

City Manager's Review Board 12/17/2020

Supporting Presentation Content

The presentation from the December 17th, 2020 CMRB is available on the City's website.

Note: Highlighted areas will be addressed at future meetings.

Attendees

1. **Chuck Harris** Police Sergeant / Stockton Police Department
2. **Jamie Guerrero** Founder / Kelly's Angels Foundation
3. **Daniel Muhammad** Director of Office of Violence Prevention / City of Stockton
4. **Cymone Reyes** Executive Director / San Joaquin Pride Center
5. **Sammy Núñez** Executive Director / Fathers & Families of San Joaquin
6. **Wes Rhea** CEO / Visit Stockton
7. **Chief Eric Jones** Chief of Police / Stockton Police Department
8. **City Manager Harry Black** City Manager / City of Stockton
9. **Bobby Bivens** President / NAACP Stockton Branch
10. **Fred Sheil** Administrator / STAND (Stockton Taking Action to Neutralize Drugs)
11. **James Mousalimas** Superintendent / San Joaquin County Schools
12. **Honorable Richard Vlavianos** Judge / San Joaquin County Collaborative Courts Program
13. **Tashante McCoy-Ham** President / The OWL Movement
14. **Jasmine Dellafosse** Senior Regional Organizer / Gathering for Justice
15. **Joelle Gómez** CEO / Children's Home of Stockton

Excused Absence: Myles Harris, Dr. Maggie Park, MD, Gloria Nomura

CMRB Overview

The City Manager provided an overview of the City Manager's Review Board (CMRB) and reviewed the CMRB Tenets:

- The constant quest for mutual accountability
- The relentless pursuit of follow-up
- Commitment to data driven problem solving and place based strategies
- Mutual respect and empathy for one another
- Commitment and dedication to the pursuit of the greater good
- Social resiliency and sustainability

SPD Introduction

Chief Jones reviewed the updated Year-to-Date Crime Look (Slide 6) which shows a decrease in all areas of crime, with the exception of, homicides which have shown an increase. This is in line with a national trend of increased domestic violence in the time of COVID.

Chief Jones also provided an overview of a Day in the Life of Police (Slide 7) to highlight a variety of police encounters and responsibilities in an average day.

SPD Performance

Chief Jones reviewed the updated Calls for Service and the decrease in the year-over change from 2019.

Goal #1

Gun Violence Reduction

Deputy Chief Kane reviewed the gun violence reduction strategies, the update on homicides and non-fatal injury shootings, and the overview of related suspect and victimology.

Daniel Muhammed, Director of Office of Violence Prevention, provided an overview of his office's role in Gun Violence Reduction and updated data for caseload and services provided. There is currently a 69-person caseload receiving involved support with employment, housing, and educational attainment.

Community Problem Oriented Policing

Sergeant Var provided an overview of the sideshow task force, which is focused on sideshow activity. Sideshows refer to car-show-like activity in the middle of intersections that disrupts traffic flow and presents safety risks to the public and those participating in the sideshow activities. A typical sideshow consists of a large group of the public forming a circle around a major intersection while multiple designated cars drift and perform donuts within the formed circle. SPD is alerted to these occurrences through Calls for Service and Social Media. SPD is involved in this task force activity to limit risk to public safety, e.g. vehicle collisions, fatalities, DUIs, etc., quality of life, and the safety of those who engage in sideshow activity.

CMRB Member: Where do these sideshows primarily occur?

Answer: The locations are not consistent and can vary within a single night. For example, a sideshow might set up and perform then send out a new location via social media and set up again in that new location.

Intelligence, Communication and Planning (ICAP)

Deputy Chief Nance provided an overview of the spatial analysis and forecasting used in the last three months. Slide 40 reviews the outcomes of the involvement of SPD when working in a forecasted location.

Goal #2

Deputy Chief Nance discussed community engagements and highlighted the toll COVID has taken on SPD's engagement with the community. SPD has transitioned to virtual forums when possible.

Goal #3

Deputy Chief Nance presented Public Safety Academy enrollment since 2016. The Public Safety Academy engages youth in 5th-12th grades with an interest in law enforcement.

Deputy Chief Nance then transitioned to the SPD Academy for the police department. While the current year is not complete, 2020-21 fiscal year shows a lower rate of enrollment (Slide 49).

