

## PUBLIC SAFETY POLICY COMMITTEE

### HIGHLIGHTS

Thursday, April 15, 2021

Zoom

[Policy Committee Slides](#)

#### ATTENDANCE

Members: Bob Whalen (Chair); Pippin Dew (Vice Chair); Walt Allen; Dan Arriola; Bill Baber; Darlene Barber Martinez; John Bauters; Steve Bird; Henry BAouchot; Russ Brown; Lance Calkins; Peter Castro; Paul Cheng; Justin Cummings; Lara Delaney; Beatriz Dieringer; Phill Dupper; Lisseth Flores; Bob Frutos; Gerry Gonzalez; Mike Healy; Laura Hernandez; Steve Hofbauer; Dawn Holm; Melissa Hunt; Brian Johsz; Ray Marquez; Consuelo Martinez; Laura McCorkindale; Sean McGlynn; LeeAnn McPhillips; Peggy McQuaid; Rudy Mendoza; Sonya Morrison; Afshin Oskoui; Greg Park; John Pena; Matt Rahn; Erin Resner; Gracie Retamoza; Kendall Rose; Shanelle Scales-Preston; Ernie Schmidt; Robert Schultz; Marty Simonoff; Ed Smith; Scott Smith; Eric Sonstegard; Lauren Sugayan; Tami Trent; Michael Vargas; Alan Wapner; Bob Whalen; David White; Jon Wizard

League Partners: Lisa Holmes; Rochelle Swanson

Staff: Elisa Arcidiacono. Legislative Representative; Caroline Cirrincione, Legislative Analyst

#### I. Welcome and Introductions

President Cheryl Viegas Walker, Mayor, El Centro, welcomed everyone to the April policy committee meeting and thanked members for their service to all California cities. She explained that policy committees are vitally important and directly connected to Cal Cities' core mission of advocating for the common interests of cities.

Mayor Viegas Walker emphasized this past year has been challenging for city officials, navigating a global pandemic while managing budget shortfalls that have forced cuts to local services. However, she explained that there is a light at the end of the tunnel. The supply of vaccine doses is growing, eligibility is expanding, and assistance for cities in the recently enacted American Rescue Plan is on the way.

With the legislative session in full swing, Mayor Viegas Walker stressed the role city leaders play in advancing Cal Cities advocacy efforts. She urged policy committee members to contact their lawmakers, so their voices are heard loud and clear. She closed by thanking everyone in attendance for their work as a policy committee member.

Mayor Viegas Walker then introduced Carolyn Coleman, Cal Cities Executive Director. Ms. Coleman welcomed committee members and thanked them for their work. She applauded the efforts of city leaders in pushing their members of Congress to pass the American Rescue Plan. Ms. Coleman explained that Cal Cities is working diligently to protect cities' interests not only in the State Legislature but also as a partner in implementing the American Rescue Plan. She explained that in the coming weeks, Cal Cities will be distributing resources so cities have the tools they need to utilize this funding in their communities. She thanked committee members again for serving on the committee and wished them a great meeting.

Chair Bob Whalen, Council Member, Clovis, and Vice Chair, Pippin Dew, Council Member, Vallejo, welcomed committee members and provided an introduction.

## II. Public Comment

Chair Whalen asked if there was any public comment. There was no public comment.

## III. General Briefing

In accordance with the customary practice of convening all policy committee members for a general briefing prior to the start of policy committee meetings, the Cal Cities advocacy team compiled a [General Briefing Update Document](#), which includes the latest on legislative and budgetary matters affecting cities.

## IV. Public Safety Task Force Overview

Task Force Chair, Pippin Dew, Council Member, Vallejo provided an overview of the work of the Cal Cities public safety task force.

The Cal Cities Board of Directors voted in December 2020 to create the task force to provide feedback and recommendations on public safety policy priorities, Cal Cities policies, recent legislative activity, and proposed legislation. Cal Cities President Cheryl Viegas Walker appointed to the task force 22 city leaders from across the state with a breadth of experience working on public safety issues.

Ms. Dew explained that over the course of four meetings, the task force formed recommendations on proposed policies and legislation, which the policy committee would be reviewing today.

## V. Legislative Agenda

Legislative Representative Elisa Arcidiacono briefed the committee on action items for consideration. The committee took the following action:

### First Responder Policy:

The first proposed policy related to how first responders respond to incidents involving people living with mental illness or experiencing substance use disorders. After Ms. Arcidiacono's overview of the proposed policy, a lengthy discussion ensued. Committee members explained that often law enforcement officials are tasked to respond to these calls because there is no way of knowing if there will be a threat to public safety. Members appreciated how the policy reflected a need to have health professionals supplement law enforcement, bringing needed expertise. Additionally, the language of the proposed policy was changed to better reflect the populations health professionals would be serving on such calls. Ultimately, a motion was made to support the following edited policy, which passed unanimously.

*Cal Cities supports the promulgation of policies and the use of resources to increase collaboration between first responders and health agencies for incidents involving people living with mental illness or experiencing substance use disorders.*

### First Responder Policy:

The second proposed policy for consideration also related to how first responders respond to incidents involving people living with mental illness or experiencing substance use disorders. After Ms. Arcidiacono's overview of the proposed policy, a discussion ensued. The policy was edited to incorporate increased education for first responders and a multidisciplinary approach in responding to incidents involving such

populations. Ultimately, a motion was made to support the following edited policy, which passed unanimously.

