



DISCUSSION ITEM

Agenda Item # 4

AGENDA REPORT SUMMARY

Meeting Date: September 8, 2020

Subject: Policing Town Hall Follow-up

Prepared by: Mayor Jan Pepper and Vice Mayor Neysa Fligor

Attachment(s):

1. Report from Mayor Pepper and Vice Mayor Fligor with input from City Manager Jordan and Police Chief Galea

Initiated by:

City Council

Previous Council Consideration:

Police Town Hall, July 28, 2020

Fiscal Impact:

N/A

Environmental Review:

N/A

Policy Question(s) for Council Consideration:

- How does the City Council want to proceed with further discussions/actions on this topic?

Summary:

- The City Council held a Town Hall on Policing on July 28, 2020
- The Council received numerous emails and approximately 43 individuals spoke at the Town Hall.
- Attached is a summary document prepared by Mayor Pepper and Vice Mayor Fligor

Recommended Motion:

This is a discussion item. Council should provide direction to staff based on that discussion.

City Manager *CJ*

Reviewed By: *SE*
City Attorney

Finance Director *SE*

Meeting Date: September 8, 2020

Subject: Policing Town Hall Follow UP

Prepared by: Mayor Jan Pepper and Vice Mayor Neysa Fligor

Purpose: Discuss the different themes that came out of the Virtual Los Altos Town Hall on Policing and determine priority of resolution and next steps, including possibly giving direction to the City Manager to implement certain actions. We are interested in producing results that meet the concerns of our Los Altos residents, while maintaining what is working well for our community.

Background:

On July 28, the Los Altos City Council held a virtual town hall on policing as a listening session for the city council to hear the concerns of the community. Retired Superior Court Judge LaDoris Cordell moderated the session. We heard from 49 public speakers and responded to approximately 100 additional questions or comments. Police Chief Andy Galea, City Manager Chris Jordan, and Mayor Jan Pepper on behalf of all five city council members provided responses as needed. The following Los Altos Police Data was provided before the town hall and is attached:

- Citations by race and resident status for fiscal years 2017-2020
- Arrests by race and resident status for fiscal years 2017-2020
- Number of personnel complaints between January 2015 and July 2020
- Total commendations between January 2015 and July 2020
- Total number of calls for service for fiscal years 2015-2020
- Total telephone calls for fiscal years 2015-2020
- Budget data for the police department for fiscal year 2018 (actual), 2019 (budget and half year of actual), 2020 and 2021 (budget)

Key Themes:

Although a number of themes came up at the town hall, the following is a list of the key themes we heard.

1. Concern about School Resource Officers (SRO) and their impact on minority students
2. Concern about the effectiveness of the DARE program
3. Desire to move more quickly to implement the RIPA (Racial and Identity Profiling Act) to get more data on police stops, not just citations and arrests, including information on how specific

officers are responding. The statute requires Los Altos to implement this program by January 2022, for reporting in 2023.

4. Formation of a citizen oversight commission that can provide independent oversight of police personnel complaints, participate in police union negotiations, and hire and discipline police officers
5. Cutting/readjusting the police department budget
6. Hiring social workers to handle mental health calls rather than sending a police officer.
7. Lack of a process for complaints against police officers
8. Question about whether the Lexipol manual is appropriate and possible consideration of a different/additional training document and approach
9. Need to interpret the data provided by the LAPD
10. Appreciation to the police department for the good job they do.

Options to Consider:

We have framed the different themes into questions for the full council to consider. In some cases, the police chief and city manager have prepared responses, which are shown in italics below.

Themes 1 and 2:

Should the SRO program be terminated?

The following response was provided by the Police Chief and City Manager:

Response: The City should evaluate the SRO program. Is it effective? Are there alternative models that could be more effective?

Chief Galea and the City Manager are reaching out to the Principal of LAHS to arrange to meet with the Principal and Superintendent of MVLA to discuss this matter. We would also plan to reach out to the Superintendent of LASD and the private schools that rely on our SRO services. Additionally, we may want to survey parents of students of all ages to determine their views on the SRO program and solicit on possible changes or alternatives.

The Chief and City Manager would support terminating the program should the results of this input indicate that the community and school administration are not supportive of continuing it.

Theme 3:

Can the data collection as required by RIPA be accelerated in order to start such data collection by January 2021? Such data would include data on traffic stops that do not result in a citation or arrest.

The following response was provided by the Police Chief and City Manager:

Response:

- *The Chief and City Manager are supportive of trying to expedite the data collection process and begin this effort in early 2021.*
- *To facilitate the collection of this data, the City's CAD and RMS stems will need to be upgraded.*
- *The City's Computer Aided Dispatch (CAD) system and Records Management System (RMS) are jointly managed and purchased through a partnership with the cities of Mountain View and Palo Alto.*
- *The cost of an upgrade is unknown but could be as much as \$300,000. Funds for this are available in the Technology Reserve.*
- *The Chief is discussing an upgrade to the system with his counterparts in our partner cities.*
- *Staff is also reviewing technology alternatives to a full upgrade of the CAD and RMS.*

Theme 4

Can a citizen oversight committee be formed that would have responsibility for the police department budget, hiring, disciplining officers and overseeing how sustained personnel complaints are handled? Or should a citizen task force be formed to further study options and determine what is appropriate for Los Altos?

