

CITY COUNCIL
Lori Wilson, Mayor
Wanda Williams, Mayor Pro-Tem
Anthony Adams
Jane Day
Michael Segala



CITY COUNCIL MEETING

First and Third Tuesday
Every Month

A G E N D A

SPECIAL MEETING OF THE ADVISORY COMMITTEE ON PUBLIC SAFETY AND EMERGENCY MANAGEMENT OF SUISUN CITY

MONDAY, AUGUST 31, 2020

6:30 P.M.

SUISUN CITY COUNCIL CHAMBERS -- 701 CIVIC CENTER BOULEVARD -- SUISUN CITY, CALIFORNIA

NOTICE

Pursuant to Government Code Section 54953, Subdivision (b) and Executive Order released on March 12, 2020, the following Public Safety and Emergency Management Committee includes participation via the application ZOOM.

PER CITY POLICY, MEMBERS OF THE PUBLIC ARE REQUIRED TO WEAR FACE MASKS WHILE IN CITY FACILITIES. IF YOU DO NOT HAVE A FACE MASK, ONE WILL BE PROVIDED FOR YOU.

ZOOM MEETING INFORMATION:

MEETING ID: 860 0790 3509

WEBSITE: <https://zoom.us/join>

CALL IN PHONE NUMBER: (707) 438-1720

REMOTE PUBLIC COMMENT IS AVAILABLE FOR THE PUBLIC SAFETY AND EMERGENCY MANAGEMENT MEETING BY EMAILING CLERK@SUISUN.COM (PRIOR TO 12:00 NOON ON THURSDAY) OR VIA WEBSITE OR PHONE APPLICATION, ZOOM.

*(If attending the meeting via phone press *9 to raise your hand and *6 to unmute/mute for public comment.)*

ROLL CALL

Committee Members

PUBLIC COMMENT

(Oral participation from the audience is limited to 3 minutes to each speaker).

GENERAL BUSINESS

1. Review Public Safety and Emergency Management Citizen's Advisory Committee Annual Work Plan Update per Council Resolution No. 2020-88 - (Roth: aroth@suisun.com).
2. Items for Future Public Safety Committee Consideration as Requested by Members of the Committee.

ADJOURNMENT

Agenda related writings or documents provided to a majority of the Committee less than 72 hours prior to a Committee meeting will be made available for public inspection during normal business hours. An agenda packet is also located at the entrance to the Council Chambers during the meeting for public review. Assistive listening devices may be obtained at the meeting.

DEPARTMENTS: AREA CODE (707)

ADMINISTRATION 421-7300 ■ PLANNING 421-7335 ■ BUILDING 421-7310 ■ FINANCE 421-7320
FIRE 425-9133 ■ RECREATION & COMMUNITY SERVICES 421-7200 ■ POLICE 421-7373 ■ PUBLIC WORKS 421-7340
SUCCESSOR AGENCY 421-7309 FAX 421-7366

Deliverable Public Safety Work Plan **DRAFT** 2020

On June 13th, the City Council of Suisun City held a special meeting to publicly address a letter from the African American Organizations of Solano County requesting that Suisun City develop and post on its website “Actions to Address the Needs of African-Americans,” no later than the close of business on September 30, 2020. The action plan submitted in the letter included the following as it relates to the police department:

4. Implement a restructuring of the California Officers Bill of Rights to include the following: require police officers to wear body cameras, develop de-escalation training for law enforcement officers, require implicit bias training for all police officers, sheriff deputies, correctional officers and probation officers.

5. Review of each jurisdiction's use of force policy and review of its alignment with AB 932: Peace Officers Deadly Force. Each City within Solano County should establish a Citizens Review Board that is funded and professionally staffed to remove Officers who have been found to use excessive and deadly force.

6. Require all cities in Solano County, including the Solano County Sheriff's Department to establish a Human Relations Commission that meets monthly, requiring the collection of statistical information on excessive use of force complaints.

