



REPORT TO COUNCIL

City of Sacramento

915 I Street, Sacramento, CA 95814-2604
www. CityofSacramento.org

Information
July 28, 2009

**Honorable Mayor and
Members of the City Council**

**Title: Informational Report: Community Racial Profiling Commission Quarterly
Report (January – March 2009)**

Location/Council District: Citywide

Recommendation: Receive and File

Contact: Katherine Lester, Lieutenant, (916) 808-0800

Presenters: Not applicable

Department: Police

Division: Fiscal

Department ID: 11001021

Description/Analysis

Issue: The attached report provides the City Council with the Commission's first quarterly update of 2009.

Policy Considerations: The work of the Community Racial Profiling Commission directly supports the City Council policies of inclusion, establishing and strengthening community partnerships, and enhancing educational opportunities for the entire community.

Environmental Considerations:

California Environmental Quality Act (CEQA): This report concerns administrative activities that will not have a significant effect on the environment, and does not constitute a "project" as defined by the California Environmental Quality Act (CEQA) [CEQA Guidelines Sections 15061(b)(3); 15378(b)(2)].

Sustainability Considerations: Not applicable.

Other: Not applicable.

Rationale for Recommendation: Pursuant to City Code 2.110.040, the Community

Racial Profiling Commission is required to submit quarterly reports to the City Council.

Financial Considerations: There are no financial implications associated with this report.

Emerging Small Business Development (ESBD): Not applicable.

Respectfully Submitted by: Brian Louie
Brian Louie, Deputy Chief of Police

Approved by: Rick Braziel
Rick Braziel, Chief of Police

Recommendation Approved:

Ray Kerridge
Ray Kerridge
City Manager

Ref: COP 05-15

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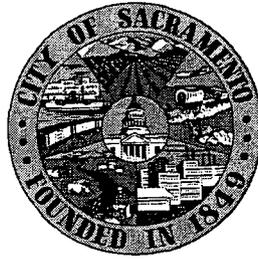
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Attachment 1**Background**

In July 2000, the Sacramento Police Department undertook a comprehensive study of traffic stops to address perceptions of racial profiling. In March 2004, City Council approved the establishment of a formal advisory commission to provide equitable representation, accountability, and reporting from Sacramento residents on this issue of national importance, as well as provide the City with a greater opportunity to be inclusive. In November 2004, City Council confirmed selections for membership on the Community Racial Profiling Commission, whose purpose is to assist the City with its racial profiling vehicle stop study. The Commission held its first meeting in January 2005 and set its future meeting dates as the third Thursday of the month at 6:00 p.m. at the Public Safety Center.

In February 2006, Lamberth Consulting was awarded the contract to conduct the Traffic Stop Data study. Lamberth Consulting staff studied Police Department processes of data collection and mapping, in-car camera recording of pedestrian and bicycle stops, and Police Department policies related to stops. Lamberth staff conducted their study on data collected between December 1, 2007 and May 31, 2008, with the final report presented to the Sacramento City Council on August 12, 2008. The commission members worked with Communications Specialist Michele McCormick to develop the Commission's presentation to Council and a series of stakeholder meetings to present and discuss the Lamberth study results. These public stakeholder meetings, held on August 13, 14 and 15, featured presentations by Dr. Lamberth and SPD Chief Rick Braziel, as well as dialogue among the attendees.

The Commission members are working to formulate recommendations to the Sacramento Police Department related to issues raised in the Lamberth report, as well as devising strategies regarding implementation of recommendations made by Dr. Lamberth. Members are also focusing on identifying future goals, responsibilities, and powers for the Commissions.



COMMUNITY RACIAL
PROFILING COMMISSION

CITY OF SACRAMENTO
CALIFORNIA

5770 FREEPORT BLVD., SUITE 100
SACRAMENTO, CA 95822-3516

Letter to the Mayor and City Council

July 28, 2009

Subject: Community Racial Profiling Commission Quarterly Report
(January - March 2009)

The Community Racial Profiling Commission (CRPC), established in November 2004, continued to fulfill its mission to serve as an advisory body to the City Council regarding bias free policing. This first quarterly report of 2009 describes the activities of the CRPC from January to March 2009.

