



THE CITY OF SAN DIEGO

MEMORANDUM

DATE: November 18, 2019

TO: David Nisleit, Chief of Police
via Albert Guaderrama, Executive Assistant Chief

FROM: Jeffrey Jordon, Captain, Special Projects/Legislative Affairs

SUBJECT: The San Diego Police Department's Analysis of Recommendations from the Citizens Advisory Board on Police/Community Relations.

Summary:

The Citizens Advisory Board on Police/Community Relations (CAB) evaluated the San Diego Police Department (SDPD) and developed recommendations related to four broad themes that included: Racial Profiling, Wellness, Recruitment, and Training. During their discussions, CAB received extensive presentations from Department members, and officers also responded to questions from the board.

CAB released their recommendations to Mayor Kevin Faulconer, the City Council, and the San Diego Police Department on April 22, 2019. CAB also developed a chart to track the implementation of these recommendations in the following format: fully implemented, partially implemented, not considering, and does not apply. The Department felt an extra tracking area, titled "ongoing analysis," needed to be added, since many of these items will require additional discussion between SDPD, the CAB, and other entities. The Department also believes that some of the recommendations do not fit into a single classification, and their status may fall into a combination of two categories.

SDPD considers these recommendations an opportunity to assess its current operations, participate in an open dialogue with CAB, as well as additional stakeholders, and provide clarity to its decisions and ongoing efforts to meet community expectations.

This memorandum will outline each CAB recommendation, followed by SDPD's response, and will conclude with a status update on each item proposed. The Department anticipates its responses will generate further discussion and looks forward to participating in this process.

Recommendations:

Racial Profiling:

1.20 - Law enforcement agencies should acknowledge the role of policing in past and present injustice and discrimination and how it is a hurdle to the promotion of community trust.

SDPD, Community members, and the City Attorney should collaborate on a statement addressing racial profiling, real or perceived, as an example, the over-policing within some communities. In doing so, CAB recommends historical data and anecdotes be considered in explaining the perceived or real racial profiling and implicit bias in society. In particular, they should consider historical, local law enforcement interactions with local community members.

SDPD Response:

The concept of reconciliation, where police leadership, along with elected officials, acknowledge past and present harms from policing practices that produced detrimental impacts is part of a process designed to overcome mistrust between police and the community, and begin a process of mending this relationship.

The San Diego Police Department recognizes previous efforts by leaders in policing related to this process and their statements, specifically, “All of us in law enforcement must be honest enough to acknowledge that much of our history is not pretty. At many points in American history law enforcement enforced the status quo, a status quo that was often brutally unfair to disfavored groups.”

In San Diego, former Police Chief Shelley Zimmerman acknowledged “that every human being, including police officers, has bias.” Her comments were made in response to a study by San Diego State University that found racial/ethnic disparities in Department stop data and she committed to implementing changes. These changes included adding training on implicit bias, cultural competency, and emotional intelligence, along with mandating the use of body worn cameras to enhance police accountability and transparency. She also brought back the Professional Standards Unit to the Department to provide additional oversight.

Chief David Nisleit has continued to implement changes by mandating additional training, fully implementing the Racial and Identity Profiling Act of 2015, and working with the Center for Policing Equity to analyze stop data to determine what additional procedural changes can be made to address disparate treatment of community members. Chief Nisleit has already changed the focus of the Gang Suppression Team to embrace a broader citywide violence reduction mission as the newly tasked Special Operations Unit.

Despite past acknowledgement of bias and changes initiated by its police chiefs, community members, including those participating on the Citizens Advisory Board, believe more could be done by the Department and elected officials to address policing practices considered unfair and harmful.

Additional steps to addressing this recommendation may be to publicly restate the Department’s commitment to its Non-Bias Based Policing [Policy](#), or develop a more robust procedure similar to the [New York Police Department’s](#) policy prohibiting Racial Profiling and Bias-Based Policing.

The San Diego Police Department believes this recommendation has been partially implemented, but requires further analysis to determine additional steps for full implementation.

2.20 - Balance SDPD Gang Suppression staffing based upon Crime Rate and Gang population, as a policy.

In reviewing SDPD data, the number of documented gang members have decreased significantly (with the most recent example being the District Attorney's March 2019 removal of 332 from the terms of gang injunctions). Yet, the staffing of the gang suppression unit has not been reduced thus validating the "Over-policing" comment from underserved communities. CAB urges the SDPD to develop a staffing model that may better allocate taxpayer funds in resource allocation and staffing requirements; which needs to involve input from the Gang Suppression Team.

SDPD Response:

The Department's staffing of the Gang Suppression Team (GST), now known as the Special Operations Unit, was not developed or maintained by a correlation to the number of documented gang members within the City of San Diego. Additionally, the Department disagrees that staffing alone is a single metric that can be used to validate the perception of "over-policing" in specific communities.

GST was created in 1996, following 15 years of significant incidents of violent crime, where the City experienced 113 homicides on average annually. For the last 15 years, the number of homicides experienced in San Diego has dropped to an average of 45 annually, and this is a direct result in GST investigating crimes that have a gang nexus, as well as those that may not have been gang related. Additionally, staffing within GST has fluctuated over time, increased and contracted, as a direct consequence of violent crime incidents and the need to complete operational/investigative tasks, not the number of documented gang members.

The reduction of violent crime within the City, which has fallen to levels not seen in decades, allowed Chief David Nisleit to broaden the focus of GST to further interdict citywide violence and be a resource to patrol and investigative commands throughout the Department. The results thus far have been very promising, with the Special Operations Unit being on pace to remove a record number of firearms from our streets and this is being accomplished from a reduced number of contacts.

When violent crime does increase in a specific area, whether it is gang related or not, the Special Operations Unit will respond accordingly and coordinate its response with patrol units from throughout the Department. This has already occurred, while maintaining a broad focus on citywide violence.

Staffing within the Special Operations Unit will be maintained at a level that enables it to meet its expanded mission and remain flexible enough to handle any additional demands placed on it by the Department's executive leadership to address community concerns related to violent crime.

The San Diego Police Department considers this recommendation to not be applicable to its operations, past and present, and believes the expanded role of the Special Operations Unit reduces the likelihood this recommendation will be relevant in the future as well.

