



CITY OF  
**PALO ALTO**

**COUNCIL MEETING**  
11/16/2020

Received Before Meeting

**8**



# RACE AND EQUITY RECOMMENDATIONS NOVEMBER 16, 2020

November 16, 2020

# PRESENTATION OUTLINE

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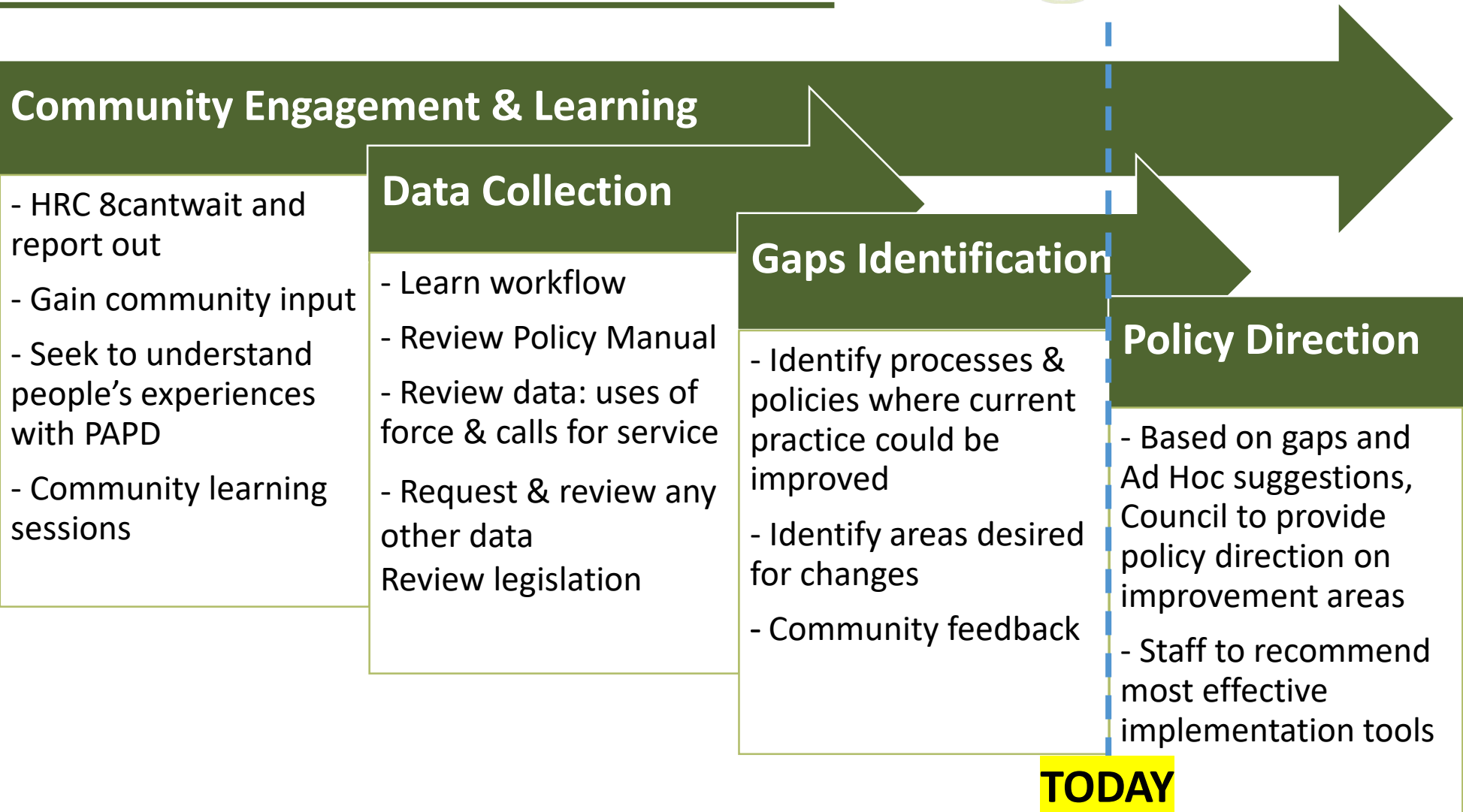
- Overview of Work-to-Date
- Refresher: Framework for Practices
- Refresher: Policing Practices and Citywide Practices
- Recap of October Next Steps
- Updated Mission Statement
- Recommendations based on October Next Steps
- Council Discussion and Feedback

