



City Council Report

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March 26, 2019

Discussion Item 25

Title: Sacramento Community Police Review Commission Recommendations to Improve and Enhance Accountability and Transparency of the Sacramento Police Department

Location: Citywide

Recommendation: Receive and file.

Contact: Kevin Greene, Government Ethics and Transparency Administrator, (916) 808-7267, Office of the City Clerk

Presenter: Kiran Savage-Sangwan, Commission Chair, (530) 574-2551, Sacramento Community Police Review Commission

Attachments:

1-Description/Analysis

2-Commission Recommendations

Description/Analysis

Issue Detail: The Mayor and City Council established the Sacramento Community Police Review Commission (the "Commission") in 2016 to make recommendations to the Mayor and Council regarding police policy, procedures, and best practices. (Sacramento City Code section 2.110.030.A) At least annually, the Commission is required to report and make its recommendations to Mayor and City Council. (Sacramento City Code section 2.110.030.C) After the Commission jointly and individually engaged the community, held discussions with the police, and conducted additional research, the Commission decided at its January 14, 2019 meeting that the attached includes its recommendations to the Mayor and City Council for its 2018 efforts. (See Attachment 2)

In forming its 2018 recommendations, at its February 12, 2018 meeting, the Commission voted to establish two ad hoc committees, on Accountability and Diversity. The Commission charged the Accountability Committee with the duty of evaluating the Sacramento Police Department's (the "Department") accountability efforts. This included evaluating the Department's use of force policies, as well as providing any recommendations to improve transparency efforts. The Accountability Committee met several times, co-hosted two special meetings of the Commission in June 2018 to listen to concerns from community members on the topic, and made recommendations to the Commission of what policy changes could be made to improve the City's use of force policy, which were, ultimately, adopted as recommendations of the Commission.

The Commission charged the Diversity Committee with the duty of evaluating the Department's hiring, retention, training, and promotion opportunities to enhance diversity. The Diversity Committee met several times to discuss the Department's diversity enhancement efforts, co-hosted two special meetings of the Commission in June 2018 to get ideas from the community regarding how the Department may enhance its diversity, and researched past efforts of the previous Sacramento Police Commission to address enhancing diversity. The Commission voted to approve the Diversity Committee's recommendations, based on its findings.

Pursuant to Sacramento City Code section 2.110.030.C, the Commission submits the attached, its 2018 recommendations, to Mayor and City Council for review and consideration. (Attachment 2)

Policy Considerations: The recommendations presented by this Commission may result in Sacramento Police Department policy changes, if adopted by the Mayor and City Council.

Economic Impacts: None.

Environmental Considerations: None.

California Environmental Quality Act (CEQA): This action is not a “project” subject to CEQA because it involves only organizational or administrative activities that will not result in direct or indirect physical changes in the environment (CEQA Guidelines §15378(b)(5)).

Sustainability: Not applicable.

Commission/Committee Action: The Sacramento Community Police Review Commission approved the original recommendations at the September 10, 2018 monthly meeting and forwarded their recommendations to Mayor and Council via off-agenda memo on September 24, 2018. The Commission approved the revised recommendations at its December 10, 2018 and January 14, 2019 meetings.

Rationale for Recommendation: This report includes the Sacramento Community Police Review Commission’s 2018 recommendations to Mayor and Council. These recommendations are provided to improve and enhance transparency, accountability and the diversity of the Sacramento Police Department. They were written after allowing community feedback and review of police department policies and are in accordance with the city ordinance for this Commission.

Financial Considerations: The recommendations presented by this Commission may result in Sacramento Police Department policy changes, if approved by the Mayor and City Council. The Sacramento Police Department would have to consider any possible financial impacts caused by implementation of these policy changes.

Local Business Enterprise (LBE): Not applicable.

Sacramento Community Police Review Commission Recommendations for Police Policy and Procedures

Accountability/Transparency Recommendations

Use of Force Policy

Revise SPD policy on use of force to allow the use of deadly force (including firearms) only **as a last resort** and when reasonable alternatives have been exhausted or are not feasible to protect public and officer safety.