*Cal Cities supports resources for increased training and education for first responders to serve people living with mental illness or experiencing substance use disorders as well as increased multidisciplinary collaboration.*

Law Enforcement Policy:

The third proposed policy for consideration related to law enforcement mental health screenings. After Ms. Arcidiacono's overview of the proposed policy, a discussion ensued. Several committee members raised concerns about how the policy would only apply to law enforcement. As a result, the policy was edited to include all local public safety personnel. Ultimately, a motion was made to support the following edited policy, which passed unanimously.

*In addition to the mental health screening provided by local hiring entities, Cal Cities supports resources and education to support the mental health needs of local public safety personnel.*

Law Enforcement Policy:

The fourth proposed policy for consideration related to law enforcement decertification. After Ms. Arcidiacono's overview of the proposed policy, a discussion ensued. While committee members considered editing the proposed policy, it was decided that the language presented created the most consensus. Ultimately, a motion was made to support the following policy, which passed 42-1.

*Cal Cities recognizes the need to establish a peace officer decertification process through POST.*

[AB 89 \(Jones-Sawyer\)](#) Peace Officer Education and Age Conditions for Employment (PEACE) Act.

The committee considered AB 89 (Jones-Sawyer), which would increase the minimum qualifying age for employment as a peace officer from 18 to 25 years of age unless the individual has a bachelor's or advanced degree from an accredited college or university. After Ms. Arcidiacono's overview of the measure, a discussion ensued. Committee members wanted more data on the benefits of increasing the education and age requirements of officers and expressed concerns about how AB 89 would impact recruitment.

As part of this conversation, Ms. Arcidiacono also provided an overview of [SB 387 \(Portantino\)](#) Law Enforcement Academic and Recruitment Next (LEARN) Act.

This measure, sponsored by the California Police Chiefs Association, would require POST to work with stakeholders to develop a list of courses to include as requirements for obtaining a basic certificate.

After reviewing and discussing both measures, a motion was made to oppose AB 89 with a vote count of 36-8 and support SB 387 with a vote count 35-11.

[AB 603 \(McCarty\)](#) Law Enforcement Settlements and Judgments. Reporting. The committee considered AB 603 (McCarty), which would require municipalities to annually post information relating to settlements and judgments resulting from allegations of improper police conduct. After Ms. Arcidiacono's overview of the measure, a discussion ensued. The committee raised concerns about how this information would be shared with the public and the possibility that this could increase the number of lawsuits against the city. Others explained that because this is public funding, they felt it important to share with the public. There were also questions about what the current process is for sharing this type of information. Ultimately, a motion was made to oppose AB 603 with a vote count of 31-10.

[AB 48 \(Gonzalez\)](#) Law Enforcement: Kinetic Energy Projectiles and Chemical Agents. The committee considered AB 48 (Gonzalez), which would prohibit the use of kinetic energy projectiles or chemical agents to disperse any assembly, protest, or demonstration and would prohibit their use solely due to a violation of an imposed curfew, verbal threat, or non-compliance with a law enforcement directive. After Ms. Arcidiacono's overview, a lengthy discussion ensued. Committee members explained that a more nuanced approach is needed and that cities should work with the Legislature to limit unnecessary injuries or death from these devices. Some committee members shared what their communities have done to limit or even prohibit the use of kinetic energy projectiles or chemical agents. This created concerns around the need for local control in this space, as what works in some communities may not in others. Ultimately, a motion was made to oppose the measure. A substitute motion was then made to support the measure if amended. Ultimately, the committee voted to oppose AB 48 with a vote count of 33-9.

[AB 594 \(McCarty\)](#) Law Enforcement Policies. The committee considered AB 594 (McCarty), which would require all law enforcement agencies to conduct a criminal investigation of specified force incidents and would prohibit a law enforcement agency from conducting the criminal investigation into those incidents involving officers of their own agency. After Ms. Arcidiacono's overview, a lengthy discussion ensued. Committee members raised concerns about the costs of these investigations on smaller agencies and highlighted how many local agencies already do what AB 594 seeks to accomplish. Ultimately, a motion was made to support the bill, but after further discussion, the committee decided to maintain the task force's watch recommendation on AB 594.

[AB 718 \(Cunningham\)](#) Peace Officers: Investigations of Misconduct. The committee considered AB 718 (Cunningham), which would require a law enforcement agency or oversight agency to complete and disclose findings of an investigation despite a peace officer's or custodial officer's voluntary separation from the employing agency. After Ms. Arcidiacono's overview, a lengthy discussion ensued. Committee members raised concerns about the costs of ongoing investigations into such matters and how investigations can be concluded if the individual under investigation fails to cooperate. Ultimately, a motion was made to oppose AB 718, with a vote count of 36-6.

[AB 60 \(Salas\)](#) Public Safety Accountability Act. The committee considered AB 60 (Salas), which would create a decertification system within the Commission on Peace Officers Standards and Training (POST) to revoke the

certification of officers if they are found guilty of serious misconduct. After Ms. Arcidiacono's overview, a lengthy discussion ensued. Committee members agreed with the task force's recommendation to watch the bill and continuing to allow the Police Chiefs Association to work on their concerns with the measure. The committee requested that the bill be brought back to the June meeting for an update.

**VI. Legislative Update**

Cal Cities staff briefed the committee on key bills of importance to cities, and what to expect in this year's legislative session. Cal Cities staff highlighted several measures related to cannabis, outdoor dining, and fireworks. A list of all the Cal Cities PS bills can be found [here](#).

**VII. Next Meeting:** Thursday, June 3, 2021, 9:30 – 12:30