Deputy Chief Nance also provided an overview of departmental training and internal demographics.

Goal #4

Chief Jones gave a brief overview of the Complaint Process and the involvement of City Council, the Department of Justice, and Internal Standards Unit throughout.

This led into an update on misconduct complaints, which show no change in the number of complaints investigated from last year to this year (Slide 54-55).

Traffic stops have decreased since last year, which could be tied to more limited contact with the public due to COVID (Slide 56).

Arrests show an overall decrease from 2019 but show consistently high rates of Black and Hispanic arrests. Chief Jones also discussed the disposition/results of arrest by districts and by demographics with a more involved look at the juvenile arrests (Slide 62).

There has been no change in officer involved shootings since the CMRB's last meeting. Officer involve shootings and critical incidents will be discussed in detail as a deep dive topic once Use of Force is completed.

Goal #5

Chief Jones provided an overview of topics discussed at the Chief's Community Advisory Board, which includes sensitive issues happening on the national and the local levels.

Deep Dive – Use of Force

City Manager reviewed the full list selected focus subject areas to highlight that this meeting will be the first focused conversation on Use of Force. He encouraged the panel to ask questions today and to submit questions on any area. This is an open invitation to exhaust questions on Use of Force. The CMRB will stay on the topic of Use of Force at future meetings until the group is satisfied.

Chief Jones reviewed the definitions of Use of Force (Slide 69) and the mis-connnotations of the term "use of force." There are many force types such as weaponless defense, spit nets, and safe wraps which lead to minimal-to-no injury.

NOTE: the topic and data discussed relates to logged uses of force. The CMRB did not review complaints related to use of force. Use of force complaints is a future discussion topic.

General Orders

Chief Jones reviewed the General Orders and changes to policies since 2015 as well as the UOF Incident Process.

Panel Member: Question related to AB392, which specifically discusses the use of deadly force, and how legislative changes like this impact SPD General Orders.

SPD: when State legislation like this example changes, local General Orders are reviewed and revised as needed to meet the updated standards/expectations.

Tasers

Taser Program (Slide 75) overview on tasers, implementation of program, limitations and constraints in utilization of tasers. Explains the deployment of tasers and their 68% effective rate. Tasers are deployed through contact (close range) and shooting the prongs. Started the program in 2001 with select officers and now transitioned to all officers carrying a taser.

Panel Members: Surprised at the success rate is so low for tasers and with advancements in technology that there is still such a low success rate.

SPD: the technology of tasers use to be less effective.

Panel Member: Are you tracking what happens when a taser deployment fails?

SPD: Multiple uses of force in a single incident are tracked.

Panel Member: Can you show the typical scenarios?

SPD: This can be an area of analysis for our next meeting (taser usage scenario/when a taser is used what other uses of force are employed).

Panel Member: What are the other complaint categories, can you please define them?

SPD: Category A complaints are misconduct which receive an internal investigation. Any use of force complaints fall into the misconduct category. *For reference, the 2020 misconduct complaints are detailed on slide 54.* Categories B, C, and D can be defined in further detail for the next meeting.

Panel Member: What is the trigger for releasing officer names to the public? What complaint types have officer names released?

SPD: We do not release names for all incidents of use of force. The names are released for fatalities or critical incidents.

Panel Member: Can different factors like drug use or psychosis impact the effectiveness of tasers?

SPD: When a taser is deployed and connects, there is a 5 second cycle. Drugs in the system can impact the effectiveness.

Seeing an increase in taser use as more individuals have them now (Slide 76), additional de-escalation training to use tasers and less harmful interventions, and the betterment of tasers technology.

Body-Worn Cameras

Chief Jones confirmed that current policy does not allow the officer to have the discretion of when to turn on the cameras. He also discussed the advantages and disadvantages of cameras (Slide 77).

Panel Member: What percentage of public records requests are for camera footage? And how many staff hours go to reviewing Body Worn Cameras?

SPD: This is a large portion of staff time dedicated to reviewing footage and responding to records requests.

Panel Member: Do officers see that cameras help them as much as it helps the public?

SPD: Officer do see that the Body Worn Camera program helps. Footage can show the exact scenario and have many times confirmed SPD actions meet policy.