Use of Force Data Collection and Sharing

Require quarterly public posting on statistics related to use of force including, at a minimum:

- Type of force
- Types and degree of injury to suspect and officer
- Date and time
- Location of incident
- Officer's unit
- District station where the use of force occurred
- Number of officers using force in the incident
- Officer's activity when force was used
- Subject's activity requiring the officer to use force
- Officer's demographics (age, gender, race/ethnicity, rank, number of years with SPD, number of years as a police officer)
- Suspect demographics (race/ethnicity, age, gender, gender identity, primary language, and other factors such as mental illness, cognitive impairment, developmental disability, drug and alcohol use/addiction, and homelessness)

Sacramento Community Police Review Commission Recommendations for Police Policy and Procedures

Diversity Recommendations

Planning

Develop a long-term comprehensive sustainable diversity and culture change plan—with measurable goals and outcomes that addresses gender issues and institutionalized racism. In regard to the latter, the plan should specifically address historic systemic racial issues between the police and people of color, particularly African-Americans. The plan should also address ethnic groups and communities whose distrust of law enforcement impacts diversification. The planning should include:

- A Diversity Mission Statement with key principles and core values.
- A committee should be assembled for this purpose that includes police officer representatives, community representatives, and commission representation.
- An annual report card/matrix that shows the progress of recruitment goals and the measurable recommendations below.

Recruitment

- Phase in a requirement of an ethnic studies course as part of the college course requirement for new recruits. For officers that transfer from another police department, require them to take a course at a community college within their first 2 years. The requirement for officers that transfer to SPD will be contingent upon negotiations with labor.
- Review SPD's current recruitment programs and practices to determine if there could be improvement (hiring materials, visibility at community events, work with community based organizations to identify viable applicants, increase diversity of recruiting personnel, expansion of the cadet programs).
- Review recruitment/outreach efforts to analyze "what is working" and eliminate or tweak areas that indicate low return or lack of measurability.
- When applications are submitted to Sacramento HR for police officer, lateral transfer, or non-sworn police officer positions, if the applicant is rejected either initially or during the examination selection process, HR should provide SPD data regarding where the applicant said s/he first engaged with SPD and demographic data for ALL applicants including data on local applicants.
- Review the recruitment process for cultural and gender bias, including but not limited to the application and background investigation process.
- Incentivize SPD management (those exempt from the union) to live in the City of Sacramento.
- Incentivize interest in SPD (e.g. scholarships and requirement for service)
- Conduct workshops to help/mentor applicants with written exams.
- Develop specific outreach efforts to women and LGBT candidates.

Hiring

- Officers/non officers involved in the hiring practice must be diverse in ethnic background, gender, and include civilians.
- Give priority to local applicants who grew up in Sacramento or have lived in the area for 10 years or more.

Sacramento Community Police Review Commission Recommendations for Police Policy and Procedures

- A layer of review should be added to ensure that when applicants are denied, it is based on a fair assessment, taking into consideration cultural norms.

Retention

- To retain diverse officers, there needs to be a true opportunity for promotion. This includes mentorship for officers of color and women, while in the academy, during probation, and in preparation for promotional opportunities by officers of color and women.
- To retain diverse officers, there needs to be an opportunity for officers to provide feedback to their supervisors, without fear of repercussion and or retaliation.
- Provide better incentive pay to bilingual officers and reduce the burdens involved in the certification process.
- In circumstances where there is a need to reduce the workforce (i.e. layoffs), look at ways to make those reductions other than just seniority.
- Provide incentives to officers that live in Sacramento (pay increase, special loan programs, and take home patrol vehicles).

Training

- Require additional annual current bias-free training to all officers.
- Training officers must be diverse.

Miscellaneous

- Include “Diversity Hiring” and retention as part of the Chief’s job description and annual performance review.
- Require the City Auditor to review the diversity of SPD all applicants, successful and non-successful applicants, and determine where and why they aren’t successful in the process. Respond to these items through the planning process.
- Conduct annual surveys of police personnel that include questions about diversity and inclusion, and highlight the experience of police of color, women, and issues faced during the application and selection examination process, including retention concerns. Address issues raised through the planning process.
- Survey candidates that do not show up for tests or that drop out of the process to find out why and see if there are things SPD can do to decrease these drops.
- Create a committee to help SPD create new public relations tools, such as recruitment videos or pod casts, and opportunities for community dialogue that acknowledge historical racism including but not limited to police actions and policy; and the desire to change the culture of the police force.
 - Include community input in the creation of these tools. Community input must include input from communities of color, marginalized communities, and the commission.