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>> City Manager Figone:... Welcome everyone to this meeting concerning recruiting for our next Chief of Police for the City of San José. I wanted to just make a few opening comments before I turn it over to Dr. Shawn Spano of San José State University who will serve as our facilitator this evening. And let me just begin by saying that all of our department heads in the City of San José hold very important positions. But I must say that the Chief of Police is probably the most important position, given the size and scope of the department, of the amount and responsibility that the chief holds, and the importance of the police department and Public Safety services to our community. The purpose of these input sessions is -- are to, first of all, through the feedback and the input that we will receive, what we will do is, use the information to include, as we develop a profile and put that profile in the marketing materials that our recruiter will use to actually entice interest in this position. However, it will not stop there. The input will be used to develop screening criteria as the recruiter looks at the resumes that we receive, we'll use the information to develop questions for the panel interviews that will occur later on in the process. We'll also use the input to help us determine although we would expect all the candidates to do their own research on the City of San José, we may want to require that they look at certain materials about our community. And so the types of questions and the type feedback that we're going to be getting through these meetings will be used to basically design the rest of the process. We have a three-part strategy in terms of the input and the outreach process. One clearly are the community meetings that are you are a part of this evening. We also have targeted outreach, to special interest groups that we will be engaging in and then also our workforce. Our workforce of 1600 employees has a very special interest in who will be the next. And so we are also engaging in ways for our workforce to provide input. And actually have provided, given the size of the workforce, a way for them to provide confidential input. So it is a multipronged strategy one that is very complete and one that is designed from my perspective to provide a 360° view of what the community and all the various interests are expecting of our next chief. And just one more note before I turn it over to Shawn, and that is, I am conducting this process in a way that really fulfills my charter responsibility, which is to bring to the mayor and the city council my recommendation for the next chief for their confirmation. And it is very important to me as we go through this process that it be a professional one, not a political one, as the chief is a department head and a very important one, at that. And so I have a lot of confidence that what we have planned will bring forward the best and the brightest to consider San José, hopefully at the end of the day, all will agree that we will hire an excellent next chief for the City of San José. So with that, I'll turn it over to Dr. Shawn Spano.

>> Shawn Spano: Thank you, Deb. My name is Shawn Spano. I teach in the Communications Studies Department at San José State University. And I'll be facilitating our conversation tonight. So you can see we're going to work with these three people (inaudible) So we're going to work with these three tables tonight, facilitating the conversatin, and because it's being televised and streamed, we need to be speaking into microphones. So you might want to jump in and ask a question. Wonderful. Just make sure you have a microphone, so that we can get that caught and captured. Okay, I'll remind you of that as we proceed through the meeting. So let me just take a couple of minutes here to set up what we'll be doing tonight. You have the agenda in front of you. And on the agenda, you'll see questions that we're going to ask and even before we get into these questions, what's the purpose of tonight's meeting? To gather input from the community on the ideal qualities of San José's next police chief. As Deb just mentioned, the information that will be collected from this meeting, as well as the other four community meetings will be used to inform the process and evaluation of candidates. So there are multiple ways to provide input. Obviously, you're here at the third of five community meetings. There's two more, one Wednesday night and one Thursday night. There's outreach to the police department itself, to the rank and file, as well as POA, the Police Officers Association. That's number 2. And the third is, targeted stakeholder outreach. So there's a number of meetings that are being conducted with groups and individuals targeted groups and individuals to collect their input on the qualities and characteristics of a new police chief. You'll see here on the next slide, ways to provide input, outside of this community meeting. You have the comment card. At any point during the meeting you want to fill out the card, that's great. You'll see -- I'm going to come to these questions in just a minute. We'll structure our conversation around five questions. So there's the questions here, and then a place where you provide written comments on the back. The person who will be conducting the executive search, Teri Black, will not be joining us tonight. She will be available for the other scheduled meetings, she had a schedule conflict. But there is her e-mail, and you can e-mail her directly with any input that you want to provide. And yet a third way, there is a community survey that's available for to you take online, and you can access that on the the City's home page, that is it there, sanjoseca.gov. Also you can access the community survey, I should say it's in Spanish, English, and Vietnamese. As you access the survey and the same place on the home page, there's a lot of other documents related to the police chief recruitment process so you have that information available, as well. These are information memos as well as summary notes from the

first two meetings, and we'll have summary notes from this meeting as well as the other two meetings the rest of this week. Okay? That let's move on to the next piece of our agenda, which is a very brief overview about the police department, and then an outline of the recruitment process itself. And as I mentioned Teri Black will be conducting the search from her executive search organization. She's not able to join us. In her place is Mark Danaj, the HR director of the city.

>> Mark Danaj: Thank you, Scott. Good evening everybody, welcome again. I'm just going to offer, as Shawn suggested, a few points of contact to sort of ground our conversation before we start today. The police department is the largest of city departments. It has over 1700 employees. It has over 1700 employees with approximately 1273 of them being sworn positions. And it has an annual budget over \$300 million. It's organized into four major bureaus: Administration, investigation, field operations and technical services. It is not only the largest department, but also a very complex department, and certainly one of the most sophisticated departments we have in the city, providing a key part of service delivery for the residents of San José. So to that end as Shawn has mentioned the City Manager has hired a executive search firm to help build and provide us a quality pool of candidates from which to work from. As Shawn has mentioned the search firm is Teri Black and Company. The principal of the firm, Teri Black, is personally managing the search and conducting the search on behalf of the city. Terri Black has significant experience in law enforcement as well as executive search with a great deal of experience also in public safety search. She recently completed our fire chief search from earlier this year, in June of this year, as an example. So she also has experience with the city organization, as well as the diversity that makes up our great city. As the City Manager has mentioned she will use information from meetings like this, to help inform her work on behalf of the City Manager. One of the first steps that she'll do is to take information from meetings like this and help guide her process, and that will be initiated with the publication of an ideal candidate brochure. Like this one from the fire chief process from earlier this year. This brochure lays out all of the reasons why somebody would want to come to work for the City of San José, join our community, as well as the challenges that the next police chief will be confronting. The information will then also be used throughout the process, whether it be vetting candidates, or providing information to candidates about our organization, and about our community. And also informing various selection processes down the road. She will -- is targeting mid September as the time frame in which the search will officially open. Meaning, this publication will be published

and people will be able to reply. And look towards the end of October as the opportunity to bring candidates forward to the City Manager. Lastly, I just wanted to briefly comment on some of the conversation that's been in the community about the elements of confidentiality that we have as part of this process. It is only one part of the process but it is an important part. And it's important primarily to be able to attract passive candidates. More often than not some of the best candidates that you can get are the passive candidates. A passive candidate is somebody who is very good at what they do and they're very happy at where they're working and they're very happy where they're living. So confidentiality is a means and a core part of executive search. We provide for a moment a safe space, if you will, for somebody, again, who is very happy where they are, very good at what they do, to contemplate the idea of coming to the City of San José or contemplate leaving their community and leaving the job that they're in. So that is a part of our search. It is only one part of it, but it is an instrumental part of executive search to make sure you can attract the very best to your organization. With that, if you don't have any questions, I'll turn it back to Shawn.

>> Shawn Spano: Questions, yes, Kerry. I have a microphone on each table and I'll ask you please to speak into the mic. Thank you.

>> First, I heard there was only one part that was confidential, screening and hiring process but I heard also that the information, the data gathered from the police department will be confidential also. What about the POA? Would that be confidential?

>> Shawn Spano: And when you're talking about information from the targeted stakeholder meetings, that information whether that will be accessible?

>> Yes.

>> Shawn Spano: Yes, that will be accessible. There was a targeted meeting with the coalition for justice and accountability, and the notes from that meeting are on the city's Web page, and I had indicated previously.

>> City Manager Figone: What I would add is unless it is a requirement of the targeted group that it not to be disclosed, we will disclose the information.

>> I mean, I think that even if it's a requirement, I don't think it would be exempt from disclosure under the Public Records Act. Maybe the names and badge numbers of people that submitted the info, but I think that as much needs to be open as possible, with all the detail.

>> Shawn Spano: Yes. Other question here?