Use of Force (Slide 78)

Use of Force Summary shows an increase in use of force incidents in 2020 compared to 2019. Use of Force incidents are also shown to impact the Black community in higher proportion when compared to the Stockton Population.

Panel Member: Traffic stops and arrests are down but Use of Force incidents has gone up?

SPD: For the next meeting we will be looking at the originating reason for the incident that led to force. This could provide insight to this question.

Officers (Slide 82)

Panel Member: Looking at the average of officers per year, how many of the officers are duplicate offenders per year?

SPD: From this data, we know that there are 550 officers represented across this full time period. We also look at duplicates across the full time period in a later slide. We will be able to discern for our next meeting how many duplicates by year.

SPD noted that the use of force by district (Slide 80) is roughly in line with the calls for service. It follows that the higher demands of service in Civic match with uses of force. It was noted that force can also be used and is documented for uses in court or in holding, which would impact Civic specifically.

Panel Member: What are the demographics by district and is there any relationship to certain communities that call for service versus others that do not call?

Can we look at analysis of calls for service and if any types of calls for service involved force more than others?

Panel Member: how much does ShotSpotter cost?

SPD: ShotSpotter was a program previously used to identify when shots were fired in an area. After a cost/benefit analysis, SPD stopped using ShotSpotter over one year ago.

Types of Force (Slide 83)

Chief Jones discussed the situations in which multiple types of force would be used, example: first use of force is weaponless defense, or hands-on, then application of a spitnet and finally a safewrap. Slide 84 in the Types of Force used show that we lean heavily towards lower level types of force.

Panel member: Is there a policy on how many officers on one suspect?

SPD: There is no policy because it is so circumstantial. In the safewrap training, optimally 4 officers are involved and minimally 2.

Panel Member: Are these reported in complaints?

SPD: To clarify, the data here describes all logged uses of force. Reported use of force complaints will be a topic we address at our next meeting.

Officers (Slide 86)

Chief Jones discussed the analysis of repeat uses of force by individual officers since June 2015. Additional analysis is being done related to the tenure and training of the 32 officers with the highest use of force rate.

Panel Member: What happens to those officers that are repeat offenders? Will this board get the chance to dive into the trainings of the 32 officers and make recommendations of the trainings?

City Manager: We will do additional drill down of the 32 officers and the early warning process. This group's discussion can then lead to additional follow-up and recommendations

Panel Member: Of the incidents, how many are excessive or out of policy. Is excessiveness of incidents increasing and decreasing?

SPD: We will be looking at policy compliance and outcomes at the next meeting.

Panel Member: Thank you for the definitions of use of force. Can we have the information for each type of use of force broken down to encompass incidents, officers, suspect, etc.?

Panel Member: For use of force Injuries, does it include the fatalities?

SPD: Fatalities are not included in this data. These will be discussed as part of the second deep-dive topic: officer involved shootings and critical incidents.

Panel Member: Is the conversation happening in the department and with the union to drive towards protecting residents versus looking for offenders?

SPD: All SPD conversations center around protecting the public. These conversations have been further expanded with the introduction of procedural justice and trust building efforts.

Panel Member: Thank you for sharing this information. It is important to be transparent & connected with community. Would like to see storytelling from community in addition to the representatives on this board.

Panel Member: Request for additional data on arrest rates of juvenile and trend of the years before (looking specific to downtown area).

Suspects (Slide 90)

Chief Jones reviewed content specific to suspect demographics & injury severity.

Panel Member: How are injuries tracked?

SPD: Injuries are reported as part of the use of force incident process. Photos are taken as well as information input into the reporting log.

Panel Member: How do we benchmark our work with other cities?

City Manager: To the extent we can, we will work on benchmarking and correlations.

SPD: Noted that most agencies do not report or make this type data public which limits the ability to benchmark.

Panel Member: Are officers that have history of complaints within 6%? If so, are they still called to critical type calls?

SPD: Misconduct complaints in relationship to this use of force data will be analyzed for the next meeting. If an officer is on staff, then they can be dispatched.

Panel Member: Provided an example of a situation where an officer uses force, doesn't report it, and the resident might not report injury or use of force for fear of retaliation. Posed an open question about addressing things outside of the data.

Additional future topic for use of force: Police bill of rights.

Adjourned