinary records for all lateral hires.
 - a. Ensure officers past conduct and history is reflective of community values.
4. Establish a program to monitor officers' use of force, complaints and incidents.
 - a. Provide additional training as needed.
 - b. Identify officers who may be at risk of excessive force or issues early on.
5. Promote transparency and accountability by establishing an internal policy for the timely release of body worn camera footage for critical incidents.
 - a. Recommend release no later than 10 calendar days after incident, earlier than the legally mandated 45 days by AB748.
 - b. Review policy for activation of body worn cameras and retention/release of footage.
6. Restrict the use of “no-knock” search warrant service to only the most sensitive circumstances where the operations are designated to be low risk and have a high risk of evidence destruction. Require 2nd line supervisor approval.
 - a. Review increased use of “surround and call out” warrant service.
7. Review training standards, duration and frequency.
 - a. De-escalation
 - b. Implicit bias
 - c. Defensive tactics
 - d. Compliance techniques
 - e. Physical fitness standards
 - f. Baton, OC, taser
 - g. Firearms
8. Review SPPD Policy 301.5, Application of Spit Hoods
 - a. Requires reasonable belief the person will bite or spit
 - b. Requires proper application to allow for ventilation
 - c. Requires assistance with movement
 - d. Requires consideration for medical conditions and injury
 - e. Requires continuous monitoring
 - f. Recommend change from avoid comingling use to NO comingling of use
 - g. Review training and training frequency
9. Provide a forum for community members to address concerns, complaints and commendations.
 - a. Include this in the PSC charter update.
 - b. Pursuant to 1013.4.1 of the Policy Manual no complaint forms are easily accessible on the SPPD website.
 - c. Who is the Office of Professional Standards/Internal Affairs point of contact for SPPD?
 - d. What is the process for reviewing complaints and disciplinary actions?
10. Recommend maintaining current patrol staffing levels of the SPPD.
 - a. Already operating at a minimum patrol staffing level.

11. Review resources available for handling/assisting with non-criminal calls for service.
 - a. Continue to work with San Gabriel Valley Council of Governments (COG) to establish regional Mobile Crisis Intervention Teams, based off the CAHOOTS (Crisis Assistance Helping Out On The Streets) model that would provide 24/7/365 service to South Pasadena.
 - b. Community Services
 - c. Code Enforcement
 - d. Public Works
 - e. Fire Department/Medical Personnel
 - f. Social Workers
 - g. Housing Navigator
 - h. Non-Government Organizations (NGO)
 - i. Civil Legal Process Service
12. Publish and publicly release the Police Department annual report and crime statistics in a timely manner.
 - a. Recommend a March 1 deadline for release.
 - b. Restore transparency and include demographic information for arrestees. Race was recently removed on the weekly crime summary for arrestees. This information is frequently the subject of Public Records Requests.
13. Include PSC commissioners and/or community member involvement in police department leadership selections and organizational changes within the police department.
 - a. PSC commissioners and/or community members serving on police chief/deputy chief interview panels, subject to NDAs.
 - b. PSC provided an opportunity to review and make recommendations for proposed structural and organizational changes.
14. Review the original intent versus the current enforcement posture/statistics related to the South Pasadena juvenile curfew.
 - a. Is the 10pm curfew enforced appropriately?
15. Restore community outreach and engagement events at reduced scale/cost, perhaps through sponsorship/partnership.
 - a. National Night Out
 - b. Police & Fire Open House
 - c. Neighborhood Watch Block Captains Event
 - d. Citizen's Academy
 - e. Teen Academy
 - f. Community Emergency Response Team (CERT) – SPFD Program
 - g. Women's Self Defense
 - h. Teenager's Self Defense
 - i. Active Shooter Training
 - j. Coffee with a Cop

STAFFING, EQUIPMENT AND BUDGET REVIEW

1. Conduct a thorough budget review and propose cost cutting and revenue generation measures.
 - a. Maintain officer's pay and retain Cost of Living Adjustments (COLA), work to identify other areas for budget reduction. Officers are already on the lower end of pay when compared to comparable cities in the region.