2.21 - Curbing Practices

Understanding that curbing is a practice that may be required in the service of protecting and serving, for everyone's safety, CAB recommends that the practice be used as a last resort. The public's perception of curbing varies widely across communities. It can be an effective tool in some communities but can be counterproductive in other neighborhoods. If

required, we ask it to be only as a last resort. To develop communal trust, procedural justice training and other de-escalation methodologies must be employed first.

SDPD Response:

Department Procedure [4.01](#), related to curbing, was recently updated on September 16, 2019 to educate officers that community members find this tactic disrespectful and the technique is only appropriate where officer safety is threatened.

The San Diego Police Department considers this recommendation to be fully implemented.

2.22 - Pilot moratorium on Pretext stops

While it is understood that officer safety and crime prevention is of utmost importance, the term 'pretext stops' does not support the trust we are looking for in interactions between residents and law enforcement. It is perceived as a dishonest interaction by definition with residents. It has negatively impacted the trust and increased the tension between police and citizen interactions during stops, placing the lives of both officers and community members at risk. Therefore, CAB recommends a 6-month Pilot Moratorium on Pretext Stops to improve community relations and trust. In particular, we recommend the pilot include one community north of 8, one community south of 8, but not pick a community in District 2.

The pilot would test whether reducing or eliminating pre-text stops can improve police/community relations while still allowing SDPD to do their job effectively and safely.

SDPD Response:

A "pretext" stop is when an officer lawfully detains a citizen for a minor crime or traffic violation, but uses this violation to investigate a more significant crime (weapons possession, human trafficking, drug possession, drunk driving etc). The Supreme Court has ruled this investigative technique is legal (see [Whren v. U.S.](#)). While the use of pretextual stops to facilitate investigations remains a controversial issue in law enforcement and is the subject of frequent legal challenges and political discussions related to constitutional rights, the benefit as an investigative tool is profound.

The Department's training, past practices in conducting pretext stops, and the inspection of body worn camera videos after these investigative stops occur significantly reduces the likelihood of unprofessional conduct by SDPD officers who conduct pretext stops.

The San Diego Police Department will not place a moratorium on pretext stops due to their overall usefulness in uncovering unlawful conduct; however, the Department is reviewing the recommendations made in [Principles of Procedurally Just Policing](#) to explore modifying policies related to stops in order to enhance trust with community members.

The San Diego Police Department considers this recommendation one which will require more analysis.

2.23 - Implementation of AB953

CAB commends SDPD for their participation in the AB 953 reporting efforts. They have done a very effective job in going above and beyond in reporting their results of the documentation required by the Assembly Bill. CAB recommends that SDPD release the information to the City Council concurrently with the reporting to the State Department of Justice. The release of data and findings to the public increases transparency and trust.

SDPD Response:

The San Diego Police Department intends to release stop data collected and reported to the Department of Justice through a partnership with the [Center of Policing Equity](#) (CPE), which will provide a thorough and independent analysis of this information to meet the expectation of CAB and all community stakeholders. An agreement between the San Diego Police Department and CPE, was already executed on September 6, 2019, and the Department is taking the next steps to forward data to CPE for analysis.

Additionally, the Department, unlike other law enforcement agencies in CA, already releases collected information through public records act requests, and plans on having representatives from CPE report their findings to City Council upon the completion of their analysis.

With the completion of the agreement with CPE, the ongoing public release of stop data, and the outlook that data analysis will be completed at or shortly after the reporting of statewide data by the DOJ, we are confident CAB will be satisfied with our efforts towards this recommendation.

The San Diego Police Department considers this recommendation fully implemented.

4.20 - Joint efforts with the community groups and residents and stakeholders on Community agreed upon action plans.

CAB encourage SDPD work collaboratively with the community/residents on community identified issues that occur or have occurred in the community, such as the Four Corners Activation Teams. These groups could be attended by community groups such as Captains roundtable, Neighborhood Watch, Town Councils, etc.

SDPD Response:

Generally, the San Diego Police Department works collaboratively with community members on every issue they bring forward and the Department is unaware of additional demands that remain unmet.

For example, SDPD participates in approximately 171 community related meetings and outreach efforts every single month. Our stated values related to “Partnerships” go beyond talking about them, but working to enhance them daily as demonstrated by these numbers. We look forward to working collaboratively with any community group that seeks to reduce crime and increase quality of life for all of our city’s residents.

The Department believes this recommendation has been fully implemented.

4.21 - Moving from a Service area to a Beat type of system.

SDPD Response:

Since this CAB recommendation was given without explanation, the Department is relatively unclear about its specific intention. The Department's current geographic structure is based on 125 distinct neighborhoods, often referred to as beats, with individual neighborhood names and boundaries reflecting input obtained from residents and businesses within the area. The overall structure was adopted in the mid 1990's to reflect how our citizens view their neighborhoods and to promote community policing and clear communications about localized issues and crime statistics.

The neighborhoods vary greatly in square mileage and population size, and are not necessarily a means to designate workload for patrol officers. The Department routinely assigns multiple officers to one neighborhood, or beat, if there is a heavy workload, and conversely, assigns multiple neighborhoods to one officer if the workload is light.

Neighborhoods are grouped into Service Areas that are managed by a lieutenant, and the Service Areas are grouped into Area Commands that are managed by a captain.

In sum, the Department takes a multifaceted approach to staffing that evaluates the specific needs of beats, and how they impact a service area as a whole, to best provide policing services to community members.

The San Diego Police Department considers this recommendation to be fully implemented, but will await clarification from CAB to determine if an additional response is warranted.

4.22 - Track crime information by census tracts.

CAB believes tracking Crime by census tracts could be a very useful tool in identifying "hot spots" within each community city-wide. This will give our community a tool to identify what and where resources in these "hot spots" need to be interjected. Additionally, this could be a proactive tool in correcting any negative trends that may be surfacing in other areas in the community.

SDPD Response:

The San Diego Police Department offers several tools to assist the public understand crime in their neighborhoods, which can be accessed on the Crime Statistics and Maps page of the Department's public website at <https://www.sandiego.gov/police/services/statistics>.

Neighborhood reports that show the number of crimes and crime rates per 1,000 residents are updated monthly. Reports showing specific crimes by census tract as required for alcohol licensing and school reporting of crime are annually updated.

