



COUNCIL AGENDA: 11-18-08
ITEM: 8.2

Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Lee Price, MMC
City Clerk

**SUBJECT: PUBLIC INTOXICATION
POLICY AND REVIEW**

DATE: 11-6-08

RECOMMENDATION

As referred by the Rules and Open Government Committee of November 5, 2008 and outlined in the attached memo previously submitted to the Rules and Open Government Committee:

- (a) Review and discuss the San José Police Department's policies for handling individuals who are intoxicated in public.
- (b) Review and discuss statistics and data related to public intoxication arrests.

Attachments:

- (1) Joint Memorandum from Mayor Reed, Councilmember Campos, and Councilmember Nguyen dated October 23, 2008
- (2) Memorandum from Mayor Reed dated October 31, 2008



Memorandum

TO: Rules and Open Government
Committee

FROM: Mayor Chuck Reed
Councilmember Nora Campos
Councilmember Madison Nguyen

SUBJECT: PUBLIC INTOXICATION POLICY
REVIEW AND DISCUSSION

DATE: October 23, 2008

Approved

Chuck Reed
Nora Campos

Date

Madison Nguyen
JRF
LM

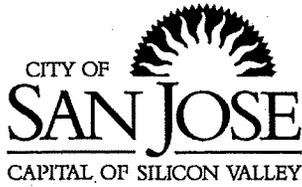
RECOMMENDATION

Add the following item to the November 18, 2008 City Council Agenda:

- o Review and discussion of the San José Police Department's policies for handling individuals who are intoxicated in public.
- o Review and discussion of statistics and data related to public intoxication arrests.

BACKGROUND

Recent news reports call into question the current San José Police Department's policy for dealing with public intoxication, as well as the rates of arrest for public intoxication. The report asserts that our arrest rates are disproportionate in comparison with other jurisdictions in California. Over the years, San José has taken different approaches to public intoxication. The questions that have been raised surrounding our current policies and data warrant a discussion so that the community continues to have confidence that the San José Police Department's policies and procedures will keep us a safe community.



Memorandum

TO: RULES AND OPEN GOVERNMENT
COMMITTEE

FROM: Mayor Chuck Reed

SUBJECT: PUBLIC INTOXICATION POLICY
REVIEW AND DISCUSSION

DATE: October 31, 2008

Approved

Chuck Reed

Date

10/31/08

RECOMMENDATION

At the October 29, 2008 Rules and Open Government Committee, the Committee agenda'd the Public Intoxication Policy Review and Discussion for the December 2, 2008 City Council meeting. In a memo dated October 23, 2008, Councilmember Nguyen, Councilmember Campos and I requested that the issue be discussed at the November 18, 2008 City Council meeting. However, due to the timeliness of this issue, I request that at the November 5, 2008 Rules and Open Government Committee that we continue a discussion on an appropriate date to hold this meeting.