

Meeting Date: 01/14/2019

Report Type: Discussion



**Sacramento
Community Police
Review Commission
Report**

915 I Street, 1st Floor
www.CityofSacramento.org

Title: Discussion on Use of Force Commission Recommendations

Location: Citywide

Recommendation: Discuss and pass a **Motion** to 1) suspend council rules of procedure by two-thirds vote to allow reconsideration of a previous **Motion**, Item 4 of the September 10, 2018 Commission Meeting, and 2) pass a **Motion** approving revised Commission recommendations and forward to Mayor and Council.

Contact: Francine Tournour, Director, (916) 808-7525, Office of Public Safety Accountability

Presenter: Francine Tournour, Director, (916) 808-7525, Office of Public Safety Accountability

Department: Office of Public Safety Accountability

Attachments:

1 - Memorandum to Mayor and Council, September 24, 2018

Description/Analysis

Issue Detail: A commission member asked to review, discuss and potentially amend recommendations forwarded to Mayor and Council on September 24, 2018. Two-thirds vote by commission members is required to suspend council rules of procedure, allowing the reconsideration of the previously approved motion. Following discussion, if any, the commission may decide to revise recommendations made to Mayor and Council or decide that no actions are necessary at this time.

Policy Considerations: Amended recommendations could affect various SPD general orders, policies and procedures. SPD would review the recommendations and determine the impacts of the changes, if accepted.

Economic Impacts: None.

Environmental Considerations: None.

Sustainability: None.

Commission/Committee Action: None

Rationale for Recommendation: The commission had asked for additional information regarding the Use of Force standards; the City Attorney's Office provided a memo to the commission. As a result, commission members may want to discuss their recommendation and possibly make amendments.

Financial Considerations: None

Local Business Enterprise (LBE): Not applicable

MEMORANDUM

DATE: September 24, 2018

TO: Mayor and City Council Members

FROM: Sacramento Community Police Review Commission
Office of Public Safety Accountability (Staff)

CC: Howard Chan, City Manager
Daniel Hahn, Police Chief

**SUBJECT: RECOMMENDATIONS FROM THE SACRAMENTO COMMUNITY POLICE
REVIEW COMMISSION**

Mayor and City Council Members,

The following recommendations are presented by the Sacramento Community Police Review Commission for your consideration.

Background

At the February 12, 2018 Sacramento Community Police Review Commission meeting, Commission members approved the creation of two Ad Hoc Committees, on Accountability and Diversity, under the Officer Next Door Framework.

The two Ad Hoc Committees had begun their initial research into their respective issues, when the March 18, 2018 shooting of Stephon Clark redirected the commission's attention. It became evident that the Ad Hoc Committees should work with the community to discuss and develop recommendations that would address issues raised from this critical incident.

After meeting with representatives of the Sacramento Police Department; reviewing current policies; receiving briefings from the US Department of Justice, the California Department of Justice, American Civil Liberties Union and two State Assembly Representative Offices; and hosting two Special Commission Meetings to gather input from the community, the two Ad Hoc Committees developed several initial recommendations which were presented to the Commission, as a whole, on August 13, 2018.

After Sacramento Police Department input, the following recommendations were approved at the September 10, 2018 Commission meeting to be presented to Mayor and Council:

Accountability/Transparency Recommendations

Use of Force Policy

Revise SPD policy on use of force to allow the use of deadly force (including firearms) only when necessary 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 monthly 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)

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

- Require ethnic studies course(s) as part of the college course requirement.
- 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.
- 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 public relations, dialogue, and recruitment videos 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 and marginalized communities.