

### **3.4 Adoption of Statement of Policy and City Council Questions for the Prospective Chief of Police.**

#### **Recommendation:**

Adopt a Statement of Policy and City Council Questions related to the selection of a prospective Chief of Police as described in the staff memorandum, in compliance with City Charter Section 411.1.

CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment. (City Manager)



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Jennifer A. Maguire

**SUBJECT:** See Below

**DATE:** July 22, 2024

---

**SUBJECT:** Adoption of Statement of Policy and City Council Questions for the Prospective Chief of Police

## **RECOMMENDATION**

Adopt a Statement of Policy and City Council Questions related to the selection of a prospective Chief of Police as described in this memorandum, in compliance with City Charter Section 411.1.

## **SUMMARY AND OUTCOME**

The result of this action will be that the City Council will have provided input to me regarding the selection of a Chief of Police, in compliance with City Charter provisions.

## **BACKGROUND**

In compliance with City Charter Section 411.1, the City Council adopted a process for City Council confirmation of Department Director appointments. The process requires the City Council, prior to meeting with the City Manager's recommended candidate for Department Director positions that are subject to the City Charter's requirements, adopt a Statement of Policy for the department involved along with proposed questions for the City Council to present to the City Manager's recommended candidate for the appointment.

At my direction, staff is coordinating a nationwide recruitment effort with the executive search firm, Public Sector Search & Consulting, Inc., for the City's next Chief of Police. The Administration will conduct interviews for the position guided by input from the City Council through its adoption of the attached policy and questions, as well as other stakeholder feedback. I will then present my recommended candidate for Chief of Police to the City Council for confirmation in a Closed Session meeting, along with the written answers to the questions adopted as part of this action. If the City Council confirms my recommended candidate, the appointment will be formally announced at that

afternoon's City Council meeting. Additional background on the recruitment process and expected timeline is available in Information Memoranda the Administration published on February 21,<sup>1</sup> March 22,<sup>2</sup> and June 21, 2024.<sup>3</sup>

## **ANALYSIS**

The proposed Statement of Policy (**Attachment A**) contains the broad goals, objectives, and aspirations for the Police Department as reflected in the Police Department's mission, core services, performance measures, and resource allocation as approved by the City Council as part of the 2024-2025 Adopted Budget.

The proposed City Council Questions (**Attachment B**) reflect those questions adopted for recent Department Director hiring processes and those specific to this recruitment. The proposed City Council questions reflect input received from internal and external stakeholders, including the Mayor and City Council, Senior Staff, Police Department employees, community-based organizations, and community members through meetings and anonymous surveys.

Below are the questions posed to internal stakeholders.

1. What important challenges or opportunities should the new Police Chief be prepared to address in their first year on the job?
2. What experience, skills, and characteristics should the new Police Chief have in order to effectively lead the San José Police Department?
3. What parts of the Police Department's culture, structure, and organization should be retained and sustained? What should be re-examined?
4. What should potential candidates take into consideration as the next Chief of Police?
5. Is there anything else you'd like the recruiting team or the City Manager to know?

Below are the questions posed to external stakeholders.

1. What are the most important issues that you would like the new Police Chief to address in their first year on the job?  
What experience, skills, and characteristics should the new Police Chief have to effectively lead the police department?
2. What should the new Police Chief do to strengthen relationships within our community?
3. What should potential candidates take into consideration as the next Chief of Police?

---

<sup>1</sup> <https://www.sanjoseca.gov/home/showpublisheddocument/108769/638424707856000000>

<sup>2</sup> <https://www.sanjoseca.gov/home/showpublisheddocument/110003/638467238811330000>

<sup>3</sup> <https://www.sanjoseca.gov/home/showpublisheddocument/112914/638545789959270000>

4. Is there anything else you'd like the recruiting team or the City Manager to know?

Stakeholder outreach included:

- Interviews with City Councilmembers;
- Six focus group meetings with Police Department staff;
- An anonymous Police Department employee survey;
- Five in-person community meetings and one hybrid community meeting. The in-person meetings were co-hosted with City Council Districts and held in locations throughout the City. Spanish and Vietnamese interpretation services were available at all community meetings. In total, 134 community members attended;
- A Citywide community online survey taken by 304 residents in English, 20 in Spanish, and 11 in Vietnamese;
- Close to 800 stakeholders were asked to share the outreach information with their networks via email, newsletters, social media, and other platforms. Stakeholders included schools, community-based organizations, neighborhood associations, faith-based organizations, and several others.