Commission Membership

The following table depicts the status of Commission membership for the first quarter of 2009. New members joining the Commission during this quarter were Riley Chavis (District 3) and Terilyn Jackson (At-Large).

CRPC 2009 1st Quarter Membership			
NAME	CATEGO RY	NAME	CATEGO RY
Alani Cridge	District 1	Danette Brown	At-Large
Walter Kawamoto	District 2	Ernest Carter	At-Large
Riley Chavis	District 3	Terilyn Jackson	At-Large
<i>Vacant</i>	District 4	Crystal Taylor	At-Large
Ashiya Odeye	District 5	Brian Louie, Vice Chair, SPD	Standing
Julia Vera	District 6	Brent Meyer, SPOA	Standing
Sean Coletta, Chair	District 7	Francine Tournour, OPSA	Standing
<i>Vacant</i>	District 8		

Since the last quarterly update, the Commission has experienced and accomplished the following:

Selection of 2009 CRPC Chair

Members voted to elect Sean Coletta (District 7) as Commission Chair for 2009.

Update on Posting Videos of Stakeholder Meetings on CRPC Website and on "YouTube"

The CRPC website now posts an email address through which the public can request DVD copies of the stakeholder meetings held in August 2008. Posting the meeting videos on YouTube was considered, but will not be pursued, due to system limitations and potential issues with the Brown Act. The Chair recommended finding alternative methods to get the videos out to the community. Suggestions made were to: 1) make announcements at City Council meetings and community meetings; 2) utilize contacts via stakeholder mailing lists; 3) make DVDs available at local public libraries; 4) publish press releases; 5) post a short teaser on YouTube.

Discussion of LD 42 Cultural Diversity/Discrimination Workbook Received by Commission Members

Lt. Lester provided Commissioners a .pdf format file of the Cultural Diversity/Discrimination Learning Domain workbook used in police officer academy training, as requested by Commission members.

Discussion and Recommendation on General Order 210.05 Draft – Bias Related Enforcement Actions

Lt. Lester provided Commission members with a draft of the revised General Order (GO) 210.05 regarding bias-related enforcement actions. Included among the additions are requirements that Supervisors and Training Officers attend additional training and that the training be integrated into the Field Training program. The revised version complies with recommendations in the Lamberth Traffic Stop Study Report.

Commission members viewed the draft and discussed issues relating to the disciplinary process. Commission members expressed an interest in obtaining more information on the outcome of Internal Affairs investigations than simply the disposition of the case and the number of complaints per year. Members questioned the role of possible racial profiling incidents on officer evaluations, and Chair Taylor asked to see the Department's evaluation policy.

Report on Writing and Presenting an Ordinance or Resolution Refuting Racial Profiling to the Law & Legislation Committee and the City Council

Attorney Jerry Hicks reported on the procedures that Commission members would need to follow either to have the Law & Legislation Committee and then the City Council pass an uncodified resolution refuting racial profiling or to change the City Code to refute racial profiling. Mr. Hicks characterized the process of changing the City Code as more problematic than implementing the resolution option and stated that the Code would be

subject to preemption by State and/or Federal law. This option would be, in his opinion, unnecessary due to existing State and Federal legislative protections. Commission members voted to start the process of drafting a resolution refuting racial profiling. CRPC members studied examples of resolutions provided by Lt. Lester. Jerry Hicks of the City Attorney's office advised members to provide city staff with their recommendations regarding the contents of the resolution. City staff would then write a report to the Law & Legislation Committee, which would decide whether to send the report to the City Council for consideration.

Discussion, Formulation, and Approval of Future Goals, Responsibilities and Scope of the CRPC

The Commission voted to adopt the three goals created in December and to add tasks to the list. The three goals are:

- ❖ Foster better police/community relations through activities such as the CRPC community forums and the stakeholder workshops.
- ❖ Analyze relationships between racial profiling and social issues using quality research.
- ❖ Understand policing from a police perspective.