>> On confidentiality, my concern is, are these people coming here and trying to apply for a job because they don't want to get exposed, or are they coming here for the money? Aren't -- don't we have an enormous salary that we pay our police chiefs here in San José? And I'm pretty sure that certainly, if I was out going to look for a job I'm going to look for something that's going to pay me more money. So why -- and I'm willing to tell them anything they want to know about me just to get the job. You would think that who's ever paying for a job in San José the money and the weather is the greatest asset we have.

>> Shawn Spano: I certainly agree. Why not come to San José? I think Mark's point earlier was that you'll have candidates, and they could be police chiefs. They could be deputy police chiefs who will be -- have a job with another agency, another police department. And they do not want it to be known that they are applying for another job because of jeopardizing their position where they are at. And as I understand it, and please correct me, the idea here in doing this is to ensure that you get as many applicants, as strong of an applicant pool as possible. That's my understanding, am I okay there in terms of that characterization? Great. Other questions, other questions about the meeting tonight, the other meetings, the recruitment process, anything around process? Yes.

>> Thank you. Along with this other gentleman's concern here, does the confidentiality process cover such things as salary ranges and benefits for the potential police chief?

>> City Manager Figone: The salary range, the benefits will all be in the brochure and those will be public information.

>> Shawn Spano: I introduced myself. You met the City Manager so if we could just do a quick round of introductions here for our participants and your name and if you want to identify an affiliation that will be great. So I'm just going to pass the mic around here.

>> Good afternoon, good evening. My name is Carlos Chipote, I'm a community member on the side of Milpitas.

>> I'm Chris Block.

>> Good evening, I'm Otis Watson citizen of the City of San José.

>> Richard McCoy with the D-1 leadership group in district 1.

>> My name is Joe Castelanno with the Castellano family foundation. .

>> I'm David S. Wall, just an old man in the twilight of his years.

>> Hi, I'm Diane Dulan Diaz with the office of the independent police auditor auditor.

>> José Saucedo. With mayor Chuck Reed.

>> Hi, I'm Blage Zolalich with the San José Downtown Association and I'm also a San José resident.

>> Hi I'm Rich Garcia, member of the school board for the San José school district and a member of the domestic violence council.

>> Ellen Lynn, also a San José resident, and I work at San José State University as a psychologist on campus.

>> My name is Aney Nguyen, and I work for the Alum Rock school district.

>> Shawn Spano: And we do have translation, Spanish and Vietnamese translation. Please raise your hand and we can take care of that. I'm going to put you on the spot sir. Come up to this table, would be great to join us. Do a quick name and affiliation.

>> I'm Scott McDonough, very concerned resident of the city. Thank you.

>> Shawn Spano: Thank you very much. I'm going to preview the questions, and I'll open it up. Here are five questions. What are the most important issues that you would like the new police chief to address, what experience and track record should the new police chief have? What are the most important skills and characteristics the new police chief should have? Anything else you want to share with the city, you would like the city to know or consider in selecting the new police chief and the last question is, what are you, citizens, residents of San José, and Milpitas, willing to do or contribute to help the new police chief? Those are sort of general questions. We can just jump in with question 1. We don't need to be real strictly. If we jump around that's okay too. You'll see that Alexandra will be recording, and Ernest will be recording. And as I mentioned earlier, there will be a summary from tonight's meeting, sort of raw notes from the flip chart paper, and they will be posted again on the city's home page and that will happen within about 72 hours. Okay. First question, here we go. What issues should the new police chief address? And again I'm going to make sure you speak into the microphone, please. You, sir.

>> I have another meeting I need to attend to so I'm going to share some of my concerns right now. I'm not sure exactly what are all the important issues of the city. But I have been concerned certainly we've enjoyed a wonderful support by the police chief of the gang task force. And I think it's important that the new chief recognize what we have established here in San José. And the commitment that we do have. And the progress we have made. I think it's important that we continue to see the support that we've had to date. I also think that there's a

wonderful opportunity for this police chief to do a community outreach in our elementary schools and to begin to work with the students, and our young students in our city, to improve the relationship between young people and the police department. Also, I'm also on the board for the metropolitan adult education, and as you may or may not know, CCOC has a law enforcement training program. And I would like our police chief to visit the campus and to familiarize himself with what we are doing at the central county occupational center. And I'm sure that we can -- we certainly would enjoy the support of the police chief. And last, I'd like this police chief to continue to have the same wonderful rapport that this police chief has had with our school district police department. I've talked with our chief, and he has nothing but praise for this police chief. And I'd like to make sure that we continue to have that relationship. Because it's so important in so many ways, everything from traffic to coordinating in terms of any kind of emergency that might happen on our campus. And I feel we're very comfortable at this point and I want to make sure the new police chief continues that kind of coordination with the school districts.

>> Shawn Spano: Excellent. Just to make sure we got that. The first thing I heard you say was to support your organization as the current police chief has done and to continue on with that same model. The second was on outreach, particularly to young people in the schools, I even heard you speak of the elementary schools and then the law enforcement within the school districts themselves, that's sort of agency to agency collaboration.

>> Yes.

>> Shawn Spano: Thank you very much for that.

>> Don't forget CCOC.

>> Shawn Spano: Thank you. Rich.

>> I know San José is a wonderful city and I've spent 30 years enjoying it and also involved in the high technical industry around here. And understanding the police chief and the police department's involvement with the gang crimes, graffiti, traffic and all their other duties. Because of high tech in this area I would have a concern would the

police chief have knowledge or ability to get involved with the high tech crimes that are unique to the Silicon Valley. And also important area for me that's important is I.D. theft, which is growing and growing by billions of dollars a year. My own experience has been the police department is not exactly taken a forward step on that when it's happened so rapidly. So I'd like to see something in that area. The new police chief would have skills in and be able to address.

>> Shawn Spano: Thank you very much. And so those around issues that the new police chief would have to address including the high tech crime and identity theft and so forth. Kerry, I think you have a microphone on the table.

>> Not only do I want to see the right chief come on board. I'd like to see him also get off on the right foot, also. And I'm really impressed by the amount of data, and not just the amount but the quality of information that has been conveyed by the members of the community. I wouldn't like to see this information wasted. I'd like to see it used beyond just the recruitment process, and not just being made available, because that's already being done but I'd like to see it utilized and meticulously looked at by like the San José police department's research and development unit and the City Manager's office and the IPA, I'd like them to go through this information and really sort through it and figure out what direction we'd like the police department to go in the future.

>> Shawn Spano: And the information is the information that is being elicited through the community outreach process?

>> Yes.

>> Shawn Spano: Good, excellent, that's great. And rich I didn't want to lose your first point there which was that the new police chief needs to address crime around gang activity and traffic, big issues, small issues, did I capture that?

>> Yes, that is -- that is --

>> Shawn Spano: If the green light's on, we're good.

>> That's correct and our growth and the reduction force I think in the police department has all impacted these particular areas. In our own area out there in district 1, has just recently gone through some experiences where there's been a slight little hiccup you might say in the crime in that area. And the citizens in our neighborhood association are very concerned about this. So we're hoping that the officers can get more out onto the beat. Hopefully, ideally, out of the cars and on their feet as they say and working with the various community groups and learning about the crimes and the things that happened in the area in ways in which we can best report to the department through the 311 calls and the local observations and hopefully give a helping hand to the officers to help them investigate and perhaps solve some of these crimes in those local areas.

>> Shawn Spano: Great. So police officers out of the cars, on the streets, in terms of, and is a community policing model?

>> That's an idea. Unfortunately the budgets and personnel levels usually don't allow it but that would be the ideal thing.

>> Shawn Spano: I heard the last point, which might be a question number 5 answer, which was the community being engaged with the police and helping the police.

>> That is correct. When we have our association meetings we always invite the local sergeant come in and talk to us about the issues that we're involved in and we give him feedback about certain things we're concerned about, and we've had some very positive results because of that communication.

>> Shawn Spano: If we jump around that's totally fine. You're up.