The site also contains links to several tools offered by the Automated Regional Justice Information System (ARJIS) website that provide crime information for local law enforcement agencies in the region. One tool provides the ability to run ad hoc crime statistics by beat, neighborhood, service area, command and council district. Another allows ad hoc mapping capabilities for a variety of crime types for customizable areas. The community can sign up for daily alerts based on selections made that define an area around an address for specified crimes. Finally, the underlying data that is used by the mapping and alert applications is made available on a weekly basis for download.

These tools provide data transparency and tools to assist community members in analyzing the data. Crime data can easily be reported by census tract; however census tract names and boundaries are not as identifiable to the public as neighborhood names and boundaries, nor do census tract statistics offer the flexibility offered by the ad hoc capabilities in the mapping application.

Internally, commanding officers, as well as officers of all ranks, have access to a “Dashboard” application, which enables personnel to perform extensive research into criminal activities throughout the City, develop appropriate responses, and analyze their results.

The San Diego Police Department considers this recommendation to be fully implemented.

4.23 Re-balancing Gang Suppression Staffing based upon crime rates.

The data suggests our gang member numbers have decreased considerably in the past 4 years and yet the staffing seems to be at a consistent level of the Gang Suppression Unit. CAB believe adjusting the staffing of this unit with the crime rate and/or gang population would reduce the perception of over policing and a better use of tax payers' funds.

SDPD Response:

This recommendation is essentially a restatement of Recommendation 2.20, and the response provided under that recommendation details the expanded mission of the Special Operations Unit (SOU). The staffing for SOU goes beyond considerations related to the gang population or crime rate to accomplish operations and investigations throughout the City to reduce violent crime and enhance the safety of community members.

The San Diego Police Department considers this recommendation to not be applicable to its current operations.

Wellness:

6.30 - Specific testing and an action plan that requires check-ups every 6 months at least.

Focused assistance to potential Post-Traumatic Stress Disorder candidates. Specific PTSD testing and a potential action plan that requires check-ups every 6 months at least for the first year of employment. Not to restrict but designed to become more aware as an organization.

SDPD Response:

Arguably, one of the more controversial recommendations from the Final Report of the President's Task Force on 21st Century Policing, from which many of the CAB's recommendations were developed, relates to annual mental health checks for sworn officers. As noted by this federal task force, “most health checks are ordered as interventions for anger management or substance abuse and are ordered reactively after an incident.” Additionally, the task force noted, “The Federal Government should support the continuing research into the efficacy of an annual mental health check for officers, as well as fitness, resilience, and nutrition [\(6.1.3 Action Item\)](#).

The San Diego Police Department has a nationally recognized Wellness Unit, and is considered one of the top programs in the country. SDPD's Wellness Unit was honored to be recognized as the [Destination Zero](#) – Officer Wellness winner in 2016 and was the [subject](#) of a US Department of Justice Research project entitled Building and Sustaining an Officer Wellness Program

SDPD's Wellness Unit, along with members at every level in the organization, are well aware that the stressful nature of police work can negatively impact the mental health of its personnel and result in officers experiencing anxiety, depression and post-traumatic stress disorder (PTSD). Every officer is educated on the comprehensive resources available for psychological services, which are provided free of charge by the City, without limit to the number of visits an officer can make and a Department survey resulted in 85% of officers indicating they would use the services provided as needed. Additionally, these services are 100% confidential, which further encourages and increases the likelihood of participation by Department members.

The Department's Peer Support Team has long supported and provided focused assistance to officers involved in significant critical incidents, like involved shootings and in-custody deaths, which may increase the risk of PTSD as recommended by CAB.

The Wellness Unit also has daily interactions with members of the Department at every rank and they regularly visit line-ups at every command throughout the city. The unit is located at SDPD's Headquarters and they maintain office hours for walk-in visits. They are also on call for emergencies involving personnel, and their families, every hour each day of the year. The Wellness Unit keeps regularly scheduled "check-in" times, where they visit areas in the Department that are recognized for being exposed to high risk incidents and they "walk" into units just to check on personnel to see if they need assistance.

As an organization, SDPD has spent almost a decade creating a culture of wellness within its Department, ensuring its members are aware and comfortable using available resources, along with giving focused attention to officers involved in critical incidents. SDPD's Wellness Unit will continue to monitor any research into the effectiveness and efficiency of requiring mental health check-ups without cause, including the legal considerations, significant costs, and employee issues surrounding them.

Additionally, wellness efforts will be supplemented by the Department's [Early Identification and Intervention Unit](#), which monitors records that may indicate officers have been exposed to situations that could impact their well-being or work performance.

The San Diego Police Department considers this recommendation to be partially implemented for the reasons noted above, but continually strives to discover and implement best practices which leads to this recommendation also being one that will always partially remain in an analysis category.

6.31 - Data collection to measure the use of Wellness by Officers and families.

More focus may need analyzing the effect of SDPD Officers spouses and/or loved ones on families. We would like to see a more targeted effort in identifying potential toxic stress on the Officers and their respective families. Each day the family watches their loved ones go to work with the fear their loved ones could be harmed. This trauma day in and day out has a very toxic effect on the families and may need more focused wellness efforts to reach out to the families.

SDPD Response:

The Wellness Unit already uses several mechanisms of data collection to measure its success: surveys, utilization reports, and a quarterly management reports.

For a unit that operates under a confidentiality policy, these metrics are especially critical in demonstrating the success and impact of the program.

Some of the resources provided to officers and their families include:

- *Focus Psychological Services are free to family members living in the officers' household.*
- *The Family Resource Team provides Peer Support for family members with communication through email, and a closed Facebook page, along with support for families after critical incidents and medical issues.*
- *Family Wellness Day was created for the families of the new academy graduates. Family members are given phone numbers to both Focus and the Wellness Unit. They meet some of the Focus Psychologists, Wellness Unit and Chaplains during the event and they are able to ask questions, and express concerns they have about family member joining the police department.*

The San Diego Police Department considers this recommendation fully implemented.

Recruitment:

1.01 – Community residents involved in the selection of candidates for the respective Division.

