

11 January 2024

Dear Committee Members,

I am sending to you by way of Lt. Eberle some background information about the oversight Committee development and additional information related to law enforcement interaction rights and responsibilities of residents. As I had stated in my introduction, I had been a member of a grassroots Justice group of 12-15 county residents from West, North, Southern Marin and the incorporated and unincorporated areas of San Rafael. This Justice group rose from the community after the injurious arrest of Mr. Lopez in 2022. The Justice group spent many months in conversation with the Mayor, City Manager, City Attorney, the District #1 Councilmember, and the City Consultant on oversight development.

I believe that the enclosed supplemental readings will be helpful in understanding the amendments that I will be suggesting as we established our committee as a permanent checks and balance unit of the community. I will be following the bylaws formations of Marin County and the City of San Rafael for its boards, commissions and committees. In addition, if our committee would like, we can have the bylaws reviewed by Sarah Merkle, the top parliamentarian in the United States. Bylaws are the legal foundation of the committee's work and responsibilities and they can be amended at any time.

I believe in 'The City with a Mission' as a motto and description of the City of San Rafael. It is because I share many of our Mayor and City Council's committed values of justice, equity, and community health, that I want to continue working in our committee with a goal of striving for excellence. The City Council supports our autonomy in the development of this committee and its oversight responsibilities for the San Rafael Police Department. I also believe the stories of the men and women of the Canal area meeting on November 18<sup>th</sup> of what safety and service from SRPD means to them and how they have experienced many negative and untoward interactions with law enforcement officers. I continue to be open to learning more about successful programs and community engagements of our SRPD to share with others. Our County is developing an Oversight Committee for the Sheriff's Department, the College of Marin is developing an Oversight Committee for their Campus Police Department and other county cities are doing the same. Therefore, I offer the following attachments to this letter:

The readings are: A- Know your rights. Police interactions for Black and Brown people  
(English/Spanish)  
B- SR concept paper dated: April 6, 2023  
C- The People's Plan concept paper dated: May 11, 2023

Most sincerely,  
Salamah Locks

PS: The amended Bylaws to follow in next memo.



**SAN RAFAEL**  
THE CITY WITH A MISSION

Concept: Community Advisory and Accountability Committee  
April 6<sup>th</sup>, 2023

### **Community Advisory and Accountability Committee**

The Community Advisory and Accountability Committee serves as an advisory body to the Police Department and the City Council, concerning community and police issues. The San Rafael Community Advisory and Accountability Committee is established for the following purposes:

The Committee is designed to improve public transparency and accountability with respect to the San Rafael Police Department and provide greater community interaction and communication with the Independent Auditor (to be developed / pending). The Committee provides a means for community participation in making recommendation on police department policies, practices, and procedures.

The Committee welcomes public participation at the meetings and conducts meetings in the manner pursuant to the Ralph M. Brown Act, Section 54950, of the California Government Code.

### **Powers and Duties of the Committee**

- A. The Committee shall submit a report making recommendations to the City Council regarding police policy, procedures, and best practices, including those related to community relations, hiring, and training best practices.
- B. The Committee shall review reports prepared by the Independent Auditor consistent with California [Penal Code](#) section 832.7(c), relating to the number, type, and status of all community complaints filed against police department personnel, to determine whether there are patterns of misconduct that necessitate revisions to any police policy, practice, or procedure.
- C. At least annually, to report and make recommendations to the Mayor and the City Council regarding the activities of the board and the San Rafael Police Department's efforts to strengthen bias-free policing and community-police relations and other police practices.

### **Appointment of Members and Qualifications**

The Community Advisory and Accountability Committee is comprised of seven members. Selection for members of the Community Advisory and Accountability Committee will be made in the wake of a community-wide call for interest in participation and applications. Committee members will be selected based on interviews conducted by the full City Council. Committee members must be **residents** of the City of San Rafael, at least 18 years old, who have pledged to be fair-minded and objective, with a demonstrated commitment to community service.

The City Council shall endeavor to establish a Committee that is broadly inclusive and reflective of race, ethnicity, age, gender identity, sexual orientation, economic status, neighborhoods, and various communities of interest in the City. Community members that have “lived experiences” concerning SRPD interactions should be favored in the selection process. There should be an orchestrated outreach effort to civic, community, and civil rights organizations, among others to solicit applications from a wide array of candidates.

The members shall be appointed as follows:

- One member shall be recommended for appointment representing each City Council district. (4)
- Two “at-large” members shall be recommended. (2)
- One member shall be recommended be between the ages of 18 and 22 years at the time of appointment. (1)
- Be fair minded and objective with a demonstrated commitment to community service.
- Desirable qualities of a Committee member are familiarity with human resources, law, police procedures, police oversight, or involvement in civil rights or community organizations.
- All members must be residents of the City of San Rafael.
- One member shall be assigned staff from the San Rafael Police Department. This is a non-voting member with the purpose of providing real-time information and insight into San Rafael police policies, procedures, and practices. (This member will largely serve as a liaison between the Board and the Police Department)
- Not be a past or present employee, officer, or contractor with the City, a past or present sworn police officer from any agency, or a current employee, official, or representative of an employee association representing sworn police officers. (Excluding the assigned police staff – non-voting member)

### **Committee Term / Vacancies**

- Members of the Committee shall serve a term of four years. A member shall hold office until his or her successor has been appointed.

