



A MESSAGE FROM DISTRICT 6 COUNCILMEMBER STEVE MADISON

District 6 Constituents,

In a unanimous decision, the city council adopted a new form of Police oversight.

Attached is the text of today's *Pasadena Star News* article describing the City Council's unanimous decision to adopt a new form of Police oversight at Monday's meeting. The article correctly notes that this was an extremely contentious matter, as contentious as any during my lengthy tenure on the Council. The tension was exacerbated by the August 16 officer-involved-shooting of Anthony McLain, a 32 year-old African American Pasadena resident. (Mr. McLain had recently been released from prison and according to police video and eyewitnesses pulled a gun from his waistband and ran from the police when a car in which he was a passenger was stopped by the PD. Several investigations into the circumstances of the shooting are underway.)

I am proud of the role I played in this historic step by the Council, including introducing a substitute motion that as the article describes included several provisions that were adopted by Council. (The term I used to describe the City Attorney's role was actually "fiscal intermediary" but that's a minor quibble.) Coming into the meeting there were numerous conflicting views about this subject and in my view it was important for the Council to act unanimously if possible.

Thanks to those of you who have shared your thoughts about this complex issue, and please do let me know any thoughts you have going forward. Thanks and be well.

Steve Madison
Pasadena City Councilmember

-
- We have switched to Constant Contact to send you updated messages from the City and District 6. Please share this information with neighbors and friends. If they wish to be added to the distribution list, please have them write to us and include a home address as we will continue to group messages by neighborhoods to target our audience when appropriate. Our email addresses are at the bottom of the message.
 - In case you have missed any of these important message, please go to our website www.cityofpasadena.net/district6.
 - For the last news issues click "[District 6 News](#)"
-

New police oversight system gets council OK Independent auditor, civilian panel ratified

PASADENA
By Bradley Bermont
bbermont@scng.com

After eight hours of impassioned, often bitter deliberation, **the Pasadena City Council emerged with a new form of police oversight late Monday with the creation of an 11-member civilian police oversight commission and the appointment of an independent police auditor.**

The vote was unanimous.

Despite allegations of a flawed, rushed process and waves of complex options to assess, some unexpectedly added as the afternoon turned to evening, the council agreed that Monday's marathon session must result in a plan. Just outside City Hall, protesters gathered once again, demanding justice for the killing of Anthony McClain, a young Black man shot by the Pasadena Police Department a little more than a week ago while fleeing from a traffic stop.

The debate around police oversight has been occurring on some level since 2016 in Pasadena. The effort ebbed and flowed over the years and had largely been abandoned until nationwide protests against police violence spurred new action from the council in June, on the heels of the Memorial Day death of George Floyd during an arrest in Minnesota.

Now, after nearly three months of oft-contentious debates, the council has established the major tentpoles of its police oversight model. Some of the finer points will be ironed out in the coming weeks. Meanwhile, if the council identifies any major problems with the model, those could be repaired or altered in the years ahead.

Any approved plan should be a starting point, not an end, council members have contended for weeks.

Hotly debated for weeks was the creation of the position of an independent police auditor who would work alongside the panel in an advisory role. It would likely be filled by a consulting firm, officials said, and it would review police personnel investigations to ensure they're done properly. It would report to the City Council directly, even though it would be hired through the city attorney's office.

The city attorney's office would act as a "financial intermediary" to hire the auditor, as Councilman Steve Madison phrased it, but contractually the company would report to the council, not the city attorney. The position would have subpoena power and could compel the Police Department to produce documents, though those couldn't be used to influence personnel decisions, such as disciplining or firing officers.

That kind of power could only be granted through a charter amendment, which would require a ballot measure.

This delivered a twist on the originally proposed model, which had the auditor reporting to the city attorney's office. This structure didn't sit well with Madison, who argued that it had too much potential to create conflicts of interest.

The concept represented a new idea that hadn't been seriously discussed in week upon week of debate, though both Madison and Councilman Victor Gordo would suggest it on Monday night. Gordo originally brought up the idea in an earlier meeting, and asked city staff to come back with more information, though the request wasn't fulfilled by Monday night, he said.

The fact that it was overlooked, both men said, was a symptom of what they characterized as an unusual, hurried deliberative process. Both men have accused Mayor Terry Tornek and Councilman John Kennedy of accelerating the process to help Tornek's political standing as he prepares to defend his mayoral post against Gordo in the November election.

Tornek has strongly refuted the allegations over and over again, stressing the process was accelerated to respond to significant community demands. The atypical approach is the reason this proposal was getting passed in a matter of months, not upwards of a year, Tornek said.