 - b. Reduce overtime that is not reimbursable.
 - c. Reduce vehicle expenses, assess the need for take home vehicles.
 - d. Personnel and staffing reductions through attrition.
 - e. Technology, equipment, uniform allowances, supplies, expenses, etc.
2. Conduct a study of the sworn officer and non-sworn employee ratio, is it comparable to other similar departments? Can positions be consolidated? Reduced through attrition?
 - a. SPPD has a 1:1 ratio for sworn to non-sworn employees
 - b. San Marino has a 2:1 ratio.
 - c. Establish a clear delineation between sworn and non-sworn duties.
3. Explore cost sharing with other local departments
 - a. Shared dispatch.
 - b. Shared administrative functions.
 - c. Shared specialized units.
 - d. Patrol augmentation.
4. Study the staffing, costs, benefits and results of the following programs and increase, reduce, reprogram as appropriate:
 - a. School Resource Officer (SRO)
 - b. K-9 program
 - c. Detective Bureau
 - d. FAST Airship program – The PSC recommends continuing this program.
 - e. Task Force Officers (TFO)
 - f. SET
 - g. Traffic Enforcement Bureau
5. Continue/expand use of grant funding to augment general fund expenditures.
 - a. Contact PSC in advance of noticed meetings for endorsement letters.
6. Remove the Pasadena Humane Society annual contract cost from the Police Department budget.
7. Where possible, adopt the use of hybrid and/or electric vehicles.
 - a. Ford has recently released patrol/pursuit rated hybrid vehicles designed for police use.
 - b. Reduced fuel costs and maintenance costs.
8. Explore the model of leasing vehicles instead of purchasing vehicles.
 - a. Reduce longer term vehicle maintenance costs.
 - b. What is the cost of retrofitting?
9. Is SPPD charging appropriate/cost recovery amounts?
 - a. Appropriate cost for filming duty?
 - b. Increase number of officers required depending on size.
10. Provide update on towing franchise fee and alarm permit proposals.
 - a. Cost recovery programs.
11. Study feasibility that SPUSD share costs for the crossing guard program currently funded entirely by SPPD.
 - a. This model is employed by other school districts and police departments.
 - b. May have been previously paid for by SPUSD.

<p>8 CAN'T WAIT ISSUES</p>	<p>PSC ANALYSIS OF CURRENT SPPD POLICY (2019)</p>	<p>PSC ANALYSIS OF DRAFT UPDATED LEXIPOL SPPD POLICY (7/2019)</p>	<p>PSC COMMENTS and RECOMMENDATION</p>
<p>https://8cantwait.org/</p> <p>BAN CHOKEHOLDS & STRANGLEHOLDS Allowing officers to choke or strangle civilians results in the unnecessary death or serious injury of civilians. Both chokeholds and all other neck restraints must be banned in all cases.</p>	<p>https://www.southpasadenaca.gov/home/showdocument?id=19052</p> <p>ALLOWED per 300.3.5 CAROTID CONTROL HOLD The proper application of the carotid control hold may be effective in restraining a violent or combative individual. However, due to the potential for injury, the use of the carotid control hold is subject to the following: (conditions follow not listed here)</p>	<p>STILL ALLOWED per updated 300.3.5 but limits use to situations where deadly force is authorized.</p> <p>Can only be used when:</p> <p>300.3.5(b)(1) The individual is presently violent or physically resisting to the point where the officer reasonably believes that the individual will cause serious bodily injury or death to officers or others.</p> <p>300.3.5(b)(2) The individual by words or actions, has demonstrated an intention to be violent and reasonably appears to have the potential to cause serious bodily injury or death to officers or others</p> <p>300.3.5(c) The carotid control hold should be discontinued when circumstances indicate that the application no longer reasonably appears necessary.</p>	<p>On 6/4/20, California Assembly Bill AB 1196 was introduced to eliminate the use of both the Carotid restraint and Choke hold. This bill creates CA Govt Code 7286.5, which bans and defines the "Carotid restraint" as a neck hold that restricts blood flow and the "Choke hold" as a neck hold that restricts air flow.</p> <p>On 6/7/20, An internal SPPD memo disallowed the use of the Carotid Control Hold.</p> <p>In 7/2020, the updated Lexipol Draft Policy shows language to still allow but limit its use to only situations where deadly force is authorized.</p> <p>On 9/1/20, AB 1196 was approved by the California Assembly 54-0. On 9/30/20, the Governor signed this bill.</p> <p>Lexipol policy is expected to follow suit and amend their recommended policies to reflect the ban of the Carotid restraint and Choke holds</p> <p>As of this date, the memo DISALLOWING the use of the Carotid Control Hold is still the official policy of the SPPD.</p> <p>PSC recommends accepting the upcoming Lexipol Policies that should reflect banning the use of both the Carotid Control Hold and Choke Hold in accordance with AB 1196 and CA Govt Code 7286.5.</p>