Community residents involved in the selection of candidates for the respective Division. Using existing groups, or creating new ones such as the Captain's Roundtable, community members should be more involved in the hiring of Officers in their division wherever possible. This would provide "ownership" by each community of the officers in their neighborhoods. Using the existing community group allows SDPD to use residents that have already been meeting with the SDPD command and could have input, understanding the final decision is up to the SDPD Command. This will allow Police Officers and Community members and opportunity to actively participate in the selection decision which would develop a bond and trust between the residents and the Officers/Managers of Division.

SDPD Response:

The selection or assignment of an officer into a command is based on a number of factors. First, recent academy graduates that have completed their training are permitted to identify 3 commands they "wish" to work at as their preferred assignment. This practice has been associated with enhancing the retention of officers within the Department. For instance, an officer residing near Riverside County may not be the best fit to work in Southern Division and could look for other opportunities if they find their commute unmanageable.

Within the commands, Field Training Officers (FTOs), their supervisors, and command staff often meet to discuss how new officers performed during their training within the command, solicit feedback from training academy staff and FTO Administration, as well as speak with new officers to determine their level of interest of working within a command.

Command personnel work very hard to determine if an officer would thrive in the communities they serve before they seek to add them to their team, again an officer's past performance and personal desire are often critical indicators that predict how successful an employee will be within a command. Finally, Commanding Officers, the Chief's Executive Committee (CEC), and Community Resource Officers meet frequently with community groups and value their input. Their feedback, which is already frequently provided in many settings, about individuals who may wish to join the Department, as well as new and established officers who they believe would best serve their communities does not go unheard.

In regards to this recommendation, the San Diego Police Department believes opportunities already exist and are being utilized by command personnel to obtain input from community members regarding the selection of personnel into their commands; however, this process may not be fully developed in every command. The CEC will restate the importance of community input on command processes, and will encourage commanding officers to discuss the activities surrounding officer selection with community members and solicit their opinion on personnel who they feel have the best chance of meeting their expectations.

The San Diego Police Department considers this recommendation partially implemented.

1.02 - By reviewing the policy of transferring Officers "through" each community especially in underserved communities.

The intent of this policy is to give the Officers a choice of career paths addressing the practice of incentivizing the Officers wishing to stay in a certain division or transferring to other divisions to get a broader based training scenario. Currently there seems to be a disincentive to remain in the division for a more long-term assignment thus creating some stability in the Division creating better relationships with the residents and the officers.

SDPD Response:

There are numerous officers that remain within the same command for many years and in some circumstances, their entire careers. This decision, as long as they are meeting performance expectations associated with their job classification and desire to remain within the command, is usually left up to the officer.

However, there are times when an officer may look to expand their knowledge, skills and abilities, and an opportunity may not exist within their command where they currently work. The Department often times has preferred shifts and field training opportunities, as well as temporary supervisor and investigative assignments, throughout different commands when positions go unfilled.

If an officer seeks an assignment such as those outlined, and no opening currently exists for this position within their own command due to full staffing, they may seek this position in another Division. Again, this is normally up to the discretion of the officer to move to another command, but it is not a disincentive to remain in their current command particularly as it relates to promotions.

This is because promotional opportunities are based solely on the criteria contained in a legal settlement stemming from litigation between the San Diego Police Officers Association, which represents sworn officers, and the City of San Diego and SDPD.

Based on the issues discussed in this response, the San Diego Police Department believes this recommendation is not applicable to its operations.

1.03 - Youth programs involving retired Officers, community based.

CAB recommends the Youth Programs be continued at the current schools and recruit residents and retired SDPD Officers to begin interacting with the students and encouraging them to think about a career in Law Enforcement. Programs, including identifying which schools and community organizations, YMCA, could help in developing the program and help in populating the program.

SDPD Response:

SDPD Recruiters, which already includes a retired officer, attend high school career fairs and have given presentations to high schools multiple times throughout each year. Montgomery High School has a criminal justice program within their school and our recruiters go every year to speak with the students participating in it.

Our recruiters also attend YMCA camps, speak with those in attendance, and consistently pass out flyers and SDPD giveaways (wrist bands, pens, stickers, lip balms, etc.) to foster an interest in law enforcement and develop valuable relationships. In addition, STAR/PAL, the Juvenile Service Team (JST) and Cadet Program have youth community based programs which enable our Department to interact with students and encourage them to seek a career in law enforcement.

STAR/PAL and JST, along with volunteers working with them, attend numerous events throughout the year and interact on a consistent basis with our youth. The Department is also exploring giving one day of discretionary leave for any employee who refers a police cadet who can successfully pass our SDPD Police Cadet Academy. This will hopefully increase the number of applicants within our cadet program and help develop them for a career in law enforcement. In addition, Sergeant Derek Diaz works with Health Sciences High and Middle College (HSHMC) where he interacts with high schoolers and introduces them to police classes and allows them to experience in our Physical Abilities Test (PAT).

Based on the current level of established youth programs, and participation within them, the San Diego Police Department believes this recommendation has been fully implemented.

2.01 - Credit policies, tattoos and other perceived barriers.

Although more of a "practice for flexibility" CAB urges the SDPD to make these and other related policies an actual policy to avoid the perception of using these items as barriers for residents and candidates from underserved communities. Additionally, it is important we formalize the Practice as to not have the potential of policies being used as an instrument to reject certain candidates in the future.

SDPD Response:

Backgrounds and Recruiting does not discriminate against anyone within our application process regardless of credit score or tattoos. Once an applicant has successfully passed the written examination and physical abilities test, both administered by city personnel, the applicant will fill out a PIQ (Pre-Investigative Questionnaire). Those deemed to be viable applicants based on responses to the PIQ are assigned to a background detective to start a background check. Credit score is only a small component in screening out who are viable candidates. Applicants are disqualified based on the totality of the circumstances for which a background investigator finds, not solely based on a credit score. The Department's [policy](#) pertaining to tattoos is determined by the Chief of Police and any exception of hiring someone outside of this policy would be at the Chief's discretion.

The San Diego Police Department continually monitors best practices associated with police hiring practices throughout the nation, including those related to tattoos and credit scores, and considers this recommendation fully implemented.

2.02 – Recruiters need to be better trained on interviewing skills.