>> Piggyback on what this gentleman said. I think one of the things that we've had more specifically in the downtown recently, over the last year and a half, two years, is more kind of quote unquote community policing. We've been able to develop more close relationship you know from the rank and file and all the way up and I think we have seen great benefit from that. And I would want to encourage and I think all of our members would, to continue that. I think one of the biggest challenges is, because of the budget cuts, and the resources that are diminishing is basically that balance between having the resources, not having the resources, continuing to community-police, which really makes such a difference. And I think that if whenever possible, if the new chief can kind of keep in mind that maybe pushing a little bit harder or trying to find or finding new resources towards community policing will benefit that much more. Because the community will have such a greater response and the community will want to be more involved. So I think that balance is going to be -- and the balance between kind of his boss, you know, from a departmental budgetary standpoint and also what the officers are looking for on the street, will be critical in making sure that we continue to have kind of that good attitude and that nice community policing feeling.

>> Shawn Spano: Greatly.

>> So that's a big one.

>> Shawn Spano: That is a question 3 kind of level, in terms of skills and characteristics, and I also heard pushing for resources in order to enable community policing to take place. That that's also a quality that you would like to see in the new police chief. It takes just a second for that green light to come on.

>> I'm anxious to talk. But I think the other point that's important that I wanted to bring out is kind of the good relationships helps to leverage, right? And so if we can get a little bit kind of on the goodwill side then it's likely that we as a community can do more to maybe help. For instance, like the Groundworks that we have downtown, the Pbid, we hire safety ambassadors, property owners hire safety ambassadors, and because we are now fostering the relationship with the police department, we are trying to do some of the things that officers on patrol,

they can't go, you know, they have priority calls, if they can't go, if we have a relationship then our kind of privately funded imports can go. So just the point about leveraging.

>> Shawn Spano: Great, excellent, around community relationships and leveraging those opportunities. So we're going to continue on. If we can just leave the mics on I think that will be okay. There's a little delay when you turn it on for the agree line to come on. Fuzz do have a cell phone or PDA you do need to turn that off any time it's near the microphone because we're going to get one of those ugly buzzing weird sounds so we want to avoid that. You're up sir.

>> I just have two more. Number one I think the police chief that we hire should come from a diverse community. A diverse community with a good record of something he did there so the community could live a more reliable life. And the other one I have is, I'd like the police chief to have a PR person to make any announcements that have to be made coming from the police department. The last few years some policemen have got into arguments with members of the community and some much these arguments are coming out publicly in the newspaper. I think that's very unprofessional. If the police chief has a PR person that has the final word of what's going to be said by the police department I think that would be an asset for the police department and also to the community for that matter. Thank you.

>> Shawn Spano: Very good. And on the diversity issue there I heard you talk about that in terms of wanting the police chief who has a track record, of promoting diversity, being from a diverse community and promoting diversity from among that. Excellent, good. Who else, as we move through issues you want to move ahead? Chris?

>> I want to follow up on what Al said about a policeman or a program. You know the more I deal with this issue of community policing the more I realize that community policing is like the weather. What my idea of a great day and your idea of a great day may be different. There's the same on community policing. There's such a divergence of opinion of what that might be. I would hope that by the time we get to the finalists or maybe before, that the candidate is asked to put together at least a framework for community policing plan in San José. Which

does two things I think. It gives people a sense, are we all on the same page when we're using this term? And in order to do it effectively the person has to come from a place where community completes policing is really part of the operation. Because you can't create it out of whole cloth. Like there's active engagement on this issue prior to the actual hiring. The second thing I want to bring up is that you know recently I went, and this is -- I'm going to belabor the obvious. But there was a best practices to L.A. and one of the police deputy chiefs came and was there because of his expertise in community policing. And he said the first most important characteristic of a department that has community policing is that they can consistently lower the crime rate. He says if you lower the crime rate, then everyone wants to work with you collaboratively. So this whole notion, that the primary job of the police department is to lower the crime rate and that sets the foundation for everything else is something I was struck by when I left. And then the last thing I -- just because it's come up a couple times, I'd like -- I think in some ways, again, on this issue of community policing, I think we often see it and I know that I did up until recently. We see it as a tradeoff between resources and community policing and I'm hoping that when the new chief candidate presents his plan, implicit in that plan will be that actually community policing is a more efficient way to run a department. So you don't have to make a tradeoff. I would do community policing if only I had more resources and hopefully this plan consult enough that I do community policing because I'll never have enough resources.

>> Shawn Spano: Excellent. So I heard the plan there on community policing and that a track record coming from having developed the community policing program that has some level of success. Great excellent, thank you. Otis.

>> Yes. First what I'd like to do, it's not one of the issues but I've been hear the comment a little bit tonight and I want to make this point clear. I would like to see one of the three or five top candidates be a female. The reason I'm saying that is I'm hearing so much about what he ought to be doing and when I'm hearing that from females also, that bothers me. This is an excellent opportunity, for the City of San José to actually step forward and make a statement. Not only to its 1700 police employees but also, to the citizens. And I really think, and I say this, I'm glad the City Manager is here, too. If we come down with five candidates and one of them is not a female you need to go right back in and reevaluate. Because we have some outstanding females on the police force right here today and there are other outstanding females on police forces around the country. Having said that I'd like

for the police chief to be a person who's had a track record in dealing with a \$300 million budget. I don't need to see a police chief who's only been dealing with something around \$175,000 and maybe -- I don't know, 1200 employees. I think it's important that the police chief bring some new ideas to the City of San José. Something to take us beyond where we are now. We don't need anyone to come in and put Band-Aids or the type of situation we current have. We have a major budget problem here. I don't want to see the new police chief come in and immediately decide that that person has to fire people because of the budget deficit. That person needs to come in and have dialogue with the City Manager and the mayor, to help resolve the budget issues we now have with the police force.

>> Shawn Spano: And Otis I hear that you would want some creativity in the way the person does that and not the standard way of doing that.

>> Absolutely, absolutely.

>> Shawn Spano: Great, I'm trying to use my language, the new police chief, him or her. Scott, you had a point there, if you grab that microphone.

>> Thank you. In response to what an earlier speaker said, I think the behavior of the police in San José has improved. It's gotten better lately, because they were forced to become better, right? All the news, especially in the Mercury News, that got the word out to the public about what's been happening, served that purpose. And I think an important issue for me to really prove whether the new chief wants to make a real difference, is his willingness to purge abusive officers from the force. One of the articles in the Mercury News mentioned that many of these abuse allegations are landing on the same officers over and over again. There was a relatively short list. I didn't see any follow-up in the Mercury News whether the City's taken any action on that. I'm very concerned about that issue. Also, I'd like to see more sensitivity for citizens with mental illness. I lived in a rooming house. We had a schizophrenic living there he heard voices, one day he came home and said, I got beat up by the police. I said what color were their uniforms? I asked was it San José PD or Santa Clara County? What color were their uniforms? Dark blue. Okay, that tells me San José PD. I think it's called CIT training, which is

sensitivity towards people with mental health issues. This person that was beaten, I believe he told me the truth, he was a good-hearted person but his behavior is confusing to people. And had there been more CIT training, I know there's budget issues on that, but if there's more sensitivity to that, I would be encouraged. Also, I'm -- my general impression of the police in San José is that they protect the interest of property owners versus what I'll call the landless peasantry, somewhat inflammable. I was involved in a very abusive eviction in which our landlord used the police to make our lives even more difficult. I'm partially disabled, I'm working a job, though. And, you know, I think there is a bias, if there's a dispute that they can counter, if there is a property owner in dispute with a renter, I think they tend to take the property owner's side, that is not necessarily, it may be the right thing to do, it may not be the right thing to do. And I could go into many details about my experience but I think we have time constraints here. But I'm willing to do that. You know, I understand that the police need to send a message that drug gangs are not free to roam the streets and do everything they want to do. But there's been way too much abuse of what I'll generally call innocent citizens. I find that offensive. It's appalling to me. I think it's beginning to change but I want to see a new chief willing to purge abusive officers, be as sensitive to psychological issues of people they may encounter and think more broadly about what may really be going on in disputes between property owners and nonproperty owners.

>> Shawn Spano: Very good, thank you for that. Okay, others? Other issues that you would like the new police chief to address. Go ahead.

>> Yes, one more idea just came across to me. Is we were talking about the involvement of the citizens. If there is not, would I like to see the police chief hold regular citizens meetings, sort of on one on one, small groups where they're invited some various group leaders, association, neighborhood association leaders, to come in and have a sit-down with the police chief and go over their issues and concerns. So that not only does the information come from the top down, it also comes from the bottom up.

