

Officer-Involved Shooting Policy Talking Points

1. 9 MONTH TIME LIMIT FOR ADMINISTRATIVE REVIEW

Make a motion to agendize a change to the Officer Involved Shooting policy. Change the length of the administrative review period to conclude within 9 months of the incident. 9 months is the amount of time former police chief Perez said is the outer limit of time needed by his staff to conduct a thorough investigation. Our community needs police accountability. Make a motion. Second the motion. Agendize an action item. Instruct the city manager to change the OIS policy.

2. MUST HAVE THOROUGH INVESTIGATIONS WITH OFFICER INTERVIEWS

Make a motion to agendize a change to the Officer Involved Shooting policy. Ensure the administrative review includes a thorough investigation, including taking their own witness statements, reviewing evidence, and interviewing all of the officers at the scene within one month of the incident. PPD has said that during the administrative review, interviews with the officers involved are at the officers' discretion. That is against best practice according to the International Association of Chiefs of Police, in their officer-involved shootings guide for law enforcement leaders. All officers should be compelled to answer questions. According to the IACP, it is imperative the administrative review gets to the truth of what happened so that officer's actions can be reviewed and also so that policy can be reviewed. ([citation](#))

3. MAKE INQUIRIES INTO ADMINISTRATIVE MATTERS

The council should inquire with the city manager about whether the PPD believes the officers in the Anthony McClain case broke department policies. The council should inquire about how officers are notified when they break department policies and what disciplinary action is taken as a result. Is there a mandatory disciplinary action when a policy is broken? Police accountability is needed, especially when OIS incidents occur. City council should make inquiries into administrative matters, so that the city manager can demonstrate how PPD is being held accountable.

4. TRANSPARENT COMMUNICATION WITH THE COMMUNITY - DISCIPLINE

The council should instruct the city manager to report out to the council and the community when an officer breaks policy and explain the disciplinary actions taken to show that accountability is taking place. According to California Attorney General Rob Bonta "When an officer-involved shooting occurs, transparent and open communication is critical to maintain public trust."

5. TRANSPARENT OPEN COMMUNICATION - VIDEO EVIDENCE

According to California Attorney General Rob Bonta “When an officer-involved shooting occurs, transparent and open communication is critical to maintain public trust.” Instruct the city manager to create a policy to release unedited video evidence to the public within 24 hours of the incident and leave that footage up on the website until the OIS investigation is complete.

6. IMPROVE THE OIS POLICY

Reviewing the conduct of employees who kill someone in a timely manner is not just common sense, it is an important policy decision to prevent future incidents. If the policies followed by officers are inadequate and are leading to the deaths of community members, then the policies should be reviewed and changed to make the procedures safer for all community members. If the policies in place are sufficient, but the officer broke policy, the officer should be notified in a timely manner so that their behavior does not continue nor spread to other officers who look up to that officer. The council’s job is to instruct the city manager on policy. Agendize an action to instruct the city manager to change the Officer-Involved Shooting policy.

7. POLICY REVIEWS SHOULD BE AUTOMATIC AFTER AN OIS

In 2012, when Kendrick McDade was killed by PPD officers, shot in the back, it took years for the administrative review to be completed. Upon completion, the LA Times ran a story saying the city “fumbled their investigation.” Nonetheless, the administrative review found the officers to have acted within policy. But as a result, the policies were not updated nor improved to prevent future unnecessary killings. The city seemed to be saying losing Kendrick’s life was a reasonable cost, and shooting someone in the back is allowable.

In 2017, when Chris Ballew was beaten by officers until his bones were broken, it took until 2021 for the administrative review to be completed. It stated officers acted within policy. Again, the policy was not reviewed or changed to make sure incidents like this do not happen again.

In 2020, when Anthony McClain was again shot in the back, an administrative review was not completed in a timely manner. It still has not been completed. How will the actions of the officers and the policies they use be reviewed, improved and made safer for the public? How long should we wait for the administrative review to be completed? How will we get improved policies that help protect the community from deadly harm? You must instruct the city manager to review policies after each OIS incident and change policies to increase the safety of the community, not just protect the officers involved in the shooting.

8. UNIFORM TIME LIMIT FOR ALL ADMINISTRATIVE REVIEWS

The case-by-case policy proposed by the city attorney infers that the PPD investigations are not thorough enough to match the investigation done by the DA's office or that of civil litigants. Are the city's investigative skills that wanting, that the city attorney does not trust them to investigate and conduct their own OIS administrative review? Certainly policy could be created to beef up the investigation parameters to increase the efficacy of the PPD investigations so that they can be trusted as thorough and complete.

9. TIMELY POLICY CHANGES CAN SAVE LIVES

If after Kendrick McDade's killing in 2012, the policies were reviewed and found that they were insufficient to keep Kedrick from losing his life, new policies should have been created to prevent officers from shooting fleeing suspects in the back. 8 years later, again, a fleeing suspect was shot in the back. If that new policy had been in place, Anthony McClain would still be alive. Instruct the city manager to revise the OIS policy. Stop shooting fleeing suspects in the back.

10. OIS POLICY CHANGES ARE NEEDED

As a result of the officer involved killings of Kendrick McDade and Anthony McClain, policy changes are needed. Instruct the city manager to create policy to:

- STOP HANDCUFFING MORTALLY WOUNDED SUSPECTS
- STOP SHOOTING FLEEING PEOPLE IN THE BACK
- INCREASE THE RETROACTIVE RECORDING TIME OF BODY-WORN CAMERAS TO 2 MINS
- STOP PULLING OVER MOTORISTS FOR MINOR INFRACTIONS AS A PRETEXT FOR SEARCHING THEIR VEHICLES