

CITY OF SAN DIEGO

(This Measure will appear on the ballot in the following form.)

MEASURE G

CHARTER AMENDMENTS REGARDING THE CITIZENS' REVIEW BOARD ON POLICE PRACTICES. Shall section 43(d) of the City Charter be amended to rename the Citizens' Review Board on Police Practices as the Community Review Board on Police Practices, to replace references to "City Manager" with "Mayor and City Council," and to require the board to review all deaths occurring while someone is in the custody of the San Diego Police Department and all police officer-related shootings?

This measure requires approval by a simple majority (over 50%) of the voters voting on the measure.

Full text of this measure follows the argument.

OFFICIAL TITLE AND SUMMARY

BALLOT TITLE

Amendments to the San Diego City Charter Related to the Citizens' Review Board

BALLOT SUMMARY

This measure would amend the San Diego City Charter to: (1) rename the Citizens' Review Board on Police Practices to the Community Review Board on Police Practices; (2) replace references to "City Manager" with "Mayor and City Council"; and (3) require the board to review all deaths occurring while someone is in the custody of the San Diego Police Department and all police-related shootings.

CITY ATTORNEY'S IMPARTIAL ANALYSIS

This measure would amend section 43(d) of the San Diego Charter related to the Citizens' Review Board on Police Practices, which was created in 1988 to independently review and evaluate citizen complaints against members of the San Diego Police Department and its administration of discipline arising from such complaints.

If this measure is approved by voters, the Charter would be amended to change the name of the Citizens' Review Board on Police Practices to the Community Review Board on Police Practices (the Board).

CITY ATTORNEY'S IMPARTIAL ANALYSIS (CONTINUED)

The amendments also would replace all references to "City Manager" in Charter section 43(d) with "Mayor and City Council." The amendments would provide for the City Council's participation in the selection of the Board's members and in creating rules and regulations necessary for the Board to carry out its functions.

The Board presently reviews all cases involving in-custody deaths and officer-related shootings, by agreement with the San Diego Police Department. This measure would amend the Charter to require that such reviews be conducted by the Board.

The City Council proposed the language of this ballot measure and placed it on the ballot after public hearings held by its Public Safety and Livable Neighborhoods, Rules, and Charter Review Committees. If approved, the Charter amendments would become effective after they are chaptered by the California Secretary of State.

FISCAL IMPACT STATEMENT

This measure would amend a section of the City Charter related to the Citizens' Review Board on Police Practices. The measure would effectuate the following three changes:

- Change the name of the Citizens' Review Board on Police Practices to the Community Review Board on Police Practices.
- Replace references to "City Manager" with "Mayor and City Council." The City of San Diego has not had a City Manager since 2006; instead executive authority is vested in the Mayor. This measure would update the Charter to reflect the City's current strong mayor form of government. Additionally, the City Council would be granted new shared oversight authority over the Board, along with the Mayor.
- Require the Board to review all deaths occurring while a person is in custody of the San Diego Police Department and all police officer-involved shootings. It is already the current practice of the Board to review these cases (with the exception of shootings of dogs and accidental discharges by officers). This measure would mandate the current practice in this regard.

There is no fiscal impact associated with these Charter amendments as they are not expected to increase the workload of the Board.

ARGUMENT IN FAVOR OF MEASURE G

The Citizens' Review Board on Police Practices, established in 1988, is an independent body that reviews and evaluates complaints brought by the public of misconduct by members of the San Diego Police Department. The Board reviews and evaluates the administration of discipline arising from sustained complaints.

YOUR YES VOTE ON PROPOSITION G WILL INCREASE PUBLIC CONFIDENCE IN GOVERNMENT AND THE ACCOUNTABILITY OF LAW ENFORCEMENT BY CONDUCTING IMPARTIAL AND INDEPENDENT INVESTIGATIONS OF CITIZEN COMPLAINTS OF MISCONDUCT CONCERNING THE SAN DIEGO POLICE DEPARTMENT.

WHAT DOES PROPOSITION G DO?

Proposition G would:

- Expand regulatory power over the board in the Charter to include the City Council in addition to the Mayor, who currently has exclusive authority over the board;
- Explicitly state in the Charter that the board shall review all cases involving deaths that occur in police custody and officer related shootings; and
- Change the name of the board to the Community Review Board on Police Practices.

Proposition G will improve communication between the Police Department and the community, will increase police accountability and credibility with the public and will create a transparent complaint review process that is free from bias and informed of actual police practices. Most important, this batch of reforms inserts checks and balances in making the rules for the board, helping to fortify the public's trust in law enforcement which benefits both residents and officers.

Proposition G has received bipartisan support from the San Diego City Council.

PLEASE JOIN US IN VOTING YES ON PROPOSITION G.

TODD GLORIA
City Councilmember

MYRTLE COLE
City Councilmember

KEVIN FAULCONER
Mayor

ARGUMENT AGAINST MEASURE G

No argument against Measure G was filed in the office of the City Clerk.

FULL TEXT OF MEASURE G

ARTICLE V

EXECUTIVE AND ADMINISTRATIVE SERVICE

SECTION 43: ADVISORY BOARDS AND COMMITTEES

(a) through (c) [No change in text].

(d) Citizens'~~Community~~ Review Board on Police Practices. Notwithstanding any other provision of this Charter, the ~~City Manager~~Mayor and ~~City Council~~ shall have the exclusive authority to create and establish a citizens'community review board on police practices to review and evaluate citizens' complaints against members of the San Diego Police Department and the San Diego Police Department's administration of discipline arising from such complaints. The ~~City Manager~~Mayor and ~~City Council~~ shall establish such rules and regulations as may be necessary for this board to carry out its functions; provided, however, that such rules and regulations shall be consistent with the laws of the State of California concerning citizens' complaints against peace officers. Nothing in such rules and regulations shall interfere with the board's authority to independently refer a completed citizen complaint investigation to the grand jury, district attorney, or any other governmental agency authorized by law to investigate the activities of a law enforcement agency. The board shall review all deaths occurring while a person is in the custody of the San Diego Police Department and all police officer-related shootings. The board shall submit semiannual reports to the ~~City Manager~~Mayor and City Council concerning its evaluation of the San Diego Police Department's investigation of citizens' complaints; provided, however, that such reports shall not disclose any information required to be kept confidential by law.

END OF MEASURE