>> I want to add to what you just said. I've been to some of these meetings that the police department has in various parts of San José. Quite a few people attend, believe me, sometimes over 100. The meetings last a long time because there's a lot of complaints. And most of the time nothing is ever done to those complaints. Just goes

on until the next time they come. Some of these people have been there once or twice to complain. So maybe if this new Chief of Police can get some action, get action where people have complaints and do something about it.

>> Shawn Spano: Thank you. The issue around community relations and reaching out and being out in the community we've heard that a couple of times tonight, not just being out in the community but acting on the information, what I just heard Al talk about, following up on what the new police chiefs elicits from the community. We'll go to Al and then Kerry.

>> The thing I was going to mention, we have an outstanding independent police auditor who is doing outreach. This would be a great opportunity for each one of her outreach meetings for the Chief of Police to join her at that meeting. That way you show the citizens there's some collaboration between the police department, as well as the office of the independent police auditor. The other thing I'd like to mention is that when you start doing outreach, outreach to everybody in San José. It's good that we have these five meetings. But I notice, not one of the meetings are in Almaden valley, okay? There are citizens in Almaden -- I don't live in Almaden valley but there are citizens in Almaden valley who have issues, as well. And I think when you start doing outreach it's important to really outreach throughout the entire city. And not just within a certain district, zone.

>> Shawn Spano: Excellent. Kerry.

>> Just said a lot of the things I was going to say about the police joining in on the outreach. But I think it's also important to emphasize that not only does it have to be spread out geographically throughout the city but that I think segments of the community that were most vulnerable, low income communities, I think the Chief should go to -- I'm sorry, the chief and Diane Downen should maybe team up and maybe with some of the community organizations, say for example the chief tell people about the department, Diane Downen explains about the police complaint process, et cetera, and maybe Cop Watch or Debug or somebody could educate people on what their civil rights are in how to handle police encounters in a good way. Maybe low income housing complexes, the homeless shelters, certain neighborhoods with a lot of racial diversity, high portions of black and Latino residents

would be great. But I mean, really to touch upon the people who are most vulnerable, and to give them that empowerment I think is very important.

>> Shawn Spano: Great some thank you Kerry. Chris.

>> I just wanted to comment on the -- while I think there is a period of where the police chief introduces himself to the community, that has to be pretty subtle. Because you know part of that is if the community assumes that it's only community policing when the chief is there or the department's only listening whether the chief is there it creates a dynamic where you can't do very extensive community policing, because if the chief only goes to 250 meetings a year, it is just a different element. So I'm all in favor of the police chief being very public as long, as there is a real companion piece to that which is you know every officer is involved in community policing in a very identified way and that the community realizes that, the community policing is happening even when the chief is not the one who is doing the listening. Because otherwise, a very limited view of community completing.

>> Shawn Spano: So it's not just police, it's community policing all the way down from the top to the bottom of the department.

>> The bottom up.

>> Shawn Spano: Great excellent.

>> Another thought I had concerns children and domestic violence also. This city and this county has been very committed to ending domestic violence. I think it's essential that this police chief continue the same commitment to ending domestic violence and to protecting the community. But the Santa Clara County domestic violence council this year made the protection of children who witnessed domestic violence a primary focus. And I would -- I think it's really important that this police chief become aware of that commitment, and continue to make sure that not only are we identifying and providing services to making sure that services are given to the spouses of batterers but also, to make sure that the children are also protected. And provided with services.

>> Shawn Spano: Excellent. Thank you. If you could pass the mike to Alin.

>> I want to say something that is along the lines of several people have mentioned. The police chief as we know has a lot of power and we do want that person to have the power to enforce the rules and standards of the community. At the same time, I'd like to have a police chief who is aware of that power, who has the philosophy and experience of honoring that power, when the police and the force goes into the community to connect with the community. We're talking about different aspects of the community and the diverse community, whether that is somebody with domestic violence, somebody with mental health, somebody who's Latino or Asia international, the person hopefully would have that experience and know what that power of a police officer means who goes into that community. And I want somebody to have had that experience, or at least know where to tap into that collaboration and that knowledge with the community.

>> Shawn Spano: So Ellen, that's where the police sometimes, by virtue of the pow they have, they can prohibit certain kinds of interactions, and be intimidating perhaps to some people. And you're seeing the awareness ever that if I'm hearing you?

>> Yes, and intimidation I think is what you're getting at, also what I'm trying to make is that could prevent people from connecting and building that relationship. With the community that's going to be -- everybody is talking about collaborating with the community, we want that collaboration, when you come with that power and that uniform it has implications for our citizens.

>> Shawn Spano: Thank you, yes.

>> Just right here, I also work as an interpreter for the Alum Rock school district on the east side of San José. And one of my concerns as a language specialist is for the police chief to support the diverse ethnic groups that we have in San José. We have Vietnamese, we have a large Latino population and other Asian populations and all kinds of immigrants for him to support officers to speak diverse languages when engaging the public in

certain situation. And there have been situations at risk and it is much better if you have a police officer that can speak the language of the person or the citizen. And this would avoid a lot of misunderstandings and I remember some time back ago, there was an Asian lady, young lady who had a potato peeler a while ago and there was a major incident regarding that also last year there was a student from Asia who had a problem with the police. So if you have a police officers that are not only bilingual but also culturally competent and sensitive to the community, that would be very helpful to close the gap of communication within the community, and that way citizens would not feel so intimidated when the police are patrolling and doing their beat walks. Another concern of mine, too, I just read this last night, San José Mercury News, two people were believed shot. San Antonio street. And there has been gang violence resurging again, and you see this growing and joining. I work in east side San José. And when I drive you can tell you know there are more vehicles from gang remitted people out there. So if we can have a presence and also cooperation with the school districts, that would be great. We have after-school programs at our districts. Elementary schools and middle schools. And if police could also be there present you know patrolling it, be it San José police department or the Santa Clara sheriffs department just you know the safety of the children after hours. I'm working in my building at times I see people driving fast, they don't even stop. There's no traffic respect. I wish I was a police officer, I would issue violations. They do California stop and they don't even respect the crosswalk when kids are coming to school. So that's, you know, cultural competency, awareness, language skills, that would help a lot.

>> Shawn Spano: Fine. And I heard you say cultural competence on the part of the new police chief, but also promoting that throughout the department and down to the patrol officers. Excellent, very good. Kerry, microphone.

>> This is to build upon something that has been suggested by LaDoris Cordell, the new independent police auditor, about the mediation. Bring that into the process. I think that's a greatly idea. I don't understand however why it would be, you know, only for rudeness complaints, why it couldn't be expended for other kinds of complaints or issues. And also, perhaps a mediation could exist between groups of individuals. Like say, for example, I want to say the planet shopping center where there's been ongoing concerns about the secondary employment officers targeting homeless individuals and low-income people and maybe all of the officers and the

lieutenant over secondary employment, Alex Nguyen, and the folks come together for group mediation. But that wouldn't necessarily be a rudeness thing. So I think that that is something to look at.

>> Shawn Spano: So mediation for lots of different situations and perhaps even group to group not just individual to individual mediation?

>> Yes but also for -- not to be -- only to find rudeness.

>> Shawn Spano: For other kinds of issues and complaints as well, great. As we move forward here, we're jumping around the questions, totally fine. But sort of move directly into the second question, what experience and track record should the new police chief have? We've heard a couple on cultural diversity, and your terms are cultural competence. We've heard about community policing, the community relations, being out in the community, all of those wanting that in the new police chief, having a record, a track record of that, coming in with some degree of success in those areas. What else, what else would you like to see in terms of a track record?

>> Well, considering that San José is now the 10th largest city in the United States, I would think that the number of potential candidates with that much experience you can probably count on both hands. So it would seem to me it would be a little bit more difficult to find a recruiter with enough experience. However it was mentioned earlier about having some type of minimal experience that's close enough to be able to learn the processes within San José to help move them forward. Salary is an issue but you know that's something else and I'm sure the city has budgets for that. But also, based upon some of the experiences that the fire department's going through recently in their budgetary issues, would the police chief be involved in that, and how would it impact the overall number of people within that department that the police chief would have control over? And the budget that they would submit coming up for the next fiscal year? And its impact on the community.