Officers assigned to Recruitment assignments would strongly benefit from a formalized training process that includes orienting the Officers to the importance of Interviewing skills, more welcoming first impressions to the public, have talking points included of what is the message our SDPD wants to convey to the potential candidates. The Officers need to be better equipped to represent the SDPD improving their communication skills as well as presentation skills.

SDPD Response:

We understood this portion of the recommendations to mean/refer to not “interviewing”, but more about the initial meeting and greeting that takes place at recruiting events. With this understanding in place, we thought we would offer a short clarification as to the roles Recruiters play versus their Background Investigator counterparts.

Recruiters are responsible for reaching out to perspective applicants and interacting with them at various stages in the initial testing process. They do not conduct recruit candidate background interviews or employment interviews, these are tasks a Background Investigator would handle.

With regards to welcoming first impressions, having talking points and representing SDPD, the Department currently has six full-time recruiters (one sergeant and five officers) and one part-time (retired SDPD Sergeant) as a provisional recruiter. The recruiters are comprised of two female officers and five male officers. There is no formalized training provided by the Commission on Peace Officers and Standardized Training (POST) specifically for recruiters. Each full-time recruiter gets trained by the sergeant in talking points and how to transition from being a patrol officer to marketing the opportunities and benefits of joining SDPD. One of our full time recruiters was a recruiter for the United States Marine Corps. Several other full-time recruiters have been with the unit for a long period of time and have received on the job training and greeted thousands of potential applicants through a variety of recruiting events. These recruiters have successfully attracted hundreds of officers onto our Department.

Because our recruiting team is small for an organization of 1,800 plus, the unit created PRAT (Police Recruitment Assistance Team) in 2018. This consists of approximately 80 officers throughout the Department who assist and attend recruiting events. Each PRAT officer is trained and given a PowerPoint presentation on expectations and encouraging civilians to join our Department, but often times it is their enthusiasm and honest expression of being a part of organization that is committed to enhancing the lives of others that resonates most with potential recruits.

As a result of the expressed concern with this recommendation, the San Diego Police Department will commit to analyzing the knowledge, skills, and abilities of our Recruiting Unit members to determine if improvements can be made. For instance, the Department will analyze the feasibility of expanding training and have a PRAT officer first work with one of our full time recruiters before working a recruiting event by themselves.

The San Diego Police Department considers this recommendation one which will require more analysis.

2.03 - Policies of moving Officers around; stability in the neighborhoods vs traditional Career paths.

Currently Officers appear to be more incentivized to rotate through different commands to get the experience needed for promotions. Although this may seem like a good direction in which to evaluate officers for promotions it appears to be in conflict with the model to allow Officers that wish to do so remain in the Division of their choice for an agreed upon time frame to establish better familiarity with the community and residents while not negatively impacting the Officer's career path. At this time, we feel explaining how officers are rotating through Divisions and functions to the community could impact the perception of turnover within our Divisions.

CAB has not received any data indicating the turnover in any divisions within the City. Historical law enforcement practices have had officers rotate from one division to another after a set number of years. In building positive relations between police and citizenship, this practice has been a barrier in building positive relationships between police officers and the community they serve. CAB recognizes the importance of building trust and easing tension between the police department and the communities they serve. Communities with historical tension between police and the community, in particular, would benefit from having ethical officers whom have a genuine interest to serve that community. Creating a stable law enforcement team will allow communities the opportunity to get to know the officers to build rapport with the citizens. CAB encourages SDPD to implement a practice and/or incentive that would encourage police officers to stay within a division as they advance and expand their experience in order to provide communities a community-oriented law enforcement officer.

SDPD Response:

As noted earlier in Recommendation 1.02, the Department does not provide specific incentives or encourage rotation through commands after a set number of years. SDPD does acknowledge that extensive rapid turnover within the Department, and impacting every command, has changed Department culture and required placing officers in investigative and supervisory positions throughout the Department in a departure from previous San Diego Police Department practices. This can lead to instability in the Department and the communities we serve, but is largely unavoidable due to SDPD's attrition.

Specifically, since FY2006, the SDPD has lost over 2,000 sworn officers for all reasons, with over 350 officers leaving for other law enforcement agencies.

This turnover altered the movement and assignments of officers within commands in a manner that some citizens may have never seen before.

It is believed a review of attrition statistics related to sworn personnel, along with an explanation of the promotional settlement agreement between the City and the San Diego Police Officers Association, would have likely changed CAB's assumptions related to this recommendation. We are happy to provide these statistics if requested.

Much of the instability of personnel movement experienced by the community stems from massive attrition rather than incentivized movement.

This recommendation is not applicable to current San Diego Police Department operations, but the CEC will direct commanding officers to speak with their respective community groups to further explain how attrition has impacted officer movement and promotions.

2.04 - Review of the Job Descriptions and Recruiting Policies to help in finding candidates. Recruiters represent SDPD.

SDPD Response:

SDPD's Recruiting Unit is always assessing its team and working on ways to recruit new candidates. Last year, the recruiting team did the following: attended approximately 200 events, hired a marketing company (Loma Media) to create videos and upgrade the Department's website to reach potential candidates via social media, created a monetary incentive program for referring police recruits and laterals officer to SDPD, and hiring Southwestern Police Academy graduates without having them to attend our academy. This is being done along with conducting two PAT tests a month instead of one, and giving written tests out at multiple locations.

The San Diego Police Department considers this recommendation fully implemented.

3.01 - Targeting more local recruiting sources to better balance the type of Officers we are attracting.

CAB's research suggests 30% of our candidates each year have active "on the ground" Military background. If the 30% figure is correct, and considering turnover, we estimate the total population of the officers with military background, (combat) is somewhere around 65-70%. This unbalanced workforce can define the "culture" of the Department highlighting the premise it is easier to teach a candidate to fire a weapon than it is to teach them to effectively interact in communities of color, or in general communities that are "different" from theirs. Again, CAB's goal is not to restrict candidates with combat experience but rather to better balance our police workforce to better represent San Diego's communities.

SDPD Response:

Unfortunately, CAB's research is incorrect in regards to this recommendation and it leads to faulty assumptions related to the Department's hiring practices and culture. Currently, approximately 34% of the Department's sworn personnel have a varied military background, and for years it has fluctuated between 33 to 35%.