To pull together the 11-member civilian oversight commission, each member of the City Council is set to appoint a member, while another three members would be appointed by various community groups, such as the American Civil Liberties Union or the NAACP.

Each commission member would go through a public vetting process, the details of which will be ironed out at a later meeting.

Each commission member would go through 30 hours of training after they've been appointed, the council decided.

Councilwoman Margaret McAustin pressed her colleagues to support a vision where the members would be forced to do the training before they're appointed, but it was rejected by Tornek, who argued that practice would impede the commission's ability to start right away, as it may take the city some time to get all the details of the training program organized.

Half of the commission should be women, McAustin argued, though it's unclear if that vision will come to pass. She additionally said the city should offer a babysitting stipend to ensure they attract people with families to the commission.

In the initial formulation of Madison's proposal, he suggested breaking up the city attorney's office and the city prosecutor's office, which have been a singular entity for two decades now.

It's something Vice Mayor Hampton suggested several weeks ago, but it didn't sit well with several of their colleagues, including Kennedy and Councilman Andy Wilson, who said they wouldn't vote for the measure if that stayed in. There hadn't yet been enough work on the idea, they argued.

Tornek pledged to bring the topic back for discussion “no later than October,” he said as the meeting was wrapping up.

City staff was instructed to come back to the council with suggestions for how the auditor would be able to watch police personnel investigations “in real time,” Tornek said, responding to concerns from Hampton. That would ensure, the mayor said, that investigations are done properly, not just an after-the-fact review.

As the meeting was beginning, Tornek addressed his colleagues, trying to set the table for the discussion: “This is not viewed as the end of the process, but rather the end of the beginning of the process,” he said, stressing it will “evolve as conditions evolve and as we gain information from this experience.”

Built into the proposal is a review of the new oversight system ahead of the 2022 election, as the council would need to ask the voters to amend the city’s charter if they wanted to give the auditor or commission more power over the Police Department.

That’s a concept demanded by a plurality of the community, including Hampton, who presented a proposal involving an amendment, though his idea was spurned earlier this month.

Dozens of residents submitted public comments, the vast majority supporting some form of police oversight. Many argued the auditor should be independent of the city manager’s office, and some said it also should be independent of the city attorney’s office as well.

City Clerk Mark Jomsky and two other city staffers read the public comments aloud for more than 3 1/2 hours.

Some said the proposal didn’t go far enough, noting the auditor’s recommendations don’t need to be heeded by police officials. For that kind of power, voters would need to pass a charter amendment.

As the council debated, protesters gathered outside of City Hall before marching into Old Town, demanding justice for McClain and Jacob Blake, another Black man who was shot seven times by police officers in Wisconsin on Sunday.

The protest was relatively calm before sundown on Monday. Police spokesman Lt. Bill Grisafe said it stayed peaceful through the evening.

It’s the latest in a series of protests that began after McClain was killed Aug. 15 and continued into this week.

The cul-de-sac leading into Pasadena City Hall was blocked by police cars and wooden barricades, closing the area to vehicle traffic and protests on Saturday.

Police Chief John Perez said he was concerned over Black Lives Matter-Pasadena’s plan to occupy City Hall until the names of the officers involved in the Mc-Clain shooting were released.

On Thursday night, the local chapter of Black Lives Matter had begun to set up tents inside the City Hall courtyard. Pasadena police officers, bolstered by officers from neighboring agencies, forced the protesters to leave the site, Perez said. They ultimately spent the night at nearby All Saint’s Church.

“Once we lose that area to occupation, we’re no different than Portland, or San Francisco or even L.A. for that matter,” Perez said. “We support protesting. (First) Amendment rights are not an issue for us, ... but it was going to be an absolute mess if we allowed them to occupy City Hall.”

Copyright © 2020 Pasadena Star-News. Please review new arbitration language here. 8/26/2020

Powered by TECNAVIA

Wednesday, 08/26/2020 Page .A01

COUNCILMEMBER STEVE MADISON

Steve Madison was first elected in 1999 to represent District 6, which includes the beautiful West Pasadena neighborhoods above the Rose Bowl and in Southwest Pasadena, much of Old Pasadena, the Art Center College of Design, the Convention Center & Civic Auditorium, most of the Arroyo Seco, the historic Colorado Street Bridge, and the..... [Read More](#)



DISTRICT 6 CONTACT INFORMATION

City Councilmember: Steve Madison • smadison@cityofpasadena.net

City Council District Liaison: Takako Suzuki • tsuzuki@cityofpasadena.net

100 N. Garfield Avenue, Room S228 * P.O. Box 7115 • Pasadena, CA 91109-7215

Phone: (626) 744-4739