



Sacramento Community Police Review Commission Report

915 I Street

Sacramento, CA 95814

www.cityofsacramento.org

File ID: 2022-00613

March 14, 2022

Discussion Item 03

**Title: Sacramento Community Police Review Commission Ad Hoc Committees for 2022
[Oral Report]**

Location: Citywide

Recommendation: Discuss and pass a Motion to establish ad hoc subcommittees for the Commission's 2022 calendar year.

Contact: Dawud Brewer, OPSA Specialist, (916) 808-7533, DBrewer@cityofsacramento.org,
Office of Public Safety Accountability

Presenter: Sacramento Community Police Review Commissioners

Attachments:

- 1-Description/Analysis
- 2-Administration & Accountability Ad Hoc Committee Description
- 3-Budget Transparency Ad Hoc Committee Description
- 4-Community Interaction Use Case Framework Ad Hoc Committee Description
- 5-Surveillance & Predictive Policing Ad Hoc Committee Description

Description/Analysis

Issue Detail: The Commission was established to make recommendations to the Council and Mayor about police best practices, policies, and procedures. (City Code chapter 2.110) In the past, the Commission has made such recommendations by conducting research through ad hoc subcommittees, which are generally not subject to the Brown Act. The ad hoc is temporary, composed of less than a quorum (less than 6) for a limited or single purpose. The ad hoc subcommittee will automatically expire 12 months from its establishment in accordance with Council Rules. The Commission’s previous and expired ad hoc subcommittees include:

2021	2020	2019	2018
Budget	Mental Health	Mental Health	Diversity
Mental Health/Alternative	Discipline and Accountability	Use of Force	Accountability
Crowd and Riot Control	Rules of Procedure	Body Worn Camera	
Community Engagement and Media			
LGBTQ+			

Policy Considerations: City Code chapter 2.110 outlines the powers and duties of the Sacramento Community Police Review Commission (Commission) including the formation of one or more subcommittees. The purpose of this item is to provide the Commission with an opportunity to discuss the formation of subcommittees to study issues within the scope of its authority and appoint members of such subcommittees.

Economic Impacts: None.

Environmental Considerations: None.

Sustainability: None.

Commission/Committee Action: None.

Rationale for Recommendation: None.

Financial Considerations: None.

Local Business Enterprise (LBE): None.

Accountability and Oversight Ad Hoc

Department of Community Response:

In July 2020, Mayor Steinberg proposed, and the City Council approved an action requiring the city manager to develop a 911 alternative response model within the Office of Community Response. This new unit could be tasked with responding to nonviolent mental health crises without having to involve a sworn police officer. This unit later became the Department of Community Response.

The Ad Hoc will look at the progress made since 2020 and whether the existing Department is providing a non-law enforcement response to a member of the public navigating a crisis.

SPD Professionalism and Service:

SPD Internal Investigations Manual published in 2019 requires that all complaints be investigated and documented on a Personnel Complaint Form (SPD 330). In its [2020 Report](#), OPSA documented 121 substantiated allegations of which 65 fall under the following three categories:

- Service – The failure to adequately provide timely and required police action.
- Conduct unbecoming an employee – Behavior that is malicious, criminal, brings discredit upon the department, or fails to follow ordinary and reasonable rules of good conduct while on or off duty.
- Discourtesy – Rude or abusive actions directed towards another person.

The interactions that the PD has with members of the public are very important and ensuring that officers are professional and respectful is the first step towards improving community relations. To that end, the Ad Hoc will look at best practices in other cities and provide recommendations to the PD on how to improve in the three categories above.

Membership:

Policies for Review:

Budget Transparency Ad Hoc - Statement of Expectations

The Budget Ad Hoc Committee will evaluate Sacramento Police Department's budget policies, practices, and expenditures related to transparency and outcomes for its programs and policies within the department. Additionally, the Budget Transparency Ad Hoc Committee will evaluate the Department's accounting practices, transparency policies, and expenditures with particular focus on how the department measures success and tracks its outcomes compared with its costs. The committee can, but is not limited to, reviewing previous Fiscal Year budgets, allocations among the Department's divisions, as well as those of other jurisdictions. The committee's research efforts can include reviewing 2-3 other comparable jurisdictions.

Membership: Keyan Bliss (Chair)

Policies for Review

Community Interaction Use Case Framework - Statement of Expectations

The Ad Hoc Committee will establish a framework for the types of interactions (use cases) that Police have with the community. The framework will be organized on available law enforcement frameworks and not try to “re-invent the wheel”. A template will be applied to each use case to organize the collection of information on how Sacramento Police Department currently train and guide officers to conduct their interaction.