While the Suisun City, City Council does not have the ability to implement a restructuring of the Peace Officers Bill of Rights in CA as listed in item 4, the council did address the Suisun City Police Department's policies as they relate to the wearing of body cameras, de-escalation training, and frequency of implicit bias training during this June 13th, 2020, meeting. Additionally, a review of the SCPD's use of force policy was also completed and found to be in line with AB932 as requested in item 5.

Lastly, as it relates to item 6, the City determined there is already a citizen committee established in Suisun City charged, in part, to review, recommend and receive reports on items involving public safety, on which the Police Chief currently sits as a member of staff. This committee is made up of several citizens appointed by the City Council and it is officially referred to as the Public Safety & Emergency Management Citizen Advisory Committee.

In addition to the letter from the African American Organizations of Solano County, the council received letters from the community supporting the Campaign Zero initiatives. Of these 10 initiatives, body cameras, training, use of force, and community oversight were items of concern also brought up by the letter from the African American Organizations of Solano County. Of additional concern was ending the use of Broken Windows Policing, demilitarizing the police and community representation within the police department.

Although some of these items of concern were evaluated by the City Council during the June 13th, 2020, meeting, the Council requested additional review be conducted by the Advisory Committee

and approved an annual workplan for the Public Safety & Emergency Management Citizen Advisory Committee to evaluate the following items, bringing back a deliverable report to the Council during the month of September, 2020:

- **Review policy and procedures related to providing training on implicit bias**
- **Review policies in recruiting for diversity reflective of community**
- **Review of “Broken Window” type policing policies**
- **Review of policies related to purchasing or using military weaponry, craft a policy for council review regarding annual notification of the purchase and inventory of military weaponry**
- **Review community complaint policy and process for complaint review**
- **Review content of Annual Police Report to include diversity of police department, number of citizen complaints, breakout of crimes by self-reported race, and any additional statistics that will require transparency**

After the direction from Council, the Public Safety & Emergency Management Citizen Advisory Committee held a public meeting on Thursday, July 30th, 2020, and received a presentation from the Chief of Police on all of the topics outlined above. An outline of that presentation as it was disseminated to the Public Safety & Emergency Management Citizen Advisory Committee is attached to this report in order for the council to review what was covered during the meeting.

In short, this Committee came to a consensus on all of these items as follows:

- **Review policy and procedures related to providing training on implicit bias**
Discussion was held on Police Department Policy 401.7 outlining the State of CA Peace Officers Standards and Training (POST) guidelines to provide personnel Implicit Bias training every 5 years. An update that this POST training was completed by the Department in July, 2020 was provided. Additional information was given that training on *Implicit Bias: Facts and Myths* provided by Target Solutions is forthcoming.
- **Review policies in recruiting for diversity reflective of community**
Discussion on Police Department Policy 1000 emphasizing diversity in hiring and placing diversity as an important quality when hiring was held. Discussion was held with regard to a black police officer leaving for another police agency in Solano County during the month of July, 2020, who also works for a local police academy that was previously assisting in recruiting people of color at Suisun City PD. Even though the Department has lost this direct pipeline to recruit diverse individuals, the Police Department intends to continue placing an emphasis on hiring people that are reflective of the diversity of the Suisun City community and intentionally seek out individuals reflective of the Suisun City community when recruiting. Information was provided that of the last 8 officers hired in the past year the Police Department hired 4 women, 2 Asian officers, 1 Hispanic officer and 1 officer of Middle Eastern decent.

- **Review of “Broken Window” type policing policies.**

A robust discussion in this area was held by the Committee after a review of an article about Broken Windows Policing. This discussion included evaluating the types of crimes associated with Broken Windows Policing relating to quality of life crimes such as loitering, public drinking and graffiti. Discussion on how addressing Broken Windows Policing affects the public, or how pulling people over for relatively minor violations might impact people of color.

