



City of Santa Ana
20 Civic Center Plaza, Santa Ana, CA 92701
Staff Report
July 18, 2023

TOPIC: Police Oversight Commission Informational Report

AGENDA TITLE

Police Oversight Commission Informational Report

RECOMMENDED ACTION

Accept informational report.

DISCUSSION

On November 15, 2022, the City Council adopted an ordinance establishing a Police Oversight Commission ("Commission"). The purpose of the Police Oversight Commission is to improve transparency, increase the accountability of and public confidence in the Santa Ana Police Department, and to provide for an Independent Oversight Director. The purpose of the Commission is to act through the Independent Oversight Director to provide the Chief of Police, City Manager, and City Council independent investigations of, analysis, and recommendations on police practices, police misconduct, officer-involved shootings, and other serious uses of force.

On January 17, 2023, staff presented an informational report to the City Council with an anticipated timeline for implementing the Commission, along with options for engaging an Independent Oversight Director. Since that time, staff has begun working on implementation tasks. Below is information about the Commission, commissioner appointments, information about the Independent Oversight Director role, and a status update on the implementation tasks.

About the Commission

Once established, the Commission will consist of seven commissioners who will meet at least once a month to engage in the following:

- Review, evaluate, and make recommendations to the Chief of Police and City Council regarding the Police Department's policies, practices, and procedures, develop programs and strategies to promote positive police-community relations, and make appropriate recommendations to the City Manager and the City Council.

- Receive, hear, and review misconduct complaints, tort claims, or lawsuits made against on-duty Santa Ana Police Officers which allege Santa Ana Police Officers have engaged in misconduct as specified in Santa Ana Municipal Code Sec. 2-665(b).
- Receive and discuss reports from the Independent Oversight Director on all incidents involving alleged misconduct by Santa Ana Police Officers as specified in Santa Ana Municipal Code Sec. 2-665(b).
- Direct the Independent Oversight Director to independently review and investigate citizen complaints, tort claims, or lawsuits alleging the types of police misconduct as identified in section 2-665(b) or when the City Council provides authorization pursuant to Santa Ana City Charter Section 1100.
- Authorize the Independent Oversight Director to audit complaint files and review policies to ensure best practices are implemented.
- Advise the Mayor, City Council, City Manager, and Police Chief on community relations issues involving the Police Department.
- Review any Memorandum of Understanding (MOU) between the City and the Santa Ana Police Officers Association or the City and the Santa Ana Police Management Association, and provide suggestions and recommendations concerning negotiations to the City Manager and the City Council.
- Conduct public meetings to educate the community on the purpose of the Police Oversight Commission and provide a forum for discussions about police policies, practices, and procedures.
- Prepare and submit an annual report to the City Council concerning the Commission's activities, findings, and recommendations.

Once each a commissioner is appointed, they will be required to take an oath and execute a confidentiality agreement and engage in a series of trainings, and may participate in a ride-along with the Santa Ana Police Department.

Commissioner Appointments

To date, six individuals have been appointed to the Commission:

Commissioner Name	Nominated by	Appointed by the City Council on
Danny Vega	Mayor Amezcua (citywide)	February 21, 2023
Carlos Perea	Councilmember Vazquez (Ward 2)	March 7, 2023
Nadin Said	Councilmember Bacerra (Ward 4)	May 2, 2023
Keith Carpenter	Councilmember Phan (Ward 1)	May 16, 2023
Amalia Mejia	Councilmember Hernandez (Ward 5)	June 6, 2023
Evangeline Gawronski	Councilmember Penaloza (Ward 6)	June 6, 2023

About the Independent Oversight Director

The City Council is authorized to appoint an Independent Oversight Director who will serve at the will and pleasure of the City Council. In addition to staff support that will be provided to the Commission, the Independent Oversight Director will assist the Commission in performing its duties and exercising its powers. This includes the following:

- Conduct investigations of allegations of on-duty Santa Ana Police Officers who have engaged in misconduct as specified in Santa Ana Municipal Code Sec. 2-665(b).
- Request and review citizen complaints and "use of force" reports or other pertinent documents maintained by, or available to, the Chief of Police to determine whether death or great bodily injury was caused by direct police action.
- Audit complaint files and review policies to ensure best practices are implemented.

Implementation Tasks

The City Manager's Office is working with a cross-departmental working group composed of staff from the City Attorney's Office, City Clerk's Office, City Manager's Office, and Santa Ana Police Department to launch the operations of the Commission. Below is a list of outstanding tasks that the City Manager's Office is leading:

Recruit the Independent Oversight Director.

At the January 17, 2023 meeting, the City Council directed staff to engage an Independent Oversight Director as an independent contractor who will serve at the will and pleasure of the City Council. The City Manager's Office is releasing a Request for Proposals (RFP) for the Independent Oversight Director. The RFP outlines the requirements for the Independent Oversight Director role according to the provisions of the Commission ordinance.

As outlined in the Commission ordinance, the Commission will have the opportunity to review the top three Independent Oversight Director candidates and make a recommendation to the City Council. Ultimately, the City Council will interview the top three candidates and, by a majority vote, appoint the Independent Oversight Director. Additionally, as directed by the City Council at the January 17, 2023 meeting, there will be an opportunity for the public to engage with the recruitment process.

Recruit the Police Oversight Management Analyst.

The City Manager's Office worked with staff from the City Attorney's Office and Human Resources department to create a Police Oversight Management Analyst (Excepted) position to provide regular staff support to the Commission. The position was presented to the City Council as a workforce change to the City Attorney's Office at the June 6, 2023 meeting. The workforce change was subsequently approved and added to the City

Attorney's Office's personnel budget. Accordingly, the Police Oversight Management Analyst (Excepted) will work in the City Attorney's Office.

Schedule First Meeting of the Commission.

Section 2-664 of the Commission ordinance provides that the Commission shall hold its first meeting when there are a sufficient number of appointed Commissioners to constitute a quorum. Now that this threshold has been met, staff may proceed with scheduling the first Commission meeting.

Next Steps

Staff will continue to provide regular updates to the City Council to share progress on the implementation of the Commission ordinance.

FISCAL IMPACT

There is no fiscal impact associated with this action.

EXHIBIT(S)

1. N/A

Submitted By: Kristine Ridge, City Manager

Approved By: Kristine Ridge, City Manager