Use Cases

Do we have sufficient guidance on the practices and protocols police must follow in their interactions with civilians?

Why Important

Inappropriate conduct by police creates the risk of litigation, lengthy administrative review processes, officer confusion and uncertainty, and public distrust.

Candidate Use Cases

A candidate list with which to begin the framework is attached.

Procedural Justice

Procedural Justice is a term used in law enforcement to set the principles underlying appropriate conduct. It would be interesting to define procedural conduct for the public in its interactions with police.

Approach and Avoiding Redundancy

It is anticipated there will some types of interactions that are not well-documented or otherwise lack clarity on expected conduct. There may also be areas where standard practice needs refinement to better align practices with current best practices. Similarly, there may be areas where the approach or content of training in the subject needs definition or deserves updating or participation made a priority.

The practices documented in the framework must not seek to enforce any type of rigid response such as “if ‘a’ then do ‘b’”. Any description of best practices must recognize the individual situation context including how the interaction arose and the participants.

Other Commission Ad Hoc’s will address specific high priority interactions such as Alternative Response Model and LGBTQ+ . The framework will incorporate these high priority use cases but leave it to the other Ad Hoc’s to undertake them as they deem appropriate.

The SPD is responsible for defining procedures and protocols; the Commission is in a position to contribute a community perspective on where a procedure or training is needed. One could

Sacramento Community Police Review Commission
Community Interaction Use Case Framework

argue that General Orders are a last resort required when procedures or their training are were not identified or were not sufficiently well articulated.

Attachment

Use Case	Frequency	Why Important
Homeless encampment in residential/commercial area		
Homeless in a doorway of a business in way of workers in the morning or evening		
Public drunkenness noticeable to passersby		
Possession of bicycle parts		
Driving too close to cyclist or cutting off cyclist		
Cyclist riding two abreast on city street		
Scooter on sidewalk operating unsafely		
Scooter running red light		
Scooter or cyclist not deferring to car with right of way		
Leaving scooter in unsafe place.		
Suspect in backyard of residence		
Clearing out homeless camp under freeway		
Litter in homeless encampment or individual camp site		
Destruction of vegetation in campsite		
Defecating or urinating in public place		
Civilian with mental health episode		
Three-way match:		In paying a vendor: The purchase order is matched to the bill of lading to the invoice.

Sacramento Community Police Review Commission
Community Interaction Use Case Framework

Matching call to 911 to dispatch order to officer to after incident report		The Call is the purchase Order; The Dispatch is the Bill of Lading; The after incident is the invoice.
Excess speed in residential area		
Excess car noise on J Street		
Drunk in public in Old Town on Saturday night		
Broken tail light in Del Paso Heights at night		
Youth talks back to officer		
Underage girl (or youth of any gender) appears uncomfortable with adult outside of context of parent/child		
Patrol of seedy motel or nearby streets		
Open Carry		
Standing Ground during a demonstration		
Vandalism during a protest		
Protest organizer to discuss instructions to protesters		
Protester spits on officer		
Does context change for right wing versus left wing versus peach protester?		

Attachment

Sacramento Community Police Review Commission
Community Interaction Use Case Framework

A list of candidate use cases is attached. The Ad Hoc will seek to collaborate with the Sacramento Police Department to identify other topics and to organize the framework in a way that is useful and sustainable.

Procedural Justice and Police Legitimacy

Procedural justice and police legitimacy have increasingly converged, becoming a focal point of discussion for law enforcement throughout the United States. The topic has become so galvanized that President Obama stated, "the most important issue in America today is police having trust in different communities."

The four tenets of Procedural Justice include:

- Voice (Listen)
- Neutrality (Be fair)
- Respectful treatment (Be respectful)
- Trustworthiness (Trying to do what's best for the people)

The President's Task Force on 21st Century Policing

- [Final Report](#)
- [Implementation Guide](#)

Procedural justice and police legitimacy concepts developed over several decades. Pragmatic approaches, along with contemporary information, combine to build upon the understanding of these principles. Various approaches have been created and utilized over many years of collaboratively working in partnership with law enforcement stakeholders interacting with many projects across a very diverse set of industries and sectors.

Procedural Justice

Fundamentally, procedural justice concerns the fairness and the transparency of the processes by which decisions are made, and may be contrasted with distributive justice (fairness in the distribution of rights or resources), and retributive justice (fairness in the punishment of wrongs). Hearing all parties before a decision is made is one step which would be considered appropriate to be taken in order that a process may then be characterized as procedurally fair.