<p>8 CANT WAIT ISSUES</p>	<p>PSC ANALYSIS OF CURRENT SPPD POLICY (2019)</p>	<p>PSC ANALYSIS OF DRAFT UPDATED LEXIPOL SPPD POLICY (7/2019)</p>	<p>PSC COMMENTS and RECOMMENDATION</p>
<p>REQUIRE DE-ESCALATION Require officers to de-escalate situations, where possible, by communicating with subjects, maintaining distance, and otherwise eliminating the need to use force.</p>	<p>De-Escalation is required under the following circumstances: SPPD Policy 409.4 - When responding to possible 5150 SPPD Policy 436.5 - When responding as First Responders for individuals under the influence or in a mental health crisis SPPD Policy 436.6 - When responding as First Responders for individuals in a mental health crisis SPPD Policy 437.3 - When responding to civil disputes</p>	<p>Updated Policy now includes 300.3.1 specifically referencing De-Escalation. "when reasonable, officers should evaluate the totality of circumstances presented at the time in each situation and when feasible consider and utilize reasonable available alternative tactics and techniques that may persuade an individual to voluntarily comply or may mitigate the need to use a higher level of force to resolve the situation before applying force."</p>	<p>The updated policy greatly clarifies what was probably already part of SPPD philosophy.. PSC recommends accepting the updated policy.</p>

<p>8 CAN'T WAIT ISSUES</p>	<p>PSC ANALYSIS OF CURRENT SPPD POLICY (2019)</p>	<p>PSC ANALYSIS OF DRAFT UPDATED LEXIPOL SPPD POLICY (7/2019)</p>	<p>PSC COMMENTS and RECOMMENDATION</p>
<p>REQUIRE WARNING BEFORE SHOOTING Require officers to give a verbal warning in all situations before using deadly force.</p>	<p>Require warning before shooting is not specifically required. It is required when feasible when the officer is reasonably able to give warning.</p> <p>300.4 DEADLY FORCE APPLICATIONS</p> <p>If an objectively reasonable officer would consider it safe and feasible to do so under the totality of the circumstances, officers should evaluate the use of other reasonably available resources and techniques when determining whether to use deadly force. The use of deadly force is only justified in the following circumstances (Penal Code § 835a):</p> <p>(a) An officer may use deadly force to protect him/herself or others from what he/she reasonably believes is an imminent threat of death or serious bodily injury to the officer or another person.</p> <p>(b) An officer may use deadly force to apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended. Where feasible, the officer shall, prior to the use of force, make reasonable efforts to identify themselves as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts.</p>	<p>Along with other changes, the UPDATED SPPD Policy 300.4 moves the relevant Warning before Shooting Requirement to the top of the section.</p> <p>"Where feasible, the officer shall, prior to the use of force, make reasonable efforts to identify themselves as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts."</p>	<p>Bringing the requirement to the top of the section is a welcome change. It greatly emphasizes the requirement to give a verbal warning before shooting.</p> <p>PSC recommends accepting the updated policy.</p>

<p>8 CAN'T WAIT ISSUES</p>	<p>PSC ANALYSIS OF CURRENT SPPD POLICY (2019)</p>	<p>PSC ANALYSIS OF DRAFT UPDATED LEXIPOL SPPD POLICY (7/2019)</p>	<p>PSC COMMENTS and RECOMMENDATION</p>