A question was asked by a committee member on whether Broken Windows Policing was specifically used in Suisun City. The police chief stated the Police Department does not refer to enforcement activities as Broken Windows Policing. When police staff act on open containers it is due to the association that public drinking leads to public intoxication, which is a community caretaking issue. Information was provided by the police chief that warnings are given regarding public drinking prior to issuing citations in almost all cases. Loitering is also not enforced to a great degree due to the various published case law, and graffiti is enforced because most often there is a victim who needs to pay to correct the graffiti. SCPD enforces all laws when they have the ability based on pride in the community and the desire to provide a safe area that people will want to live in and visit.

More discussion was had regarding the time officers have to address lower level criminal offenses. Officers are most often responding to calls rather than proactively addressing lower level offenses. However, officers will sometimes target areas of concern after several complaints from the community are received or after a substantial warning campaign has been engaged in.

The Committee also acknowledged there is no scientific study that shows the Broken Windows Policing model is effective. However, the Committee also voiced concern that an officers’ ability to address crime should not be hindered by a policy veering away from enforcing lower level crimes. The police chief discussed the goal of the Police Department is to gain trust from the community even in times of making an arrest or issuing a citation, so treating the community with respect during times of any offense level arrest or citation is key.

The Committee also acknowledged that the community asked for this issue to be investigated and evaluated against the possible issue related to racial discrimination. There was consensus that the community must feel that the right thing is being done by the Committee during this evaluation of policy.

A request was made by the Committee as to whether the PD had data regarding the Broken Windows Policing theory specifically in Suisun City. At the time of the meeting, data was not available with regard to enforcement of Broken Windows Policing crimes. After the meeting,

the police chief researched the last year of data with regard to the three main crimes referred to when speaking about Broken Windows Policing: Loitering, graffiti and public drinking.

Out of 807 misdemeanor arrests in the past year, the police department issued misdemeanor or administrative citations for the following: 1 citation for loitering (white female); 2 administrative citations for drinking in public (1 white male and 1 black male); and 1 administrative citation for an open container in public (1 black male who received a warning the week prior).

In addition to the misdemeanor crimes, 1 felony arrest for graffiti was made, but no misdemeanor citations for graffiti were issued. The individual arrested for the felony was a black male adult who spray painted a private property wall several times causing over a \$1,000 worth of damage.

- **Review of policies related to purchasing or using military weaponry, craft a policy for council review regarding annual notification of the purchase and inventory of military weaponry.**

The Police Chief reported the department does have department purchased AR-15 style rifles for patrol. The purpose of these rifles is for deployment in an active shooter or high-level felony situation. The department does not, nor does it intend to, procure military weaponry or armored vehicles. Discussion was had with regard to publicly listing the style of military weaponry the department has on its website. Since the department has no military weaponry, this discussion was closed.

- **Review community complaint policy and process for complaint review.**

The department complaint policy, Police Department Policy 1012, was reviewed by the committee and an explanation was provided that this policy falls in line with state law and best practices. Discussion was had with regard to including possible outside investigative bodies in the policy as it relates to conducting complaint investigations, as well as being able to outline the online complaint submittal capabilities afforded to Suisun City community members.

- **Review content of Annual Police Report to include diversity of police department, number of citizen complaints, breakout of crimes by self-reported race, and any additional statistics that will require transparency.**

Information was provided to the committee with regard to the above requested issue. This information was added into the Annual Police Report for 2019 during the month of June, 2020, and will continue to be part of future reports. A question was posed to the committee as to the meaning of “breakout of crimes by self-reported race” and what it means. No

consensus on the meaning of this phrase was determined, but there was a brief discussion regarding the forthcoming “RIPA” stop data (Racial and Identity Profiling Act, Assembly Bill 953) that will be required of Suisun City by the State on April 1, 2023. This bill will require the Suisun City Police Department to report the perceived race, ethnicity, gender, age, disability or LGBT status on individuals contacted by Suisun City police officers to the State of California.