The Administration will continue engaging with community members and stakeholders throughout the process, as needed.

The City Council may modify, add, or subtract from the list of proposed questions at the August 13, 2024 City Council meeting and can ask further questions of the recommended candidate during the Closed Session meeting.

The City Council's adoption of a Statement of Policy and City Council Questions for the prospective Chief of Police, as described in this memorandum, is in compliance with City Charter Section 411.1 and is an important step in the evaluation and selection process for a new Chief of Police. It is anticipated that a recommended candidate will be brought forward for City Council confirmation in fall 2024, pending identification of a recommended candidate.

## **EVALUATION AND FOLLOW-UP**

No additional follow-up with the City Council on the Statement of Policy and City Council Questions for the prospective Chief of Police is expected at this time. The Administration will conduct an interview process for the position guided by the input provided by the City Council through its adoption of the attached policy and questions, as well as other stakeholder feedback. A recommended candidate is expected to be brought forward for City Council confirmation at a Closed Session meeting in fall 2024, pending identification of a finalist, where further discussion will take place regarding that candidate.

July 22, 2024

**Subject: Adoption of Statement of Policy and City Council Questions for the Prospective Chief of Police**

Page 4

## **PUBLIC OUTREACH**

This memorandum will be posted on the City's Council Agenda website for the August 13, 2024 City Council meeting.

Over the past several months, the Administration has conducted extensive community outreach to gather feedback on the leadership, knowledge, skills, and abilities that should be considered for the selection of the Chief of Police, as well as an understanding of the challenges and opportunities facing the Police Department. Additional information on related public outreach efforts is available in the aforementioned Information Memoranda published on February 2, March 22, and June 21, 2024.

## **COMMISSION RECOMMENDATION AND INPUT**

The recommendation in this memorandum does not require Board or Commission input.

## **CEQA**

Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment.

## **PUBLIC SUBSIDY REPORTING**

This item does not include a public subsidy as defined in section 53083 or 53083.1 of the California Government Code or the City's Open Government Resolution.



Jennifer A. Maguire  
City Manager

For questions, please contact Tom Westphal, Deputy Director, City Manager's Office, at [thomas.westphal@sanjoseca.gov](mailto:thomas.westphal@sanjoseca.gov).

## **ATTACHMENTS:**

- Attachment A: Statement of Policy – Police Department
- Attachment B: City Council Questions – Chief of Police



## **STATEMENT OF POLICY Police Department**

### **Department Mission**

The San José Police Department is dedicated to providing public safety through community partnerships and 21st Century Policing practices, ensuring equity for all. The Department is committed to treating all of San José's diverse community members with dignity, fairness, and respect while protecting their rights and providing equal protection under the law.

### **Core Services**

- **Crime Prevention & Community Education** – Provide programs and services through community education and partnerships to reduce criminal activity and enhance public safety.
- **Investigative Services** – Provide for the objective examination of events through the collection of evidence, interviewing of witnesses, the interrogation of suspects, and other activities to arrive at a resolution or successful prosecution.
- **Regulatory Services** – Provide for the mandated regulation of businesses and activities and the issuance of those attendant mandated permits that are in the public interest.
- **Respond to Calls for Service and Patrol Support** – Provide for 24-hour emergency and non-emergency police calls, which include, but are not limited to, crimes against persons and property, disturbances, traffic accidents, disasters, and medical emergencies.
- **Strategic Support** – Provide for the following services: Department Management, Public Information, Fiscal Integrity, Systems Availability, Recruiting/Training, Facilities and Vehicle Management, Wellness of the Workforce, Safety, and Emergency Response and Recovery.