SDPD acknowledges its Recruiting Unit consistently attends military bases, because their very diverse membership frequently expresses an interest in joining our Department. Additionally, SDPD feels that military personnel complement its culture, as a result of the "service before self" behavior that permeates our armed forces.

SDPD's Recruiting Unit targets everyone within the community that desire to make a positive difference in the lives of others and attends a variety of events throughout San Diego County and the region to find the absolute best applicants.

The San Diego Police Department considers this recommendation to not be applicable to its operations based on the incorrect assumptions that led to its development.

3.02 – Develop Recruitment material based upon a less military perspective and more of a Community partnership message.

CAB recommends review of SDPD Recruiting collateral material to highlight more of a balanced approach to recruiting material including TV ads, written and social media adjustments.

CAB was not given the opportunity to meet with the contracted recruitment firm to relay the information CAB has received from communities to ensure their perspective is addressed.

SDPD Response:

Loma Media, a partner in the Department’s recruiting efforts, has fully implemented this recommendation by creating several new recruiting videos geared towards attracting diverse recruits that are from our local communities and who also desire to be a part of continuing of serving their neighborhoods. Several of the [videos](#) stress community involvement and stress being able to make positive changes.

The San Diego Police Department considers this recommendation fully implemented.

Training:

1.10 – Offer Officer Training examples, (simulation) in the community, including actual real-life examples of what an officer faces in more schools and workshops.

Create “Inside SDPD” as a mobile education unit which includes a mobile Force Option Simulator (FOS). Schedule at least bi-monthly events in rotating communities. Develop a special school-based session. SDPD could involve local community groups as partners to provide this opportunity in each community.

SDPD Response:

In-Service Training has done this in the past, and still does this periodically. For example, on October 12, 2019, a Community and Police Practice Workshop was hosted University of San Diego, with support from the BPOA, PANPAC, NLPOA and SDPD’s Training Unit, to introduce community leaders to topics including: Internal Affairs, Use of Force and Simulated Force Scenarios, Traffic Stops, and the Psychological Emergency Response Teams (PERT).

However, meeting this recommendation has some challenges. For instance, the current mobile Force Option Simulator (FOS) has limited capabilities and works best in certain environments due to the extensive time that can be associated with it being set-up. The Department is currently looking at a replacement system that is more practical, less expensive, and incorporates scenarios dealing with those suffering from mentally illness.

Staffing to incorporate bi-monthly 'Inside SDPD' would also be a challenge. We would have to train several more officers, ideally from various Commands as to not to severely impact In-Service Training or one Command.

The San Diego Police Department considers this recommendation one which will require more analysis, in order to determine the steps and financial support needed for full implementation.

1.11 - Support education of community members by sharing a sample of training classes from academy curriculum.

SDPD Academy Instructor to lead an overview class as a community education session. Ensure perseveration of POST content and teaching style. Allows for community input and interaction to offer opportunities to enhance teaching methods for future. (Use of Force, Cultural, De- escalation, etc. – based on neighborhood need)

SDPD Response:

Per SB-978, on January 1, 2020, POST and all Law Enforcement Agencies must place on their website all education and training material. The material that is instructed at the San Diego Regional Public Safety Training Institute (SDRPSTI or Regional Police Academy) will be available for the public to read. Community input is always welcomed and is also addressed in recommendation 5.10 listed below.

The San Diego Police Department is in the process of implementing SB-978, along with continuing programs like “Inside SDPD.” The Department also provides community education sessions in formal settings like the Community Review Board on Police Practices and at the Public Safety and Livable Neighborhoods Community, but also provides opportunities to learn about policing at informal “Open Houses” that are held regularly at SDPD’s Patrol Divisions.

Additionally, the Department is proud of its innovative social media efforts to educate community members about academy instruction through influencers like Michelle Khare and her “Challenge Accepted” series. Ms. Khare’s latest challenge was facing training exercises performed by SDPD recruits.

Her experiences were professionally documented and the video was placed on “You Tube.” It has been viewed nearly 4 million times, allowing a local, along with a national audience, to gain insights into SDPD’s police academy.

The San Diego Police Department considers this recommendation partially implemented and requires ongoing analysis to achieve full implementation.

1.12 - Update staff evaluations to include significant measure of communication skills.

Each daily, weekly, and monthly performance review for FTOs and officers should include measuring the effectiveness of communication skills. i.e.: verbal (tone/volume), non-verbal (body language, eye contact), written (reports), and diversity competence (knowledge of culture, religion, age, gender, etc.)

SDPD Response:

This recommendation addresses evaluations at the FTO level, since it lists “ Daily Performance Reviews.” The specific examples provided are already addressed in the Field Training Guide (aka Trainee Blue Book).

The Field Training Guide lists the standards for each Performance Anchor. Specifically, pages 43 through 44 for Anchor #11 include the following:

Diversity – Understands diversity and its impact on public interaction; Reacts properly with due consideration to the diversity of those involved; Practices non-biased based policing.

Fair Treatment/Objectivity/Racial Profiling – Does not allow personal bias to influence decision-making and problem solving; Provides police services to all members of the public in a fair and impartial manner; understands non-biased base policing.

Body Language – Projects professional and appropriate non-verbal communication.

The San Diego Police Department considers this recommendation fully implemented.

1.13 - Youth programs involving Officers and are community based.

Provide Community training to residents, teachers, community leaders, and officers to encourage youth to think about a career in Law Enforcement. Presentations should be held at schools, community organizations (YMCA), city resources (libraries). Emulate Health Sciences High School Police program at other schools. Share information about the SDPD Cadet Program (ages 16–21) and actively recruit students from high schools and colleges.

SDPD Response:

As noted in the response to Recommendation 1.03, the Recruiting Unit, Community Resource Officers, Juveniles Services Team, and members of STAR/PAL frequently interact with a diverse set of community members locally, as well as groups from throughout the region, to encourage careers in law enforcement. In-Service Training provides programs like “Inside SDPD,” give those interested an opportunity to see firsthand operations with the Department.

Additionally, the Department is constantly assessing whether it can expand its recruiting efforts, which has already undergone significant improvements with the hiring of Loma Media.

The San Diego Police Department considers this recommendation fully implemented.