The Public Safety & Emergency Management Citizen Advisory Committee would like to thank the Mayor and the members of the Suisun City, City Council for their trust in the committee to evaluate these areas of concern for the community. While the Committee did have some suggestions for the Police Department with regard to policy changes outlining processes, the Committee believes the Suisun City Police Department is operating with the community’s best interests in mind, interacting with the community in a respectful manner, intending to be representative of the community in its hiring practices, and overall working towards making Suisun City a more desirable place for people to live and visit. We, as Committee members, respectfully submit this report for review of the information we received and the consensus we came to during our discussion.

INFORMATION PROVIDED TO COMMITTEE IN JULY 2020

- **Review policy and procedures related to providing training on implicit bias.**

Policy 401.7 POST requires every 5 years. PC13519.4(i). POST training assigned in July, 2020.

Recently pursued on-line Implicit Bias training through our city on-line training vendor. Will assign training when LE Module is active. Training is below and is already being incorporated in our two-year training cycle:

Implicit Bias: Facts & Myths

With law enforcement professionals today under increasing amounts of scrutiny and many of their actions caught on camera, charges of bias have become more frequent. In these instances, many officers are depicted as having a racial bias or prejudice against various segments of the population, but often they don’t show the entirety of the situation. However, this does not mean that implicit bias doesn’t exist in law enforcement; it merely emphasizes that not all biases are illicit or racial. This course focuses on understanding the four types of bias and how preconceived opinions can have a negative impact on your job performance and public trust.

Numerous case studies, scientific research, statistics, and an array of videos of real-life situations are utilized to offer training scenarios that assist with identifying the inherent issues with explicit, implicit, illicit and racial biases and how they can be applied unconsciously to a potential suspect.

This course provides an overview of implicit bias and the differences between bias and prejudice. It aims to provide a better understanding of the four types of biases and how bias influences situations in law enforcement. It also explores the rise of implicit bias and how both confirmation and observational biases can affect job performance.

During the first week of July, our policy provider, Lexipol, introduced a *Duty to Intercede; Conceptual, Cultural and Legal Aspects* training through their law enforcement policy division. This training was roughly 90 minutes and covered a wide variety of topics to include fostering a culture where officers can recognize a situation in which they should intervene in an incident being inappropriately handled by a fellow officer and feel comfortable doing so.

- **Review policies in recruiting for diversity reflective of community.**

Policy 1000, CPD previously had an officer at local police academy in the position of Recruit Training Officer (RTO) who would provide information to us and recruit individuals. Officer was a diverse individual allowing for diverse population connection. Officer left the department to work at a higher paid agency in Solano County. We estimate hiring at least three officers from that academy through that RTO.

Current practice in hiring is very aggressive with policy 1000.3 placing diversity as an important quality. We are, however, constantly in a hiring mode – currently have 5 vacancies and have hired 8 officers in the year I have been here placing at least 12 candidates through the background process (4 women, 2 Asian, 1 Hispanic, 1 middle eastern).

Plan for a PAL program was introduced to develop our local youth and foster an interest in law enforcement. Currently on hold due to Parks and Rec. staffing capacity and Pandemic.

Cadet program for youth has produced one local and diverse individual who works as a CSO.

- **Review of “Broken Window” type policing policies.**

Committee to decide their definition of broken windows crimes, or accept the traditionally referred to offenses.

Key Takeaways: Broken Windows Theory

- The broken windows theory of criminology holds that visible signs of crime in densely-populated, lower-income urban areas will encourage additional criminal activity.
- Broken windows neighborhood policing tactics employ heightened enforcement of relatively minor “quality of life” crimes like loitering, public drinking, and graffiti.
- The theory has been criticized for encouraging discriminatory police practices, such as unequal enforcement based on racial profiling.