Some theories of procedural justice hold that fair procedure leads to equitable outcomes, even if the requirements of distributive or restorative justice are not met. It has been suggested that this is the outcome of the higher-quality interpersonal interactions often found in the procedural justice process, which has shown to be stronger in affecting the perception of fairness during conflict resolution.

Peace Officers Standards and Training: <https://post.ca.gov/procedural-justice-and-police-legitimacy>

Procedural Justice and Police Legitimacy

Procedural justice and police legitimacy have increasingly converged, becoming a focal point of discussion for law enforcement throughout the United States. The topic has become so galvanized that President Obama stated, "the most important issue in America today is police having trust in different communities."

The four tenets of Procedural Justice include:

- Voice (Listen)
- Neutrality (Be fair)
- Respectful treatment (Be respectful)
- Trustworthiness (Trying to do what's best for the people)

The President's Task Force on 21st Century Policing

- [Final Report](#)
- [Implementation Guide](#)

Procedural justice and police legitimacy concepts developed over several decades. Pragmatic approaches, along with contemporary information, combine to build upon the understanding of these principles. Various approaches have been created and utilized over many years of collaboratively working in partnership with law enforcement stakeholders interacting with many projects across a very diverse set of industries and sectors.

Police Legitimacy

Police legitimacy reflects the belief that the police ought to be allowed to exercise their authority to maintain social order, manage conflicts, and solve problems in their communities. Legitimacy is reflected in three judgments. The first is public trust and confidence in the police. Such confidence involves the belief that the police are honest, that they try to do their jobs well, and that they are trying to protect the community against crime and violence. Second, legitimacy reflects the willingness of residents to defer to the law and to police authority, i.e. their sense of obligation and responsibility to accept police authority. Finally, legitimacy involves the belief that police actions are morally justified and appropriate to the circumstances.

Research consistently shows that minorities are more likely than whites to view law enforcement with suspicion and distrust. Minorities frequently report that the police disproportionately single them out because of their race or ethnicity. This perception about the lawfulness and legitimacy of law enforcement are an important criterion for judging policing in a democratic society. Lawfulness means that police comply with constitutional, statutory, and professional norms. Legitimacy is linked to the public's belief about the police and its willingness to recognize police authority.

Racial and ethnic minority perceptions that the police lack lawfulness and legitimacy, based largely on their interactions with the police, can lead to distrust of the police. Distrust of police has serious consequences. Most importantly, it undermines the legitimacy of law enforcement. Without legitimacy, police lose their ability and authority to function effectively.

[Additional Resources Available](#)

A wealth of resources are available regarding procedural justice and police legitimacy. [View articles, videos, and literature](#) that may provide further insight on these topics.

POST recognizes that effective law enforcement is the cornerstone of a free and safe society and is committed to a vision of the future that ensures quality, integrity, accountability, and cooperation; encourages new ideas; explores and uses appropriate technologies; and delivers relevant, client-based programs and services. POST programs and services have historically included training in community-based-policing, racial and cultural diversity, racial profiling and discrimination, persons with developmental disabilities or mental illness, and a full spectrum of other training designed to help law enforcement build cooperative relationships with the communities they serve while, at the same time, decreasing the emergence of racial animosities.

Surveillance Ad Hoc - Statement of Expectations

The Surveillance Ad Hoc Committee will evaluate Sacramento Police Department's policies, practices, and expenditures related to its use of surveillance equipment and systems within the department. Additionally, the Surveillance Ad Hoc Committee will evaluate the Department's use of body-worn and in-car cameras, unmanned aerial systems, police observation devices, license plate readers, facial recognition, ShotSpotter Flex system and the Real-Time Crime Center. The committee can, but is not limited to, reviewing relevant training and procedures for utilizing surveillance technology, contracts between the Department and private companies providing access to surveillance technology, and allocations among the Department's divisions, as well as those of other jurisdictions. The committee's research efforts can include reviewing 2-3 other comparable jurisdictions.

Membership: Keyan Bliss (Chair)

Policies for Review

- GO 510.05 - [ShotSpotter Flex](#) (02-17-19)
- GO 525.03 - [In-Car Camera](#) (03-03-15)
- GO 525.07 - [Body Worn Camera](#) (01-16-19)
- GO 525.09 - [Unmanned Aerial Systems](#) (10-18-19)
- GO 531.06 - [Stolen Vehicle Tracking System](#) (03-31-17)