>> Shawn Spano: Is that a question?

>> I believe there might be a question in there somewhere.

>> Shawn Spano: Did you hear a question? I heard one in there.

>> City Manager Figone: Definitely if we are successful in hiring a new chief by the end of this calendar year, early next -- early 2011, yes they will be part of the budget process which will be kicking off just about then. Also, the department, prior to the chief arriving will be involved in the -- kind of the precurse to the budget process. And so members the command staff will certainly be engaged and be able to hand off to the chief.

>> Shawn Spano: I heard a comment earlier, having experience working with a big department that has a big budget. I believe that was one of your comments, Otis. What else would you like to see in a police chief?

>> I 30 the police chief is going to be the person that bridges the gap in many instances. They're going to bridge the gap between the community and the force, they're going to bridge the gap in the elected City Manager and what's going on in the street and they're also going to have to bridge the gap with how his or her employees are doing and handling themselves. I think among numerous oat things, one really important experience or track record will be in that large force that he or she worked in, what was his or her interns with the rank and Nile? Because obviously they're probably coming from some place, they're not coming right off the street to be a chief. They've probably come up the ranks. Because if they're able to maybe it a good relationship, respect, all of the things that you would wants between an employer and an employee, so to speak, whatever tone that chief sets in termination of communicating, in terms of bringing new ideas forward, in terms of trying new things, then the officers, the sergeants, the command staff, everybody is going to go along with it and buy into it and the higher chance we have of all those folks buying in, the better chance we have of success. So I think one thing that's really important will be kind of the track record and the relationship that this candidate has with the folks that are on the street, implementing hopefully the vision that this candidate has.

>> Shawn Spano: Great, so that's really good in termination of the internal focus of the new chief within the department and having had a record of successfully leading a department that way. Go ahead, Kerry and then we'll go over to Scott.

>> This isn't probably what you meant by experience or what you're referring to when you rephrase the question but I'm taking the opportunity to slip this in. I think that the chief should have the experience of being screened by the community. And I really respect the other viewpoints stars the confidentiality issues and everything. However I think we're not talking about somebody mopping floors in the City Hall elevator. We're talking about the police chief. And in this case the public interest really outweighs the privacy concerns and I think a lot of the people in the community will agree with that regardless whether they come forward or not. I think by -- even if we have the most ideal, perfect police chief in the world, he's flawless, I mean, it's not going to happen. But you're saying, for example, the secrecy or privacy, confidentiality, whatever you want to call it, itself is going to cast a shadow of doubt on the new chief and is going to be a little bit of a hinderance for that chief to perform adequately if everybody has got questions and the faith really isn't there.

>> Shawn Spano: Okay.

>> So I think it may be a fair compromise to at least allow five finalists to come forward and to have a community forum where the community can come and interview those five finalists, and Google these people or do whatever and do a little bit of community, you know, research on who the finalists are and I think that that will give faith to the whole process and eliminate whatever questions are that, you know, that maybe the chief has already been chosen or maybe the POA or you utilized someone on the council to put someone in, whatever, a lot of people are concerned about that. I don't think there's allegations that that's what's happening or anything, but it needs to be out in the open, this is our government and we need to be the ones at least involved more. Thank you.

>> Shawn Spano: Good and just on that point there, feel free to talk about process issues. That's perfectly okay and there's actually the question 4 which was really set up to often the door for that so please feel free to comment on those. Scott you're up.

>> Thank you. I think to make real progress, positive progress forward the new police chief has to have, for one thing, a willingness to challenge the police officers union when it's appropriate. The police officers union, you

know, provides a very important function to this city. However, the police union, my impression is, has resisted a lot of needed change. Also the reality is, the police officer union members are very politically active, and their support during election time means a lot to individual councilmembers, and the mayor, police officers walk precincts during election. That has a big impact. It's difficult to say no to that, but sometimes I believe it's necessary. The other thing is, I want to see the new police chief have a determination to overcome other hurdles. I believe there's a California state law that limits access to police officers' personnel files. Huge hurdle, okay? So you can't go into a police officer's file to see whether or not if you have an abuse allegation, of a specific officer, you cannot find out whether or not he's had prior allegations of abuse, without a court order. That's very difficult and probably complicated to get. So I think you know, the new police chief, I think we need to look at his record in other cities, and see, did he just go along with whatever his union said was right? Or did he really ask enough questions? And is he willing and determined enough to overcome all the other hurdles that are in place, including probably feedback from councilmembers who need the union's support during election time. Is he willing to stand up to that, too? And I think you can, you know, get some impression of that by their prior performance at their last jobs.

>> Shawn Spano: Very good thank you. And then your comment earlier about police who have records of abuse or complaints against them also being able to stand up to those as well and not go along as well as you said with the union.

>> May I add one last thing?

>> Shawn Spano: Yes.

>> I don't think that if a policeman encounters a person on the street who appears to be poor, if they're not -- if they don't take care of their hygiene right, maybe, maybe they wear old clothes, I've been there, I've done that. And my concern is, does the appearance of being a poor person, does the appearance of poverty automatically make you a suspect person? I hope not because with today's economy and what's really going on in America we're going to have I believe more and more poor people. And does that mean we're going to have more

and more criminal suspects? I think poverty is a cause for crime. You need to be real about that. And recognize that. But it's a complicated issue. Can you look at people who maybe have long hair, or appear to be poor, and can you get past the stereotypes and analyze a situation objectively?

>> Shawn Spano: Thank you. So treating all residents fairly, regardless of class, regardless of where they are on the socioeconomic ladder. Thank you. Okay, yes, yes, sir.

>> I just want to add to the importance of getting your police chief out of the San José area. And when I came to San José about 50 years ago, as I recall, there was a Latino getting killed about once a week or something to that effect. It was going on, it was a very bad situation. And I think that's about the time McNamara came in and somehow, this chief managed to stop all that. He didn't stop all the killings, because police sometimes have to defend themselves. But certainly the killings were not as often as they were -- had been in the past. And nothing personal about Mr. Davis. Mr. Davis came from a community called Richmond, California, not the largest community or anything to that effect. But he came back to this community and Mr. Davis knew a lot of people in the police department. And you can't help build friendships when you're working with people every day, day in and day out and night and day, what have you. So I think it was very hard for Mr. Davis to kind of keep control of what his men were doing. And this is why some of the policemen were outrageously out talking in public and nothing was being done of what was being said. But again, I think it's very important that we get somebody outside of San José to come over and clean up the situation here in the city. Thank you.

>> Shawn Spano: Okay, very good, thank you. Others on experience, track record? Anybody else? The next question, on the most important skills, the most important characteristics, the new police chief should have. And we've touched on some of these. But let's -- let's address them in light of this question, which is really obviously a very important question. What are those characteristics? What are those qualities? What are those skills?

>> I'm going to think outside the box for a second. I think it's imperative for the chief to be able to think on their feet, think on the feet, quickly, and be innovative at the same time. Let me give you a hypothetical that's going to happen, real soon. By this time next year we're going to have an enormous amount of military returning to San

José. Many of them have served as military officers abroad. They're going to come to San José looking for a job. We don't have jobs here or enough to satisfy them. I would be interested in knowing what would the new police chief say to those individuals who are seeking jobs in the City of San José, and more important, if you don't have jobs, again, what creativity, what creatively can you offer that person or persons to do, to aid the police department?

>> Thank you. So innovation, thinking creatively. Good. Kerry do you want to jump in?

>> I'd say objectivity. And the willingness to really do a fearless inventory on these issues with the department. Anything that can be improved upon, whether it's efficiency, and I know a lot of the emphasis has been placed on misconduct, and I think that's a serious importance. But there are ways that our police department can be fixed up and improved and enhanced besides just misconduct issues. Rob Davis was a very likable guy, easy to talk to and everything. But I really don't believe he has been entirely honest in terms of looking into what needs to be fixed and acknowledging community concerns. I'll compare him to Bill Clinton. I really had no problem with if Bill Clinton smoked pot but to say I never inhaled was where the big problem came from. You know if he inhaled let us know, did you enjoy it? We don't care, whatever. The new police chief has to really be honest about what's happening and really look into it and don't blow off the community, and just tell us the truth when you've got a concern you know.