### **Department Performance Goals, Resource Allocation, and Service Delivery Framework**

The Police Department's performance measures, resource allocation, and service delivery framework are outlined in the 2024-2025 Adopted Budget.

**CITY COUNCIL QUESTIONS – CHIEF OF POLICE**

**The following is a core set of suggested questions the City Council may use in the confirmation process for the new Chief of Police. The City Council may add or subtract from this list of questions.**

1. Please describe your education, experience, and accomplishments and explain how they have prepared you for this position.
2. What drives you to seek this position? What motivates you to be in public service and specifically the City of San José's Chief of Police?
3. What do you believe is the biggest challenge for the next Chief of Police in San José?
4. It is essential for City of San José executives to demonstrate the City Manager's *One Team* Leadership Values and Expectations in their work. What are your commitments and practices for exceptional work in a *One Team* environment in a major city and who do you see as the primary team members? How would you ensure that the San José Police Department is aligned with the City's mission and overall goals?
5. Community-based and 21st century policing strategies can allow officers to develop transformational relationships that build trust, improve safety, and address systemic inequities. How might you go about incorporating these strategies into the Police Department's approach with the community?
6. How would you maintain open and transparent communications with the Mayor, City Council, and City Manager, as well as with Police Department employees?
7. How would you maintain open and transparent communications with the general public and key stakeholders, such as the community-based organizations, neighborhood associations, and residents? How would you ensure communication reaches San José's most at-risk residents and neighborhoods?
8. Approximately 58% of San José area residents speak a language other than English at home. Additionally, approximately 40% of San José area residents are foreign-born. In a diverse community like San José, language skills and cultural competency are essential. What experience do you have with working in or engaging with diverse communities?
9. The City Manager will ask the new Police Chief to relaunch the Police Chief's Community Advisory Council to collaborate with the Chief and Department on

solving issues that affect our community. How would you restart this process and frame a path forward?

10. The next Chief of Police will need to collaborate with City and community leaders to implement meaningful police reforms, including—when appropriate—alternatives to policing and co-response models. What experience do you have developing and/or implementing such programs?
11. How would you manage conflict and maintain positive working relationships with community stakeholders during times of disagreement?
12. Please describe how you would approach your relationship with the Office of the Independent Police Auditor (IPA). How would you ensure a proactive working relationship between the Department and the IPA?
13. How would you build strong partnerships with law enforcement partners and Santa Clara County agencies, including the District Attorney's Office, to facilitate a unified and effective response to community safety concerns?
14. One of the Police Department's most significant current challenges is the ability to recruit qualified applicants for vacant sworn positions. What would you do to ensure the City recruits and hires a highly qualified, racially and gender-diverse pool of sworn talent that reflects the diversity of our community? What will you do to ensure that the process of assignments and promotions reflects the diversity of San José?
15. The Police Department is a large organization with over 1,700 employees in both sworn and civilian roles. How would you ensure all Department employees feel valued and part of the larger team—particularly civilian staff? How will you set an organizational culture that is shared throughout the Department?
16. The San José Police Department is also a very lean department when compared to other large cities' police departments. Additionally, the Department is currently addressing a rising volume of calls for service. How would you efficiently manage limited staff and fiscal resources—particularly the use of paid overtime—to provide the quality of service the community expects? What innovative or creative staffing models might you implement? How might you ensure adequate mental health resources are available for Department personnel?
17. How would you approach leadership development and training for Police Department personnel, including civilian staff? What type or types of training would you prioritize?
18. Several months ago, racist Facebook posts made by current and former San José police officers were exposed by the media. What will you do to weed out this type of racism and xenophobia with the Department to prevent it from happening again?



19. What is your approach to ensuring public safety during large protests? How might you engage with community members before and after a large protest?
20. What is your perspective on Use of Force protocols before, during, and after an incident?
21. As Chief, what specific actions would you take to reduce gender-based violence in the City?
22. What else should the City know about you?