TO: HONORABLE CITY COUNCIL
FROM: CITY MANAGER DEPARTMENT: CITY MANAGER'S OFFICE
DATE: DECEMBER 1, 2008 CMR: 458:08

SUBJECT: Approval of an Amendment to Contract S07117566 with the Police Auditor (OIR Group) to Add $20,000 for Evaluation of the Police Department's Policy, Training, Practices and Demographic Data Collection on Racial Profiling for a Total Not to Exceed Amount of $72,000

RECOMMENDATION

Per previous Council direction, staff recommends that the Council approve the attached amendment (Attachment A) with the Police Auditor (OIR Group) to add $20,000 to the existing Police Auditor contract to evaluate the Police Department’s policy, training, practices and demographic data collection on racial profiling for a total not to exceed contract amount of $72,000. Staff also recommends that the Council authorize use of funds from the Council contingency to pay for this review.

DISCUSSION

In response to comments made by the Police Chief at a community meeting on October 30, 2008, the City Council adopted a resolution on November 10, 2008 condemning racial profiling and reaffirming a policy of zero tolerance for this practice. In that resolution, the Council committed to contracting with independent Police Auditor Michael Gennaco to review the Police Department’s policy, training, practices, and demographic profile data regarding racial profiling.

The City Manager has met with Mr. Gennaco to discuss the review and recommended contract amendment. In Mr. Gennaco’s role as independent Police Auditor, he will present a report to the Council with his findings and recommendations. Maintaining flexibility in the scope of services is important to allow Mr. Gennaco the opportunity to evaluate the variety of different components of this issue within the department and to make recommendations as appropriate.

The Police Auditor will be acting independently in this review. The City Manager will act as staff coordinator on behalf of the Council.
It is expected that Mr. Gennaco will provide an interim report to Council within 75 days of beginning his review. That interim report will provide information on the evaluation design and initial findings, and will provide an estimate of the final report schedule and cost.

**RESOURCE IMPACT**

This not to exceed amount for the racial profiling policy evaluation is $20,000. There are currently funds available in the Council contingency account to cover the cost of the amendment.

**POLICY IMPLICATIONS**

This report and recommendations are consistent with current Council policy.

**ENVIRONMENTAL REVIEW**

This is not an action requiring review under the California Environmental Quality Act (CEQA).

Attachments:

Attachment A: Draft Amendment to Contract with OIR Group

**PREPARED BY:**

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**CITY MANAGER APPROVAL:**

JAMES KEENE
City Manager