<p>REQUIRES EXHAUST ALL ALTERNATIVES BEFORE SHOOTING Require officers to exhaust all other alternatives, including non-force and less lethal force options, prior to resorting to deadly force.</p>	<p>SPPD's Deadly force policies requires an officer to only use the amount of force necessary and evaluate other possible alternatives prior to using deadly force.</p> <p>300.3 USE OF FORCE Officers shall use only that amount of force that reasonably appears necessary given the facts and totality of the circumstances known to or perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose</p> <p>300.4 DEADLY FORCE APPLICATIONS reads: If an objectively reasonable officer would consider it safe and feasible to do so under the totality of the circumstances, officers should evaluate the use of other reasonably available resources and techniques when determining whether to use deadly force.</p> <p>SPPD 308.2 Canine Program POLICY Recognizing that the value of human life is immeasurable, the South Pasadena Police Department's philosophy is to use the minimum amount of force necessary to control violent, resisting, and fleeing subjects. Consistent with this philosophy the Department approves of and deploys the less lethal weapon Police Service Dog (PSD) which is intended to minimize injury to both subjects and officers.</p>	<p>300.3 USE OF FORCE adds: "Officers may only use a level force that they reasonably believe is proportional to the seriousness of the suspected offense or the reasonably perceived level of actual or threatened resistance."</p>	<p>The request to REQUIRE EXHAUSTING ALL ALTERNATIVES BEFORE SHOOTING is difficult to apply in actual shooting situations. In situations that rise to the level of possible deadly force, an officer does not have the luxury to "exhaust all alternatives before shooting." A split second decision must be made that requires the officer to immediately jump to the appropriate level of force..</p> <p>Writing into policy a REQUIREMENT to exhaust all alternatives before shooting would remove that level of split second decision making putting the officer and the public at risk.</p> <p>300.4 already requires an officer to evaluate other options WHEN SAFE AND FEASIBLE. 300.3 already allows the officer to use the amount of force reasonable necessary. 308.2 references SPPD philosophy by using a minimum amount of force necessary to control violent, resisting, and fleeing subjects</p> <p>PSC recommends no changes to current policy and accepting the updated policy.</p>

<p>8 CANT WAIT ISSUES</p>	<p>PSC ANALYSIS OF CURRENT SPPD POLICY (2019)</p>	<p>PSC ANALYSIS OF DRAFT UPDATED LEXIPOL SPPD POLICY (7/2019)</p>	<p>PSC COMMENTS and RECOMMENDATION</p>
<p>DUTY TO INTERVENE Require officers to intervene and stop excessive force used by other officers and report these incidents immediately to a supervisor.</p>	<p>Duty to intervene when witnessing excessive force is required. 300.2.1 DUTY TO INTERCEDE Any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force. An officer who observes another employee use force that exceeds the degree of force permitted by law should promptly report these observations to a supervisor.</p>	<p>The policy was updated to now require officers to intervene and report when observing another officer OR OTHER EMPLOYEE using excessive force. "Any officer present and observing another law enforcement officer or an employee using force that is clearly beyond that which is necessary as determined by an objectively reasonable officer under the circumstances, shall, when in a position to do so, intercede to prevent the use of unreasonable force. Any officer who observes a law enforcement officer or an employee use force that potentially exceeds what the officer reasonably believes to be necessary, shall promptly report these observations to a supervisor."</p>	<p>Requiring officers to intervene and report when witnessing BOTH another officer OR other employee is a welcome change. PSC recommends accepting the updated policy.</p>

<p>8 CAN'T WAIT ISSUES</p>	<p>PSC ANALYSIS OF CURRENT SPPD POLICY (2019)</p>	<p>PSC ANALYSIS OF DRAFT UPDATED LEXIPOL SPPD POLICY (7/2019)</p>	<p>PSC COMMENTS and RECOMMENDATION</p>