Discussion, Formulation, and Approval of CRPC Recommendations to the Sacramento Police Department Related to Traffic Stop Study Report

Committee members discussed the most effective process for compiling the recommendations relating to the traffic stop study. It was decided that the committee would take the four adopted recommendations from the November 20, 2008 meeting as a basis for a letter to City Council. Chair Sean Coletta will prepare a draft letter listing the Commission's recommendations and provide this draft to members prior to next month's meeting for review and finalization.

Presentation on Officer Evaluation Policy

Lt. Michael Bray discussed a recently implemented officer evaluation form to be used semi-annually as a self-analysis tool for long-time Sacramento Police Department (SPD) sworn employees. Using the new evaluation form, officers and sergeants meet with their supervisors at the beginning of each year to determine measurable, specific goals, which they revisit and discuss at six-month intervals. The expectation is that the evaluation form will be a tool for open dialogue between employee and supervisor. These documents are kept in the employee's watch file for one year and in the employee's personnel file permanently. Officers and sergeants who fall below the Department standard receive remedial training, not just following evaluations, but at any time the need is recognized.

Presentation on SPD Internal Affairs Investigative Protocol and Policy, the Early Warning System, and the Peace Officers' Bill of Rights (POBR)

Lt. Neil Schneider of the SPD Internal Affairs Unit (IA) explained that the job of the Unit is twofold: to safeguard the rights of police officers and "to get to the truth," and discussed the process that occurs when a formal or informal complaint has been filed against an officer.

By law, IA has one year to complete an investigation and may suspend complaints if criminal proceedings in the case are underway. Under the terms of the Peace Officers' Bill of Rights (POBR), if one year has passed and the complaint has been neither suspended nor decided, the officer cannot be disciplined. In any case, IA will send the complainant a letter stating the disposition of the case.

Sgt. Dave Hargadon provided a brief overview of IA Pro, an Internal Affairs case management system, which tracks cases from initial complaint throughout its investigation process. SPD has converted five years worth of data from the previously utilized Access database to IA Pro. An early warning feature is available to monitor "at risk" employees and provide an alert mechanism. Committee members requested information relating to the number of IA cases currently pending.

Comments and Operational Updates on Sacramento Police Department Activities

Deputy Chief Brian Louie:

- ❖ Reported that the Department continues to collect vehicle stop data and that the compliance statistics remain in the mid-90 percentile.
- ❖ Announced a CalGRIPS grant is funding a three-month program in which California Highway Patrol officers will work with SPD officers two days a week to address common problems.
- ❖ Updated Commission member monthly on crime and enforcement factors that could influence the focus of traffic stops.

SPOA President, Brent Meyer:

- ❖ Announced that he will be attending next month's annual conference of the top 50 police union leaders at Harvard University, where current issues will be discussed, and where he will be presenting material on our racial profiling study along with our response. US Attorney General, Eric Holder, will also be participating in this presentation.

Public comments

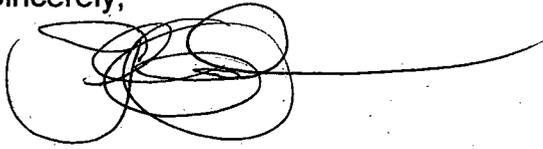
Chief of Police Rick Braziel recognized outgoing CRPC Chair Crystal Taylor for her service to the Commission and presented her with a letter of appreciation. The Chief also thanked outgoing CRPC members Renee Carter and John Floyd for their many years of service, which included a term as Commission Chair for each.

Commission member Francine Tournour commended the Chief and the Police Department for supporting the CRPC and for conducting the traffic stop studies.

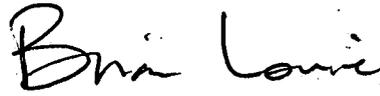
Goals

Commission members continue to contemplate and discuss the dimensions of their purpose and their powers and duties in serving as an advisory body regarding vehicle stop data collection and bias free policing to the City Council and as a liaison to the Community regarding the results of the Lamberth study.

Sincerely,

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Sean Coletta, 2009 Chair, CRPC

A handwritten signature in black ink, written in a cursive style that reads "Brian Louie".

Brian Louie, 2009 Vice Chair, CRPC