# OVERVIEW OF PROGRESS / WORK-TO-DATE



- Ad Hocs Created and Have Met Over the Summer and early Fall – Members:
  - Police Policy Manual, Data, and Hiring – Vice Mayor Tom DuBois and Councilmembers Alison Cormack and Lydia Kou
  - Public Safety Alternative Models – Councilmembers Liz Kniss and Greg Tanaka
  - Police Accountability and Transparency – Vice Mayor Tom DuBois and Councilmember Eric Filseth
  - Citywide Diversity & Inclusion – Mayor Adrian Fine and Councilmembers Alison Cormack and Liz Kniss
- Most recent updates at City Council were August 24, September 28, & October 26
  - Links in staff report here:  
<https://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?t=61327.01&BlobID=79088>
- Updated police policy at the November 2, 2020 meeting

# REFRESHER: RACE & EQUITY FRAMEWORK



**Framework:**  
Sequence of work ahead

# REFRESHER: RACE & EQUITY PRACTICE AREAS



## Policing Practices and Citywide Practices (Lead Department)

- **Policing Practices**

1. Public contact data collection and trend analysis (PD)
2. Officer deployment priorities and practices for non-violent calls (PD)
3. Officer conduct investigations and transparency (PD/CAO)
4. Discipline and accountability (PD)

**Timeline:**  
Initial  
Direction  
by End of 2020

- **Citywide Practices:**

1. Hiring and promotions, including board/commission appointments (CM/HR)
2. Board/commission engagement with race and equity issues (Council)
3. Continuous learning and improvement (CM/HR)
4. Norms and expectations of conduct (CM)

**Timeline:**  
Extends into  
2021

# GAPS IDENTIFIED

Shared in October presentation

## Policing Practices and Policing Practice #1: F

- Potential Areas of Concern
- Department-focused
- Do officer contacts and additional use of force

- City Council Options to
- Providing policy direction
- Resourcing to ensure
- Ensuring personally
- Accelerating collection of identifiable information
- Some regular frequency reporting of the data

## Policing Practices and Policing Practice #2:

- Potential Areas of Concern
- Alternative options
- How do we respond
- How do we align those response
- Other communication

- Dispatch
- Can/does the script
- Are there additional
- Education about the dispatch script and the internal audit process

## Policing Practices and Policing Practice #3: O

- Potential Areas of Concern
- Current use of force reports
- What other options for and other case information

- City Council Options to
- Support expanded reporting
- Develop policy on timing and circumstances of records release (e.g., upon conclusion of administrative interview, materials can be released)
- Expanded IPA reporting to be on all use of force cases involving great bodily injury

## Policing Practices and Citywide Practices Policing Practice #4: Discipline and accountability (PD)

- Potential Areas of Concern to Address:
- Public disclosure of allegations & sustained findings
- Informal Investigation Reports
- Number of IPA/OIR presentations per year
- External webpage
- Considerations of what is made public
- 2022 PAPOA Negotiations – areas of interest?

# RECAP OF OCTOBER NEXT STEPS

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The list below is the City Council list of interest areas from October 26 meeting:

1. Adoption of the draft mission statement for all citywide diversity and inclusion work
2. Council engagement on the demographic data collection and reporting
3. Pursue participation in Santa Clara County's PERT Program; continue exploration of a potential CAHOOTS model and/or MCRT with regional partners
4. Develop a policy on timing and circumstances of records release of disclosable investigations
5. Expand the duties of the IPA beyond the current scope of officer involved shootings (OIS), taser use, and complaints
6. Prepare an annual report on Revised Use of Force Investigation which includes de-escalation

## RECAP OF OCTOBER NEXT STEPS, continued



The list below is the rest of the City Council list of interest areas from October 26 meeting:

7. Incorporate police reform into legislative priorities for 2021
8. Send all citywide and policing practices work to the Policy and Services Committee for next year to focus on diversity and inclusion more broadly
9. Follow up related to the upcoming negotiations for the Memorandum of Agreement with the Palo Alto Peace Officers Association
10. Reinforcing the desired culture in the Police Department and throughout the City
11. Ensure continued adherence to existing policy on “duty-to-report”



# **REFRESHER: RACE & EQUITY MISSION STATEMENT DRAFT**

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The Citywide Diversity and Inclusion Ad Hoc created a draft mission statement to be the guide for the ongoing race and equity work for the City. The **updated** mission statement is:

The City of Palo Alto is committed to creating a respectful, fair, and professional workplace and city. We will identify prejudices, eliminate inequities, welcome many perspectives, and use a collaborative approach to create an environment that works for everyone. The City's commitment to achieve equity in Palo Alto is the shared responsibility of our residents, organizations, governments, and other institutions.

*Previous Version: The City of Palo Alto is committed to creating a respectful, fair, and professional workplace and city. We will identify inequities and prejudices, welcome diverse perspectives, and use a collaborative approach to create an environment that works for everyone.*

# RECOMMENDATIONS

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- a) Adoption of the mission statement as a guiding statement of the City's commitment to make equity a foundational principle in the City's operational work.
- b) Direct staff to expedite implementation of the new police records management system with quarterly reports to Council, and to return with the necessary agreements for the records management system allowing for Racial and Identity Profiling Act (RIPA) implementation.
- c) Starting after the full implementation of the RMS and the first data collection period, direct staff to resume annual data collection and analysis of police contact data similar to the previous Stop Data reports.

## RECOMMENDATIONS, continued

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- d) Direct staff to work with Santa Clara County on implementation of participation in the Santa Clara County Psychiatric Emergency Response Team (PERT) program and the Mobile Crisis Response Teams (MCRT) program and to return to the City Council with any necessary agreements for program participation.
- e) Direct staff to develop/update a policy on the timing of records release related to investigations that qualify for public disclosure under SB 1421 and AB 748.
- f) Direct staff to amend and expand the current Independent Police Auditor's (IPA) scope of services to include all administrative use of force reports where a baton, chemical agent, TASER, less-lethal projectile, canine, or a firearm is applied, and all cases where the subject's injuries necessitate any treatment beyond minor medical treatment in the field.

## RECOMMENDATIONS, continued

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- g) Direct staff to maintain an every six (6) months schedule for IPA reports to City Council containing reviews ready at the time of the report; and for the IPA to provide an audit workplan to the City Council for approval.
- h) Direct staff to include use of force information to the regular Supplemental Report submitted to the City Council as a cover memorandum to each IPA report.
- i) Refer the police reform legislative priority thoughts and input to the Policy and Services Committee who will be discussing the City's legislative priorities in December 2020.
- j) Refer all race and equity work to the Policy and Services Committee for citywide diversity and inclusion practice areas and policing practice areas. *(also linked to a Policy and Services CEDAW Recommendation)*

## RECOMMENDATIONS, continued

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- k) Direct staff to return in the fall of 2021 with parameters, proposals, and strategies prior to engaging in Palo Alto Peace Officers' Association negotiations.
- l) Direct staff, in coordination with the City's overall diversity and inclusion efforts, to conduct a workforce demographic assessment as baseline information and to pursue an employee assessment to measure City workforce culture. *(also linked to a Policy and Services CEDAW Recommendation)*
- m) Policy & Services CEDAW Recommendation: Direct Staff to proceed with a community summit on gender equity issues and next steps in Palo Alto

# **CITY COUNCIL DISCUSSION AND ACTION**



Staff recommends that the City Council provide the aforementioned direction on the City of Palo Alto's Race and Equity work relating to:

- Adoption of a Mission Statement
- Direction on Police Data Collection, Alternative Response Resources, Use of Force Reporting, and Future Labor Agreement Negotiations
- Citywide Workforce Assessment
- Organization of Future Race and Equity Work Beyond 2020