<p>BAN SHOOTING AT MOVING VEHICLES Ban officers from shooting at moving vehicles in all cases, which is regarded as a particularly dangerous and ineffective tactic. While some departments may they restrict shooting at vehicles to particular situations, these loopholes allow for police to continue killing in situations that are all too common. 62 people were killed by police last year in these situations. This must be categorically banned.</p>	<p>Allows shooting at moving vehicles when no other reasonable means available to avert the threat of the vehicle. Ambiguous on whether shooting at moving vehicles to disable is allowed. 300.4.1 SHOOTING AT OR FROM MOVING VEHICLES Shots fired at or from a moving vehicle are rarely effective. Officers should move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others. Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.</p> <p>300.3.2 ADDITIONAL GUIDELINES SPECIFIC TO DEADLY FORCE Law enforcement officers of this Department are authorized to use deadly force to: (a) The use of firearms against fleeing or approaching vehicles has proven to be generally ineffective and inherently dangerous. Under most circumstances Department members shall not fire at a moving vehicle unless they have probable cause to believe that the suspect represents an immediate threat of death or serious physical injury to themselves or other person(s). Department members shall take into account the location, vehicular and pedestrian traffic and any hazard to innocent persons before firing at a moving vehicle.</p>	<p>No changes were made to 300.3.2 or 300.4.1, the policies that reference Shooting at Moving Vehicles</p>	<p>SPPD Policy recognizes that shooting at moving vehicles is generally ineffective and inherently dangerous. SPPD Policy only allows shooting at moving vehicles in extreme situations where the driver represents an immediate threat of death or serious injury to the officer or the public taking into account potential collateral damage.</p> <p>SPPD Policy is inconsistent on its policy regarding shooting at a moving vehicle to disable the vehicle. (300.3.2 vs 300.4.1).</p> <p>SPPD agrees with SPPD Policy in that shooting at a moving vehicles should be allowed only under extreme circumstances where there is no other alternative to avert a threat. If the threat is the vehicle, then shooting to disable the vehicle should also be allowed.</p> <p>PSC recommends clarifying the current policy by removing from 300.4.1 "Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle."</p>

<p>8 CAN'T WAIT ISSUES</p> <p>REQUIRE USE OF FORCE CONTINUUM Establish a Force Continuum that restricts the most severe types of force to the most extreme situations and creates clear policy restrictions on the use of each police weapon and tactic.</p>	<p>PSC ANALYSIS OF CURRENT SPPD POLICY (2019)</p> <p>SPPD does not use a "Use of Force Continuum," but rather allows officers 300.1.3 "Situational Use of Force Options." Based on the 300.1.3(a), the Actions of the Subject, the officer may respond with 300.1.3(b) Officer Response Options. This model allows the officer to go directly to any level of force option provided that the force selected is objectively reasonable to overcome resistance.</p> <p>300.1.3 (b) Officer Response Options: 1. Professional Presence. Non-Verbal and Verbal. Includes display of authority as a peace officer and such non-verbal means of communication as body language, demeanor, and manner of approaching. Verbalization involves the directions and commands given to the subject. 2. Control Search and Handcuff. Includes restraining and detaining by an officer laying hands on a subject with the intention of gaining control of the subject. Examples include the use of a firm grip, escort position or grappling types of techniques designed to hold a subject down by using the weight of an officer's body. Also included in this level would be the application of temporary restraining devices such as handcuffs and leg restraints. (Includes multiple appendage corded restraint devices.) 3. Defensive Tactics. Includes techniques such as control holds, joint manipulations, pressure point applications, takedown type techniques and ground grappling techniques. 4. OC Spray and Chemical Agents. Includes substances such as mace and oleoresin capsicum based products, via appropriate delivery means, such as, spray, munition, or pepperball. 5. Electrical Control Devices. Includes devices such as the T.A.S.E.R. 6. Carotid Restraint. Includes upper body control holds such as the Lateral Vascular Neck Restraint (LVNR). 7. Personal Weapons. Includes parts of the human body such as hands, feet, elbows and knees to strike a suspect. 8. Intermediate Weapons. Includes impact weapons such as straight batons. 