1.14 - The department should incorporate procedural justice principles in any Policing Plan that is developed with input from department members, city staff and community leaders.

As training and manuals are regularly updated, it is important that procedural justice principles are incorporated. Internal and External Procedurally Just behavior is based on four central principles: Respectful Treatment, Fair Voice for All, Neutrality, and Trustworthiness. Review the Department's mission statement, values and operational priorities to ensure tenants of procedural justice, a guardian mindset, policing legitimacy, and public trust are included.

SDPD Response:

[Procedural justice and police legitimacy](#) are issues the San Diego Police Department has trained and tested its personnel on for years.

The Department's Vision, Value and Mission Statement were recently updated and released Department wide on July 24, 2019, at the direction of Chief David Nisleit, with input from throughout the Department and it reflects SDPD's commitment to procedural justice and legitimacy.

Our Department's commitment to the community is, we will review and update our policies to reflect best practices, stakeholder concerns, and the inclusion of tenets associated with procedural justice – which is most clearly reflected in the responses being provided to these recommendations.

This recommendation is one which will always be a work in process, since the Department's efforts to meet the dynamic changes facing law enforcement will always require it policies and procedures to be scrutinized and updated to meet community expectations and our continued desire to serve well.

The San Diego Police Department considers this recommendation partially implemented and will require constant analysis to remain relevant.

1.15 - Annually CAB Members invited to attend specific courses during each Academy.

CAB Members have been vetted by the city and are vested in the interests of both SDPD and the community. Giving CAB Members the opportunity to attend designated courses would allow for community feedback on curriculum and instruction.

SDPD Response:

SDPD has invited community members to attend specific courses during the Regional Academy in the past. SDPD will explore whether this is still permitted and seek to obtain the approval of the Academy Director, and any other approval required, for community members to observe courses provided they do not interfere with the academy training.

The San Diego Police Department considers this recommendation one which will require more analysis.

1.16 - Encourage involvement with the community by officers and increase communication with CROs.

Officers should have ongoing training for building relationships and understanding how to identify key community members. Examples of engagement in the community are: waving to others, supporting local businesses, giving stickers to children, attending community events, etc. CROs should be a link to FTOs and officers to give awareness for upcoming community events.

Every division should have a Captain Advisory Board Meeting in which officers should attend at least one per year to get to know community leaders.

SDPD Response:

Introducing police recruits to the community policing philosophy starts in the Regional Academy, and is reinforced with each officer during Field Training through Performance Anchor #8 on their Daily Performance Evaluation.

Following phase training, supervisors and command staff stress the importance of community engagement and policing during an officer's entire career, with officers being evaluated on the interpersonal and communication skills they demonstrate with community members.

CROs are also very involved in speaking with officers about community issues, they attend patrol line-ups and bring forward community complaints/requests for officers to address during their shifts. It is also common for officers to attend community meetings with command staff and CROs, particularly if

there are controversial issues being discussed that impact public safety. Many of our officers are familiar with community leaders and expect to see them during their shifts.

We will seek to fully implement this recommendation by having officers attend Community Advisory Board meetings as staffing levels allow.

The San Diego Police Department considers this recommendation fully implemented.

1.17 - Encourage community engagement with volunteer activities.

Encourage officers to be involved in community volunteer activities, (neighborhood watch, youth programs for sports, education, etc.) This experience should be a weighted factor in promotion and assignments.

SDPD Response:

The San Diego Police Department already actively encourages officers to volunteer in community activities. For example, officers participate in the [Big Brothers Big Sister](#) program of San Diego County, as well as youth sporting programs throughout the region. Of special note, [Lieutenant Gutierrez's](#) passion for boxing was channeled into developing a program for neighborhood kids to encourage them to overcome adversity. His efforts were showcased on several local media stations.

However, most of the volunteer efforts of San Diego Police Officers go largely unseen. Officer "Ito" Fuerte [volunteered](#) at David's Harp Studio to change the perceptions of San Diego law enforcement officers through music.

While efforts like these are not directly factored into promotion and assignments, the knowledge, skills, and abilities gained by officers through volunteer activities can enhance their oral interview scores in the promotional process.

Having this experience as a weighted factor in promotions would likely be very difficult, since it would need to be a meet and confer item with the San Diego Police Officers Association and not every officers can volunteer in communities as a result of professional and personal time demands in their lives.

The San Diego Police Department believes this recommendation has been partially implemented and will need further analysis to determine if, and how, this recommendation could be implemented into the promotional process.

2.10 - Build the FTO program of the Department with more experienced officers and incentivize FTO officers in their training role.

There is currently a restriction on Police Officer 3 (POIII) that needs to be removed so the Field Training Officer (FTO) pool of experienced officers can be increased. FTOs should receive an incentive based on time spent with the trainees, in addition to the frequency that each FTO is training.

SDPD Response:

There are currently 11 POIII positions budgeted with the Department and very few people have the historical knowledge to recall this position was created by Civil Service following a decade of negotiations between the City and the SDPOA. Also, when this position was approved, Civil Service

made clear this classification had to be distinct from positions and classifications that already existed within the Department. This meant Civil Service did not intend for POIIIs to become Field Training Officers, but rather the classification was designed to perform specialized duties and provide leadership for squads during a supervisor's absence.

If POIIIs want to be become Field Training Officers, they can pursue this career choice; however, since the position was implemented it was determined by the CEC that POIIIs should not perform the duties of both classifications simultaneously.

The Department strives to select the best patrol officers to be FTOs. Experience comes with time. FTOs are currently paid 5% FTO pay as an incentive, along with acquiring the knowledge, skills and abilities of a first line supervisor that should enhance their chances of promotion.

In order to further assess this recommendation, the CEC should meet before entering negotiations with the SDPOA to determine if additional incentives are warranted and whether POIII duties should/could be modified to allow them to become training officers.

This recommendation will require further analysis and potentially meeting with Human Resources and Civil Service to determine potential responses.

The San Diego Police Department considers this recommendation one which will require more analysis.

4.10 - More accountability of the Officers, FTOs, and FTO Sergeant. A closer look at the performance evaluations including goals and objectives for each officer.

