

RESOLUTION NUMBER R- 310708

DATE OF FINAL PASSAGE OCT 17 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE CITY OF SAN DIEGO'S
RESPONSE TO THE 2015-2016 SAN DIEGO COUNTY
GRAND JURY REPORT TITLED "CITIZEN OVERSIGHT
BOARDS OF POLICE BEHAVIOR."

WHEREAS, on May 25, 2016, the 2015-2016 San Diego County Grand Jury (Grand Jury) filed a *final* report titled "Citizen Oversight Boards of Police Behavior" (Report) that requested a response from the City Council (Council) and Mayor, as well as a response from the San Diego County Board of Supervisors and Mayors and City Councils of all cities within the County of San Diego; and

WHEREAS, the Report discusses a number of issues related to local jurisdictions' review of citizen complaints against law enforcement officers; and

WHEREAS, the Report includes three findings and three recommendations directed to the Council and Mayor, with other findings and recommendations directed to the County of San Diego and the cities of El Cajon, La Mesa, Escondido, Oceanside, Carlsbad, Chula Vista and Coronado, which are not addressed in the City's proposed response; and

WHEREAS, under California Penal Code section 933(c), within 90 days after the filing of the Report, each public agency which the Grand Jury reviewed, and about which it issued the Report, must comment to the Presiding Judge of the Superior Court on the findings and recommendations pertaining to matters under the control of the agency; and

WHEREAS, the comments required from the Council and Mayor are due to the Presiding Judge of the Superior Court on October 28, 2016, as the City requested and received an extension of time to respond, due to the Council's legislative recess in August; and

WHEREAS, the Grand Jury requested that the Council and Mayor each respond to the recommendations numbered 16-26 through 16-28 in the Report; and

WHEREAS, after working collaboratively with the Mayor's Office on a joint Council/Mayor response, the Office of the Independent Budget Analyst proposed a City response to the Report as set forth in IBA Report No. 16-32, dated September 28, 2016, for consideration by the Public Safety & Livable Neighborhoods Committee; and

WHEREAS, on September 28, 2016, the Public Safety & Livable Neighborhoods Committee voted to approve the proposed response with various changes, and to forward the changed version to the full Council for approval; and

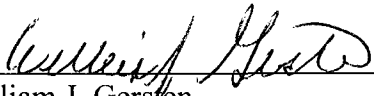
WHEREAS, in accordance with the direction of the Public Safety & Livable Neighborhoods Committee, the Office of the Independent Budget Analyst revised the proposed City response to incorporate the changes, and issued a revised IBA Report No. 16-32 REV. to that effect, dated October 3, 2016; and

WHEREAS, under San Diego Charter section 280(a)(1), this resolution is not subject to veto by the Mayor because this matter is exclusively within the purview of the Council and not affecting the administrative service of the City under the control of the Mayor; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the Council approves and adopts as its own the response to the 2015-2016 San Diego County Grand Jury Report titled "Citizen Oversight Boards of Police Behavior," as set forth in IBA Report No. 16-32 REV., dated October 3, 2016.

BE IT FURTHER RESOLVED, that the Council President is authorized and directed, on behalf of the Council, to execute and deliver the above-described response to the Presiding Judge of the San Diego County Superior Court no later than October 28, 2016.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 

William J. Gersten
Deputy City Attorney

WJG:ccm
October 4, 2016
Or.Dept: IBA
Doc. No.: 1366306

Passed by the Council of The City of San Diego on OCT 17 2016, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage OCT 17 2016.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

(Seal)

By *Atty Beach*, Deputy

Office of the City Clerk, San Diego, California

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