>> Shawn Spano: So being honest and being forthright and being able to look critically at processes, operations and staff within the department?

>> Right. A lot of times the message has always been there, we're listening and we're listening and nothing happens. And what happens to what we say after we say it.

>> Shawn Spano: So this was the comment earlier, about the follow-up and the follow-through, engaging with the community and acting on what you're hearing from the community.

>> There's like event numbers and case numbers and things but how about even like a customer service tracking number, or something. If someone calls up with a concern no matter how off-the-wall it is, or whatever, here is a tracking number, your concern, this person will look into it and talk to somebody over in research and development, whatever, we'll look back into it and check back with you in a couple of weeks or whatever. That person could look into what the answer was and if they're satisfied or not put it back out there again and see what comes out.

>> Shawn Spano: Excellent. Wonderful comments, great input, if you haven't had a chance to speak, we want to hear from everybody. Anything else, characteristics and skills?

>> I do. So obviously, keeping public safety in mind is first and foremost. That is the entree to all my comments. And we want to keep public safety and not compromise it. But I think really important is the flexibility. Really important is the idea of keeping an open mind, that just because something was done one way, at one time, because of certain circumstances, doesn't mean that it needs to be done again, and again, and again. Because certainly the environment is always changing. And it's difficult. Change is difficult for everybody. Whether you're a police chief or not a police chief, just human nature. But the idea that you're truly open, that this chief and then, again, down the ranks, right? That's the mantra, that you're truly open with being flexible and changing if it warrants change. And that questioning from folks that are not public safety experts, because really, everybody else is not a public safety expert, is -- is not to put anybody ton spot and be defensive but it's really to question if there's a different way to do things. I think that kind of having that go up and down in the department will be very beneficial to everything that we're trying to achieve. I also think you know, there's a phrase, spirit of the law, letter of the law. Again, keeping public safety at the forefront, there is opportunity, and there's opportunity to be discretionary about decisions. And I think that not every -- not every situation calls for the same reaction. And I think it will be very important for the new chief to recognize that. And then also, again, kind of the mantra down the line.

>> Shawn Spano: So the openness, the flexibility, the willingness to do things, look for new ways of doing things, even though it's not necessarily conventional or standard, being open to that?

>> Exactly, exactly.

>> Shawn Spano: Excellent, very good, very good. Rich.

>> One of the characteristics and skills I'd like to see is based upon my own experience in life as a veteran and understanding the bond that's created between what some people classify as warriors, people whose lives and actions are in jeopardy, just like the police department, there's a brotherhood established there. And it's also involves a certain amount of protectionism, turning your eyes to certain situation, not reporting something that should be reported because it's against policy. The police chief in my vision should have the ability to look at these things. Because sometimes doing the right thing is not always the popular thing. And to be able to say we need to change this, it's not correct and be able to take the heat both from the political side and the citizens' side, and within the rank and file, that may not agree with his position, but in the long term it is the right thing and it benefits the public and the citizens of San José overall. That's the kind of skill I'd like to see, the person that can go beyond that internal area of protecting the officers, and doing the justifiable and the right thing if the time calls for it.

>> Shawn Spano: Good, so there's a certain sort of toughness involved in doing the right thing, even though it is unpopular. And we heard the comment over here being able to say no and at the very same time we're hearing that a chief who's flexible, a chief who's adaptable and creative, so really balancing that continuum here. Yes you're up.

>> This brings memories when I was a child in Los Angeles growing up. One of the things as you were a kid you respected the officers and you looked up to them. You wanted a positive role model. Working in the schools you want to have these police officers to be models for the children. You know kids that want to be like them and this should also apply to your police chief. He should be a leader who still leadership among his ranks. Looking back to his history of leadership, and I want to piggyback on what the gentleman said earlier. He or she, what has the police chief done in his community or the city he's from to mitigate or resolve issues within the police

department? And so you have to look into that. You know, the pluses and the dell as the, what did she accomplish or she accomplish in the community versus what was not accomplished? But I want -- you know he has to be or she has to be a positive and strong role model. And somebody that's able to uphold the law firmly and in a just way within the community. And there's also let's not forget that there's an immigration crisis going on. We don't want to see things going on like in other states. We have to be sensitive with the immigrants in this community whether they're documented or undocumented, so let's avoid the problems that have arisen with other particularities. Thank you.

>> Shawn Spano: Great, thank you. And so I heard on the last part here the skill in dealing with immigrant community, having skill and a track record in dealing with that. I also don't want to leave your earlier comment about cultural competence, as well, because that fits into this category as well with skill and experience and so forth. Yes.

>> As far as track record goes, Rob Davis, our current chief, resisted the sunshine reforms, that was a very bad sign. And the council went along with that. So I would want to go back to his -- her record or her record and see if there was opportunity to bring more sunshine into our newly hired police chief's former community, what did that person do about that? Also, I want to see someone push back on the code of silence amongst officers.

>> Shawn Spano: Good, and that was a good term for what you were talking about on the code of silence, very good, excellent. Okay, perfect. Anything else on characteristics, qualities, skills for the new police chief? Please.

>> You know, there's over 3 million people incarcerated in this country now. Probably, as I heard this figure about a year ago, it's probably 3.5 million now. And I know that there's a lot of people here in San José that are -- have to attend court with very minor infractions. It's taking their time, from their jobs. And this sort of thing. There must be an easier way to deal with that, so that these people will not have to spend so much time going to court, waiting in line, et cetera, et cetera. All those things take a lot of time, some people have their children with them in line to go before a judge or panel or what have you. I'd like to see perhaps some other way that we could handle

this. And I don't know how that will be done. I don't have the experience to tell you how to do it. But certainly, there must be another way, waiting to go to jail or pay a fine or set them free.

>> Shawn Spano: So here again, on being creative and working around minor infractions and other ways of dealing with those, good, excellent. Anything else on characteristics, skills? Do you have anything you would like to at? Don't want to put you on the spot here.

>> Yes, try things, police chief suit, react to criticism. Because so far, it seems like there was a wall of silence against criticism against San José city. So I'd like to suggest that you need to react to criticism and accept criticism.

>> Shawn Spano: Understanding where the criticism is and not just dismissing it or discounting it. Very good, I'm glad you can make that comment. I'm going to move forward. If something occurs to you, on the earlier questions, by all means, please jump in on experience, track record, characteristics or skills. But our fourth question is, is there anything else you would like the city to consider as they go about selecting the new police chief, anything you would like them to consider. Go ahead, Scott.

>> Hello. I would like the new chief to look at, I think it was the Fung Ho, immigrant mathematics student at San José State, I'd like for him to look at the new -- I'd like for him to look at that video and see what he thinks that is. If that's just a lack of cultural understanding, or is there more there? I think there is a heck of a lot more there to that video than just cultural misunderstanding. I think those were extremely abusive officers, who beat that person without mercy. And that's one of the things that's, with their \$6 million lawsuit, is -- has forced the city to come to grips with the reality of the condition of its force. I'm thankful for that. I'm sorry he had to go through that. It's cost the city a lot of money. But I'd like the city to watch that video and I'd like to know what he thinks.

>> Shawn Spano: Very good, Kerry.

>> I think this falls into maybe taking a deeper look at the CIT training that exists and maybe injecting a little more truth into that. It is a John Reed interrogation technique, I'm sure any law enforcement would be familiar with that, the use of interrogation that is used by most departments, nine steps to it, one of the steps involves confusing the person who is being interrogated or confused? Whatever you put it, we know you dit, so-and-so knows you did it, you're allowed to lie to the person, confuse that person and put that person through different levels of emotional strain and test how that person responds. However, I think there should be some discretion as to when that's utilized and there will be interrogation tactics legal and effective no doubt, there's some people very old people or people who are conservative protected adults were in the welfare and institutions code, 15.15656, not sure of the subsection but where it is illegal to upset a person or confuse a person who is in certain state. And I think CIT officers really don't take that into consideration. The law says one thing and the interrogation method within itself isn't a law but it's legal. But I think that certain steps should be applied differently, with people of certain mindsets, because it could be construed as a violation of the welfare and institutions code.

>> Shawn Spano: And you would like that new chief to review that policy and make adjustments to it?