The FTO positions are the closest line of safety for the new officers, and their interactions together have a huge impact on police and community interaction, respect, and trust. The community should trust and rely upon them for emergencies and assistance, therefore, we must ensure they are properly trained and are passing the correct and accurate information to the new officers. Sworn personnel of all ranks should be held to the standards of the POST curriculum.

SDPD Response:

FTO Administration has mandated "refresher training" for every FTO and FTO Sergeant every 4 months. During the most recent "refresher training," the FTO sergeants were kept after the initial training for additional training to emphasize the need for more accountability on their part. FTO Supervisors were also provided additional training over the summer during command training regarding properly documenting performance in evaluations.

Additionally, the Department has emphasized having the FTO Sergeants take a closer inspection of each daily evaluation, to ensure the interaction between the FTO and their trainee is positive with mentoring and proper training occurring, as well as making sure FTOs are modeling professional interactions with the public.

FTOs are required to attend a 40-hour POST FTO Class to become a FTO, plus they must attend a 24-hour POST FTO class every 3 years.

While all officers must pass the standards established by POST to become a police officer, the City requires officers to meet the expectations contained within their job classification and evaluation schedules are conducted with greater frequency during their probationary periods. Should officers not meet the standards of their job classification, interventions may be required and consequences,

including being separated from the Department, is possible for those who fail to meet the objectives of their performance plans.

The San Diego Police Department considers this recommendation fully implemented.

5.10 - Utilize community input to establish training.

Utilize community input through various evaluation methods to assist in developing training strategies from community forums, Inside SDPD, Captain Advisory Board Meetings, and CAB Academy visits. Written comments should be encouraged to provide in-depth feedback.

SDPD Response:

The SDRPSTI (aka Regional Academy) was developed utilizing community input over many years. The State of California Commission on Peace Officer Standards and Training (POST) requires 664 hours, and our Regional Academy is 928 hours. Many of these added hours of training came from suggestions from the community and evolve around community policing. An example of some of the classes that go above the required POST hours include: Ethics; Policing in the Community; Spanish; and Cultural Diversity/Discrimination.

Training is a dynamic process and subject to community expectations/feedback that are always evolving. SDPD will continually develop training that seeks to meet or exceed the expressed needs of community members.

The San Diego Police Department considers this recommendation fully implemented.

Summary of Recommendations and their implementation status:

Rec	Description	Implementation				
		Fully	Partially	Analyzing	Not Considering	Does Not Apply
1.20	Law enforcement agencies should acknowledge the role of policing in past and present and injustice and how it is a hurdle to the promotion of community trust.		X	X		
2.20	Balance SDPD Gang Suppression Staffing based upon Crime Rate and Gang population, as a policy.					X
2.21	Curbing Practices	X				
2.22	Pilot moratorium on Pretext stops			X		
2.23	Implementation of AB 953	X				

Rec	Description	Implementation				
		Fully	Partially	Analyzing	Not Considering	Does Not Apply
4.20	Joint efforts with the community groups and resident and stakeholders on community agreed upon action plans.	X				
4.21	Moving from a Service area to a Beat type of system.	X				
4.22	Track crime information by census tracts.	X				
4.23	Re-balancing Gang Suppression Staffing based upon crime rates.					X
6.30	Specific testing and an action plan that requires check-up every 6 months at least		X	X		

Rec	Description	Implementation				
		Fully	Partially	Analyzing	Not Considering	Does Not Apply
6.31	Data collection to measure the Wellness by Officers and families.	X				
1.01	Community residents involved in the selection of candidates for the respective Division.		X			
1.02	By reviewing the policy of transferring Officers “though” each community especially in underserved communities.					X
1.03	Youth programs involving retired Officers, community based.	X				
2.01	Credit policies, tattoos and other perceived barriers.	X				
2.02	Recruiters need to be better trained on interviewing skills			X		

Rec	Description	Implementation				
		Fully	Partially	Analyzing	Not Considering	Does Not Apply
2.03	Policies of moving Officers around; stability in the neighborhoods vs traditional Career paths					X
2.04	Review of the Job Descriptions and Recruiting Policies to help in finding candidates. Recruiters represent SDPD.	X				
3.01	Targeting more local recruiting sources to better balance the type of Officers we are attracting.					X
3.02	Develop Recruitment material based upon a less military perspective and more of a Community partnership message.	X				
1.10	Offer Officer Training examples, (simulation) in the community, including actual real-life examples of what an officer faces in more schools and workshops.			X		

Rec	Description	Implementation				
		Fully	Partially	Analyzing	Not Considering	Does Not Apply
1.11	Support education of community members by sharing a sample of training classes from academy curriculum.		X	X		
1.12	Update staff evaluations to include significant measure of communication skills.	X				
1.13	Youth programs involving Officers and are community based.	X				
1.14	The department should incorporate procedural justice principles in any Policing Plan that is developed with input from department members, city staff and community leaders.		X	X		
1.15	Annually CAB Members invited to attend specific courses during each Academy.			X		

Rec	Description	Implementation				
		Fully	Partially	Analyzing	Not Considering	Does Not Apply
1.16	Encouraged involvement with the community by officers and increased communication with CROs.	X				
1.17	Encouraged community engagement with volunteer activities		X	X		
2.10	Build the FTO program of the Department with more experienced officers and incentivize FTO officers in their training role.			X		
4.10	More accountability of the Officers, FTOs, and FTO Sergeant. A closer look at the performance evaluations including goals and objectives for each officer.	X				
5.10	Utilize community input to establish training.	X				

Conclusion:

The San Diego Police Department has carefully considered every recommendation made by the Community Advisory Board on Community Police/Relations. In some cases, SDPD was already in the process of fully or partially implementing many of the recommendations prior to their release by CAB.

In total, SDPD reviewed the 31 recommendations and determined the following: 15 had been fully implemented, 6 partially implemented, 10 will require additional analysis and discussion with outside organizations like Human Resources and the San Diego Police Officers Association, and 5 were not applicable to the Department as a result of operational changes already implemented and assessments of CAB's specific recommendations. Five of the recommendations fell into more than one category.

The San Diego Police Department views this response as part of a process and we look forward to feedback from CAB, a continued discussion moving forward, and to determine if these responses need to be modified or expanded to meet its expectations.

Respectfully,

Captain Jeff Jordon
Special Projects/Legislative Affairs