<https://www.thoughtco.com/broken-windows-theory-4685946#:~:text=Broken%20windows%20neighborhood%20policing%20tactics%20employ%20heightened%20enforcement,anti-social%20behavior%2C%20and%20civil%20unrest%20in%20densely%20>

- **Review of policies related to purchasing or using military weaponry, craft a policy for council review regarding annual notification of the purchase and inventory of military weaponry.**

Frist step is to define military weaponry.

The 1033/DRMO program allows for demilitarized equipment to be transferred to police agencies. This equipment includes anything from copiers, infra-red and heat signature cameras to vehicles such as Humvees and other up-armored type vehicles.

To obtain firearms from 1033/DRMO, an agency needs to submit a separate application for this tiered program. SCPD does participate in the general program but has not applied for the weaponry program (nor does it intend to). At this time, SCPD does not have any equipment in its inventory from this program.

- **Review community complaint policy and process for complaint review**

Policy 1012 – being revised to include outside investigations and use of software. IAPro and Blue Team tracking software that tracks all use-of-force, field-level discipline, complaints, vehicle accidents and pursuits. This technology helps us identify performance issues in “real-time.”

- **Review content of Annual Police Report to include diversity of police department, number of citizen complaints, breakout of crimes by self-reported race, and any additional statistics that will require transparency.**

Demographic data included in report revision and referred to in attachment. Data was collected via a visual study by HR. Data has not been saved by HR previously. Information shows race was picked incorrectly by visual survey only in at least one instance.

Breakout of crimes: does this mean victim race, suspect race, etc.

Define self-reported – SCPD does not ask what race a victim is unless the crime is a hate crime and the definition makes an assumption the information would come from the individual.

RIMS mask to report that information does not exist. Information would have to be extracted by reviewing the race of every individual and would take hours of staff time.

RIPA Racial and Identity Profiling Act (RIPA) - Assembly Bill (AB) 953

<https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/stop-data-reg-final-text-110717.pdf?>

What data do we need to collect?

1. ORI number
2. Date, time, and duration of the stop
3. Location of stop
4. Perceived race or ethnicity of person stopped
5. Perceived gender of person stopped
6. Person stopped perceived to be LGBT
7. Perceived age of person stopped
8. Person stopped has limited or no English fluency
9. Perceived or known disability of person stopped
10. Reason for stop
11. Stop made in response to a call for service
12. Actions taken by officer during stop
13. Results of stop
14. Officer's Identification (ID) Number
15. Officer's years of experience
16. Type of assignment of officer

*The bill requires an agency that employs one or more but less than 334 peace officers to issue its first annual report by April 1, 2023.

DEPARTMENT COMPLAINTS & USE OF FORCE 2019



Use of Force

5 reported uses of force out of almost 24,000 incidents. A .0002% use of force to contact ratio

Citizen Complaints

14 total written complaints (conduct, improper service, excessive force, dishonesty...)
- Only 1 complaint sustained against a civilian employee.

Use of Force Definition: The application of physical techniques or tactics, chemical agents, or weapons to another person.

Statistical data regarding all officer-involved shootings and incidents involving use of force resulting in serious bodily injury is to be reported to the California Department of Justice as required by Government Code § 12525.2. SCPD did not have any reportable incidents in 2019.

DEPARTMENT DEMOGRAPHICS 2019



SCPD STAFF

White - 62%
Hispanic - 21%
Pacific Islander - 7%
Asian - 7%
Black - 3%

SCPD SWORN STAFF

White - 47%
Hispanic - 26%
Pacific Islander - 11%
Asian - 11%
Black - 5%

*Data provided by HR made through a "visual survey" due to the absence of submitted data by personnel.

1602.13 Records as to racial or ethnic identity of employees

Employers may acquire the information necessary for completion of Section D of the EEO-1 either by visual surveys of the work force, or at their option, by the maintenance of post-employment records as to the identity of employees where the same is permitted by State law.