9. PR-24 police batons, expandable batons, and Official Police Nunchakus (OPNs) used in the application of a control technique or in an impact mode. 9. K-9 Deployment. Use of K-9 that results in the biting of a suspect in a search mode when necessary to control a fleeing or resistant suspect. 10. Specialized Weapons. Includes items such as impact projectiles fired from a 12-gauge shotgun or other impact delivery device. 11. Firearms. Includes handguns, rifles, long-guns, shotguns.</p>	<p>PSC ANALYSIS OF DRAFT UPDATED LEXIPOL SPPD POLICY (7/2019)</p> <p>No changes were made to 300.1.3 Situational Use of Force Options</p>	<p>PSC COMMENTS and RECOMMENDATION</p> <p>Most agencies do not use a "Use of Force Continuum" anymore. Most agencies have transitioned to a model where a level of force is immediately met with an appropriate level of force such as the Situational Use of Force model currently in SPPD policy.</p> <p>This does not mean an officer can use any level of force. As mentioned in the "REQUIRES EXHAUST ALL ALTERNATIVES BEFORE SHOOTING" section of this analysis. An officer may only use an appropriate level of force necessary to control the subject.</p> <p>300.4 already requires an officer to evaluate other options WHEN SAFE AND FEASIBLE. 300.3 already only allows the officer to use the amount of force reasonable necessary. 308.2 references SPPD philosophy by using a minimum amount of force necessary to control violent, resisting, and fleeing subjects</p> <p>PSC believes this model given its restrictions for use is appropriate.</p> <p>PSC recommends no changes to current policy.</p> <p>It should be noted that there is a probably outdated Use of Force Continuum described under the ECD (laser) section of the SPPD policy. This section describes where in the Use of Force Continuum ESD belongs.</p> <p>PSC recommends removing 302.3.1 as ECD is already covered in 300.1.3 Situational Use of Force Options Model to avoid confusion.</p>
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<p>8 CAN'T WAIT ISSUES</p>	<p>PSC ANALYSIS OF CURRENT SPPD POLICY (2019)</p>	<p>PSC ANALYSIS OF DRAFT UPDATED LEXIPOL SPPD POLICY (7/2019)</p>	<p>PSC COMMENTS and RECOMMENDATION</p>
<p>REQUIRE COMPREHENSIVE REPORTING Require officers to report each time they use force or threaten to use force against civilians. Comprehensive reporting includes requiring officers to report whenever they point a firearm at someone, in addition to all other types of force.</p>	<p>SPPD Policy has a requirement to report any use of force. There is no requirement to report a THREATENED use of force.</p> <p>300.5 REPORTING THE USE OF FORCE Any use of force by a member of this [department/office] shall be documented promptly, completely and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances. To collect data for purposes of training, resource allocation, analysis and related purposes, the [Department/Office] may require the completion of additional report forms, as specified in [department/office] policy, procedure or law.</p> <p>323.2.2 REQUIRED REPORTING - NON-CRIMINAL ACTIVITY The following incidents shall be documented using the appropriate approved report: (a) Anytime an officer points a firearm at any person (b) Any use of force against any person by a member of this department (see the Use of Force Policy) (c) Any firearm discharge (see the Firearms Policy)</p>	<p>Updated policy changes 300.5.1.(i) to make the following change: "An individual alleges unreasonable force was used or that any of the above has occurred." Additionally adds a requirement to report when an individual alleges unreasonable force used.</p>	<p>Current SPPD Policy already includes language that requires proper reporting when a Use of Force is exhibited to specifically include reporting when a firearm is pointed at a person or discharged.</p> <p>The inclusion of language to require reporting when use of force is THREATENED would be vague and unnecessary as it would be difficult to define. It would require an unnecessary amount of paperwork to create and review.</p> <p>For example, any verbal threat to comply to an officer's orders would require a report no matter how minor.</p> <p>The Updated Policy adds a requirement to report when an individual alleges unreasonable force. This is a welcome change for documentation and tracking purposes</p> <p>PSC recommends accepting the updated policy.</p>