- Terms shall be staggered. The terms of the initial appointees recommended by councilmembers in odd-numbered council districts expire on December 31, 2027. The terms of the initial appointees recommended by councilmembers in even-numbered council districts, and the terms of the mayor's appointees, expire on December 31, 2028. Thereafter, all members shall serve four-year terms.
- If a vacancy occurs during the term of any member, a successor to serve the unexpired term shall be appointed in accordance with the requirements set forth above.
- Committee members are limited to serving eight consecutive years and may be reappointed following a break in service of at least two years.
- The term of a Committee member who fails to remain eligible to serve on the Board (e.g., by moving out of the City of San Rafael, or becoming an employee of the City) expires automatically as of the date the reason for ineligibility arises.
- All members of the Community Advisory and Accountability Committee serve at the pleasure of the Mayor and City Council.

### **Committee Member Training**

As approved by the City Manager, the Police Chief will ensure members of the Community Advisory and Accountability Committee is provided specific training elements to effectively meet their obligation to fill this advisory role. Training established for the Community Advisory and Accountability Committee should be considered mandatory. Training for Committee members will be formally offered within the first six (6) months of appointment.

Training topics for the Advisory Board members includes the following:

- (1) Ralph M. Brown Act and obligations of the Board;
- (2) Constitutional rights and civil liberties;
- (3) Fundamentals of procedure, evidence, and due process;
- (4) The Public Safety Officers Procedural Bill of Rights Act;
- (5) Police Department operations, policies, practices, and procedures; and
- (6) Duties, responsibilities, procedures, and requirements associated with all ranks and assignments.
- (7) Police Ride Along (8 hours)

*\*Ride Alongs are encouraged for Committee members annually.*

## **Chair / Vice-Chair and Organization of the Committee**

### **Duties of the Chair:**

The Community Advisory and Accountability Committee shall select a presiding officer, known as the Chair, for a one-year period; appointment procedures are set forth in greater detail below. The Community Advisory and Accountability Committee will have the Staff Liaison serve to support the Committee.

The Duties of the Chair shall include the following:

- Ensure that consideration of items on the agenda move along without delay.
- Ensure that community input is received, if any. Ensure that decorum is maintained at the meeting.
- In presiding over agenzized matters where the public has provided testimony and/or raised questions:
  1. Direct questions or comments requiring a response to staff for a response.
  2. If necessary, help keep Committee members questions relevant to the matter being considered by the Community Advisory and Accountability Committee.
  3. If necessary, consider calling for a brief recess, or adjournment, if orderly conduct of the meeting is being disrupted.
  4. Announce the decision of the Community Advisory and Accountability Committee on all subjects.

To ensure that each member of the Community Advisory and Accountability Committee is provided an opportunity to completely express their views on items of business, recognize each member of the Committee and give them the opportunity to provide feedback.

### **Duties of the Vice Chair:**

In the absence of the Chair, a Vice-Chair shall possess all powers of the Chair and be subject to all prescribed duties for that position during the Chair's absence.

At its first meeting, and annually thereafter, the Community Advisory and Accountability Committee shall select a Committee Chair and Vice Chair from among its members. The Chair and Vice Chair shall hold office at the pleasure of the Committee. The terms shall be one year each, or until their successor is elected. No chairperson is eligible to serve more than two consecutive terms, or portions thereof.

When there is a vacancy in the office of Chair or Vice Chair, the Committee shall fill that office from among the members. The Committee may adopt rules and procedures for the conduct of its business and may do any other things necessary or proper to carry out its functions, which may include the formation of one or more subcommittees. Staff support to the board shall be provided by a member of the Police Department, as directed by the Police Chief.

### **Committee Meetings**

The Community Advisory and Accountability Committee meetings are open to the public and everyone is welcome to attend. Meetings will be generally held once a month on a standing basis, based on a time and day that is determined by the Chair and the Police Department Staff Liaison. Committee meetings will be generally conducted in person for members of the Committee, with a “Hybrid” option for members of the community wishing to attend. The Committee shall meet no less than seven times per calendar year. Special Meetings can be scheduled when needed and necessary, with appropriate notice, in accordance with the Brown Act.

The quorum required for the board to conduct business is 4 members.

The affirmative vote of a majority of the members present and eligible to vote is necessary to approve any item.

### **Compensation**

The City recognizes the value and benefit of some form of compensation or stipend for those committing to serve the community as a member of the Community Advisory and Accountability Committee. Current practices throughout the City relating to all other Boards, Commissions and Committees does not allow for compensation, however, given the uniqueness of this commitment, the City is committed to determine a stipend structure for the Community Advisory and Accountability Committee.

### **Sustainability and Permanence**

With the intent to ensure the Community Advisory Accountability Committee is able to serve in perpetuity, neither the Police Chief nor the City Manager may disband or substantively modify the structure of the Committee absent a formal resolution or action of the City Council.