The following response was provided by the Police Chief and City Manager:

Response:

- A) *The City should explore the possibility of a Citizens Task Force or ad hoc committee to explore, discuss and make recommendations regarding the City's policies on police hiring practices; training requirements; the Police Department budget allocations; use of force policies.*
- B) *As an alternative, the Chief could take action similar to other cities by forming a Police Chief's Advisory Board. Below is the outline of the advisory board in San Leandro:*

POLICE CHIEF'S ADVISORY BOARD

The Chief's Advisory Board is established under the direction of the Chief of Police. The board is created to act as a community resource for the Chief in the formation of strategies,

development of community policing concepts and increasing public awareness. The Board is intended to provide a forum for discussions concerning community concerns and the goal is to have a broad spectrum of viewpoints represented.

The rotating membership of the board is comprised of up to 25 citizens from throughout the community who represent a range of interests and experience. Members are from diverse backgrounds, including business, education, non-profits, public relations, faith community and more.

The role of the Advisory Board Members would include (but not be limited to):

- *Act as a sounding board for the Chief of Police regarding community needs and concerns, as well as provide community feedback to proposed police programs and priorities.*
- *Apprise the Chief of Police directly of the community's need for police services.*
- *Assist in educating the community at large about the function and role of the San Leandro Police Department.*
- *Attend monthly meetings in the San Leandro Police Station.*
- *Be a City of San Leandro resident or business owner.*

The City Manager and Police Chief also suggested the following community outreach:

The City's Police Department should consider conducting a series of webinar classes (likely 10-30 minutes each) to educate the community on some of the following topics:

- a. *An introduction to the Los Altos Police Department and with an introduction to the PD management team and some of the other officers*
- b. *Patrol and Traffic enforcement*
- c. *The Police hiring process*
- d. *How police officers are evaluated*
- e. *How allegations of misconduct are reviewed and investigated*
- f. *The training of a police officer, from the Academy to continuing education requirements*
- g. *The Police Department budget – how are funds allocated?*
- h. *Emergency Dispatch and Records Management*

Theme 5

Are there areas of the Police Department budget that needs to be cut or reallocated?

The following response was provided by the Police Chief and City Manager:

The City's budget for the Police Department is proposed biennially by the City Manager. Revenues for the Police Department are from the City's General Fund and, therefore, must compete with all City services and projects funded by the General Fund.

The Police budget includes funding for Police administration, investigations, traffic, patrol, records and dispatch. It also includes funding for crossing guards, school resource services, code enforcement, an annual contribution to the WomenSV, and police training. Police Department management, along with the Finance Department and City Manager, reviews the budget allocations annually to ensure there are adequate funds in each of these categories to continue service levels and to comply with State and Federal mandates.

Some of these functions could be moved to other City departments such as code enforcement could be housed in the Community Development Department. If the Council would like to explore alternative policing methods, such as the use of mental health counselors in lieu of police officers responding, staff can review those options with other agencies over the coming months to determine the cost and practicality of each.

Theme 6

How can social workers be incorporated such that they would be the first responder for a mental health call?

Having a uniformed police officer handcuff a mentally fragile citizen and take them to a mental hospital exacerbates the delicate situation of that person. Can a more gentle and appropriate response be provided?

Theme 7

How should complaints about police officers be resolved?

The police data showed that a number of complaints were sustained, but no additional information was provided to enable the community to feel comfortable with the resolution.

The following response was provided by the Police Chief and City Manager about creating a system that allows for complaints about the police without contacting the Police Department:

Response: The City could contract with a third-party vendor for an anonymous tip line for taking complaints about possible police misconduct. (This phone line, or another with the same vendor, could be established as an Ethics Hotline to field any complaints/concerns about possible ethical lapses by staff or elected officials.) The City Attorney should review this concept for compliance with state and federal laws. A summary of any call received through the hot line would be forwarded to both Council appointed officers (City Manager and City Attorney) who would be responsible for reviewing/investigating all allegations and providing a confidential report to the Council.

Theme 8

Should a different or additional training document and approach be used to train police officers?

The following response is provided by the City Manager and Police Chief:

The Commission on Peace Officer Standards and Training (POST) was established by the Legislature to set minimum selection and training standards for California law enforcement. Currently officers are required to successfully complete a POST certified academy which is over six months long and then followed by a 14-week field training program where an officer works with a senior officer. The police department is able to add additional training hours and topics.

Themes 9 and 10

At this time, there is no additional action necessary on the part of the City Council.