>> Right. I haven't gone through the duty manual and see references to it or how it's applied. I've seen it applied a lot of times, and making fun of someone who was mentally ill and confused them, you know, I've seen them targeted and this is a little bit offs what I was saying. The answer to your question was yes.

>> Shawn Spano: Okay.

>> But -- yeah, I'll just leave it at yes and continue later.

>> On the lighter side, I'd like to see the new Chief of Police be a sharks fan and also A's fan if the mayor has it his way. Anyway, there was a report put out, I think it was in the last couple of weeks by the City of San Francisco considering their police officers and the amount of moonlighting that they were doing. And the result of that report indicated that there was a large percentage of the police force which was not able to perform their duties, or had a lack of skills, or attention because they spent so much time moonlighting for whatever reason, extra money, the

city didn't pay them enough, didn't go into the details of that. I'm not sure if the city has a policy on this, on moonlighting. But I'd like to see the new police chief address it so that San José does not become a victim of that or the officers on duty cannot concentrate or function fully because of lack of sleep or other depriving of things they needed to have resources available to them and skills when it's needed.

>> Shawn Spano: Great, thank you. Others, other issues to consider. Go ahead, Otis.

>> I think the city needs to consider whether or not the successful candidate has tough skin. Because whoever's selected, when you get down to the top fives they're all going to look alike, they're all going to talk alike. But who has the tough skin to deal with the issues that they will have to deal with in this city, week 1? And there will be many. I'd like to see the city consider a person that is looking to making here in San José a career. Versus I only need six more years and I'm home free. And someone who I think can communicate well with our city officials, that we now have.

>> Shawn Spano: Great, excellent. So there's a commitment on the part of new chief, a commitment to San José. Excellent. Maybe with that commitment comes being a sharks fan I would guess, right? Anything else you would like the city to consider? Anything that hasn't been talked about here? Yes, David, there's a microphone there.

>> David Wall: Are structural questions permitted?

>> Shawn Spano: Absolutely.

>> David Wall: One structural question or policy that should be considered by the taxpayers, even though Mayor Reed has not put it forth, would require a ballot initiative to take the reporting authority from the police department, from the City Manager, to make it a direct report to the council. Second issue, would be the funding for public safety. Mayor Reed has touted the budget reduction as far as city employees' salary cuts in reference to the 49 firefighters. But Mayor Reed has not made a priority in cutting other sectors of the government to ensure proper

funding of both the police department and the fire department in totality, and this gives reference to other issues raised as far as career oriented, et cetera and so forth. So those two issues are very poignant, very significant to the community, and thank you.

>> Shawn Spano: Thank you, thank you. Anything else on that, on the topic of other? Anything else to consider? Well let's move into our -- go ahead Scott.

>> About to move into the last question?

>> Shawn Spano: We can certainly do that, transition into the last question.

>> What am I doing to help the new chief? I'm willing to -- and I don't want to ruffle too many feathers here -- I'm willing to miss tonight's San Francisco Giants baseball game on TV. Okay? I like the A's, I'm cool with the A's. Also, I want to see willingness on the chief's part not to rubber-stamp the police union's request for pay raises and pension increases. City has a lot of budget problems. I think probably in the private discussions between the union and management, when the management, the City Manager or whomever asks for cuts, you know, for them to give up some cuts, I think what they throw some well, you built the City Hall for \$350 million, plus \$150 million in finance cost. Then you approved the new airport construction for half a billion dollars. Our airport is now losing passengers to SFO and Oakland. So it's -- the new chief, her, is walking into an almost impossible job. I just want to see an honest effort. And part of that is not assuming that whatever the union asks for, boom, rubber stamp, I support it. Because I know the chief is under pressure and needs the support of his officers. And so there may be a tendency for the chief to either support their requests or just be silent and not comment about their requests.

>> Shawn Spano: Very good, thank you. So that ability to say no. Kerry.

>> Probably going to ruffle a few feathers in the activist community, and I like to keep things balanced and objective myself. Would it be hypocrite of myself to ask the police chief to be objective when I'm you know if I'm not I'd like to be supportive of the chief wherever possible and be supportive of the police department. But at the

same time, give some tough love and keep on -- I mean, provide oversight as far as performance and things and be able to call the chief and the department on their actions. We're talking about the forms of how the police chief is going to be and that's going to affect how the whole department is going to be. So I'm going to really emphasize oversight and accountability. But also support. And I hope everybody -- I mean even on the POA side, if they're emphasizing accountability themselves, if the people that were -- you know, I'm sorry I get intimidated by the crowds. The people like the POA were emphasizing accountability and the activists were emphasizing support and both things were seeing things objectively a lot they wouldn't have to worry so much about the accountability issues if they were addressing them beforehand and everybody was objective beforehand and we would meet in the middle and we wouldn't have all these problems.

>> Shawn Spano: Thank you. And I don't want to lose track of the earlier comment, I think it was from Rich, about neighbors being engaged in their neighborhood, and reporting crimes and reaching out to police. That's also a question 5 answer in terms of what the community can do. Chris, you go first.

>> I think it goes without question the downtown business community is here to support efforts of the police department, and we have resources, like I mentioned in the beginning, with the PBID and the Groundworks crew, and we want to actually find more ways to take the resources and bring the resources that we have in the downtown core and help to do the community policing and help to make it a better place than we have a number of our businesses that have had you know that have very positive relationships with officers on the street and we want to continue to offer that support both the chief the new chief and the department in general. So that's --

>> I'm going to commit to erring on the side of a honeymoon period with the chief. When all the dust settles and the right chief is selected, I'm going to assume that it is all in our best interest to have a successful police chief. There's a lot up to that. Person to prove that over time, I think that I'm personally going to err on giving this person the benefit of the doubt, for this period of time, to really make a community wide commitment to success. And you know, as soon as that, to move beyond whatever happened previously, and to really support this person, once they're chosen. And again, that's not unconditional. Or forever. But I'm going to err initially on

the side of supporting this person, giving them the benefit of the doubt and really hoping for a honeymoon period that lasts right through the marriage and children.

>> Shawn Spano: Great, thank you. Go ahead, Scott.

>> Have a whole family together.

>> I'd like to see a constructive relationship between the chief and the independent auditor. I was really disappointed when Barbara Atard left that position. I thought that was a very bad sign, very bad signal. But I don't know all the details in that. I want the new police chief to come in without some automatic assumption that the independent or, quote, independently auditor, is the enemy. I want to see way more broad mindedness and consideration, sensitivity than that.

>> Shawn Spano: Great, that was really good. There was another theme, around the police chief and police department IPA relationship, Independent police auditor, but there was also reaching out to other agencies and being able to collaborate. I heard a lot about school districts, for example, and having that ability to be able to work with different agencies. You, sir.

>> Regarding number 5, what I'm not willing to do to contribute with the police chief, I guess it boils down to being a law abiding citizen, being respectful of the law that's where it starts from. But I want to piggyback on what Rich said earlier about the neighborhood watch programs. I think they've decreased over time and we need more support of that. I live in a mobile home park because of housing affordability in the Milpitas area along Oakland road. Sometimes you call the police department, there's a problem and they take about an hour or two hours to get there or call the next agency or whoever is getting the call. But if they could support us, engage with the community especially these small pockets of population like the mobile home housing, apartments downtown or any other areas that would be great. Especially the neighborhoods around the schools.

>> I understand what you said and going along with what you said earlier about childhood experiences with the police, I was always taught to respect the policeman. You could always go to him for help. And it was the uniform you respected. Sometimes not the person but it was always the uniform that could be helped. One of the things I've been involved in, in district 1, Pete Constant has a program where he's using his iPhone being able to take pictures. Initially it was for graffiti, even for potholes in the street or broken lights or something, that need to be reported. With all the technology available to us now, and especially here in Silicon Valley, where most of it came from could that program be expanded into the police department? Because it's not unusual now to go on Youtube and see videos of various police activities and a lot of them end up in courts as testimony for either the prosecution or the defense. But that's a huge tool. I'd like to see the police chief get involved in that, and disseminating it out between the officers, and using it as another tool. That's all it is, is a tool, to either report incidences, record them, ask questions or whatever it can be used for. And I think councilmember Pete Constant has had a great success with that. And I don't know how the city has used this but he's told us that it's cut down the response time and part of the preparation time to take care of things. I got to see there's a place for that in the police department.

>> Shawn Spano: Very good. Ma'am would you like to make a comment, weigh in? We'll give you the microphone.

>> I would like a chief who really understands what a privilege it is to be a servant of the people. And who will, in turn, convey that to his staff. And to recognize that that authority comes with the position. It is not his to abuse, just like it isn't the officer's to abuse. It is a true privilege.

>> Shawn Spano: Thank you very much. And so the awareness of their power, and to execute that power with respect and good judgment and with a concern for the community. That's very good. Yes.

>> I come back to number 3. During the past, it seems like there was a veil of secrecy covering police report. So I suggest that the new chief should be able to appropriately open up the recall, and make them the more transparent the better.

>> Shawn Spano: Excellent, good. Transparent especially around police reports and other sort of internal documents. Very good, thank you. Scott.

>> Somebody mentioned that, about you know, that if there's five candidates remaining, one of them should be female. I'm hoping there's no assumption that the police chief has to have -- has to be a white person.

>> Shawn Spano: Very good, thank you. Yes.

>> I've traveled across the country quite a bit and I'm pretty sure a lot of you have, too. And on my travels, a few years ago, I don't know how many times I heard, when I told people I was from San José, oh, that's the safest city in the country they would tell me because they would read about it in the paper. We used to have that reputation. We don't have it anymore. I miss it. Nobody has told us what happened to your city, because I haven't gone to the same people. But we did have the reputation of being the safest city in the country and maybe we can regain it again. Thank you.

>> Shawn Spano: Yes, thank you. Kerry.

>> Yeah, I wanted to build on what he said and maybe I'm not sure of this, haven't really looked into it but from my understanding when we were really the safest city in the country was when Joseph McNamara was here and it was a lot fewer officers per resident. I'm not saying we need less police or whatever, but I really think that the police need to, you know, just allow people to live their lives and not jump on every one for everything. Just give the community their space and I'm sure the community will give the police department their space. I was talking -- I mean I was talking to an officer the other day. Actually working with cop watch and I'm actually surprised at how many calls actually come from officers themselves who were not happy with the way things are happening in the police department. And he was telling me that there's so many areas in town where yes, there are too many officers and just the other day a friend of his was in a fight or something. And it took six minutes for backup to show up. And I could see that side, too, where the officers will feel that they're not necessarily safe if the -- you

know, if the budget, you know are cut back on how many police are out there and everything. But regardless of how many, how many there are, I mean just give the people their space. And maybe -- I wasn't here when Joseph McNamara was here and I've heard bad things about him as well about him but maybe you can go back in history and do some research, when it happened, why it happened, what was the process for hiring him, all that different, maybe do a little history lesson and include that in what we're doing here.

>> Shawn Spano: Very good, thank you. Yes, go ahead Scott.

>> Hello? Okay. I reported a landlord to code enforcement. Next thing I knew everything on our storage room was gone. I reported the burglary to the police department. I came, they didn't -- they said, the officers said, I've seen this before. I don't think, you know, I need to write a report. I insisted I write a report. I got a copy of the report. Nothing. He did not even question the manager of the apartment, the management company was not contacted. The cops did nothing. The prior landlord, I reported their live-in bully maintenance man who, to the landlord, who kept lying to her about the maintenance he claimed to be doing. When he found out I reported him, he -- he was a big guy, tough guy. He intimidated me, bullied me. Then he physically threatened me. And one of my roommates, when I called the police, they came, had a sergeant in my face yelling at me, saying, if you call again, I'll come back and write a report, and make sure you're noted as the cause of this problem. That is outrageous. That is pathetic, essentially it's cowardly. The most important -- because essentially bullies are cowards, whether it's the live-in maintenance man or somebody dressed in a blue uniform. The essential quality or characteristic I want to see from a new chief is courage, okay? And I feel Rob Davis let a lot of things go. And I think one of the most difficult things for a human being -- human beings to do is to take a thorough look at themselves in the mirror. So reply number one concern is that you hire a new chief who is not a coward. And I just want to say this, because maybe the tone of my comments and the list of my concerns make me appear to be someone who doesn't like cops. I feel that on the force, there are many excellent officers who are really trying to do their best. But I'm afraid many of them have been discouraged by what's been going on for way too many years. So I want to see some courage. I also want to see some wisdom and some broad mindedness, thank you.

>> Shawn Spano: Okay, Kerry.

>> I don't want to hog the whole meeting. I want to build on what this gentleman has said and reinforce that a little bit. I really feel that is not unusual what he went through. A lot of people will deny it is, and say it's not. I just want to lend the support to him. And back in -- I've seen -- I don't know, so many incidents like that I don't know when to start. Back in January, December and January, I was at a low income apartment complex I won't name. There's a lot of people with mental health issues living there. There was one guy he just snapped in the beginning of December and talked about blowing up the building and flying planes in the building and poisoning people and things. There were a lot of complaints that came in calling police all over the place and myself I'm an activist, they know who I am and they'll show up. It is my interpretation they weren't responding to it because they'll see me and they'll be like oh walking by making jokes, oh we didn't use excessive force on him did we? Made a big joke out of it. There was easily well over a dozen calls in one week about this one guy. Then the police showed up at our apartment where I was staying, and accused me of calling in bomb scares. And you know they say we have you on tape calling in a bomb scare and they didn't know the phone number where it came from they couldn't present the recording and they said it was excessive 911 calls. But this wasn't initiated by the bureau of tech services. It came from the patrol officers who never did their homework, never looked into where the calls were coming in, compared with events. I talked to the bureau of tech services, they never even talked to the people over at field operations and the officers said well we already looked into it thoroughly and it's unfounded. But then they, an a few months they came back and they wouldn't put it in writing but they acknowledged that they made a mistake. Because when officers worked secondary information to put forth information to get this person evicted and actually filed court papers that conflicted with what the other officers had, frankly if they'd have addressed this in the beginning it ended up being an embarrassment in the end.

>> Shawn Spano: So in other words you would want this new police chief handle these situation more effectively so they'll be more fair with the community, is that what you're going with this?

>> Well, yes, I mean, it didn't have to turn into a big circus. People are constantly giving the message, if you see anything suspicious or whatever, call 911. If there's a backpack laying in the area and you're not really sure, people don't really go that far, but that's the message we've been getting since 9/11. And then something serious

happens, and maybe a crime hasn't been committed, or maybe there's no real, I mean, crime in saying you are going to do something, and whatever, but I mean, at least look into it. Don't blame the messenger.

>> Shawn Spano: Thank you, Rich is going to make our last comment and then we'll wrap up.

>> This is a good segue, you gave me, bringing the meeting down to a close. I'd like to say thank you to yourself, the City Manager and the rest of the city employees for taking time out of their busy schedules to come down and to allow the citizenry to input to you and perhaps give you some good insight into what we would like to see, some good things to add to the qualifications that the new police chief would like to have and I feel very proud to be able to come down here to be able to contribute to this. I'd like to thank you for the opportunity.

>> Shawn Spano: Yes, thank you, applause to all of you. There is a sign-up sheet in the back, and it's volunteer, obviously, and if you want to sign up and you'll make sure you're on a distribution e-mail list, please do that. And if you park downstairs, and you have a card, there is a validation machine back there. So it might just be a good idea to get validated. Although they do close at 8:00 and what that means is you drive up to the chain link door and it opens automatically after 8:00. It's magic how that happens. Very good. Automatic after 8 o'clock. I'll turn this back to City Manager and she'll wrap up our meeting.

>> City Manager Figone: Thank you, Shawn, you did a great job. I want to add my thanks to all of you. I know you're all very busy. It is just very rewarding to me, to see the interest in this position, the fact that you would take your time to join us this evening. Thank you very much. And as we said at the beginning of the meeting, these notes will be posted within 72 hours. We've already posted notes from last week's meetings on our website, so these will be added to the mix. And they will be used. We will use your input. I was taking some notes tonight myself about how we would translate your interest into the qualifications, the screening criteria, the questions we would ask candidates, some of the materials that we might require they read, how we might configure the panel interview processes, and so forth. So just know that this input is very important, and again, I thank you and have a wonderful evening. Good night.