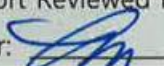


Agenda Report Reviewed by:
 City Manager: 

**CITY OF SEBASTOPOL
 CITY COUNCIL
 AGENDA ITEM**

Meeting Date: January 4, 2022
To: Honorable Mayor and City Councilmembers
From: Chief of Police Kevin Kilgore
Subject: Presentation from the Police Chief - Recommendations Status Update -
 Public Report on Independent Civilian Review of Sebastopol Police Department
Recommendation: That the Council receive the informational report.
Funding: Currently Budgeted: _____ Yes _____ No N/A

Account Code/Costs authorized in City Approved Budget (if applicable) AK (verified by Administrative Services Department)

INTRODUCTION/PURPOSE:

The item is to request Council receive an updated report on Status of Recommendations from the Public Report on Independent Civilian Review of Sebastopol Police Department conducted by Jerry Threet.

BACKGROUND:

On June 17, 2021, the City Council and community received a report from Jerry Threet which was an independent review of the Department’s overall policies, practices, training, and organizational culture. From that review, Mr. Threet presented recommendations to the Council based on his independent review.

DISCUSSION:

Tonight’s item is to present to the City Council an update on the actions accomplished since the last update on October 19, 2021, items that are coming soon, and items related to updating the SPD website.

At the July 2021 Council Meeting, the Council and community received a report that the department has accomplished 96 out of the 140 recommendations listed in the report. At the October 2021 Council Meeting, the Council and community received a report that the department has accomplished 109 out of the 140 recommendations listed in the report. Of the remaining 31 items, 8 have been accomplished to date.

GOALS:

This action supports the following City Council Goals and General Plan Actions:

- 5.1: Expand and Encourage Community Involvement in the Government Process by Increasing the Public’s Understanding of local Government Operations and Increasing Interaction with Elected Officials
- 5.3.3 Encourage and increase public awareness of City Policies, decisions, programs and all public processes and meetings, by investigating effective methods of communication and obtaining feedback from the community.

Goal CSF 6, Policy CSF 6-1: Continue to maximize public participation in local government actions and maintain excellent levels of City government service.

PUBLIC COMMENT:

As of the writing of this staff report, the City has not received any public comment. However, staff anticipates receiving public comment from interested parties following the publication and distribution of this staff report. Such comments will be provided to the City Council as supplemental materials before or at the meeting. In addition, public comments may be offered during the public comment portion of the agenda item.

PUBLIC NOTICE:

This item was noticed in accordance with the Ralph M. Brown Act and was available for public viewing and review at least 72 hours prior to schedule meeting date.

FISCAL IMPACT:

There is no fiscal impact associated with the presentation of this item to the Council tonight.

RECOMMENDATION:

Staff recommends the Sebastopol City Council Receive and Discuss the report and provide comments or direction to City staff.

Attachments:

Presentation
Status of Recommendations



Recommendations Status Update

Public Report on Independent Civilian Review of the Sebastopol Police Department



Accomplishments

Of the 140 recommendations listed in the report, 117 recommendations have been accomplished.

Most Recently Accomplished

Agenda Item Number 6

Employee Performance Evaluations
Recommendation 5

Critical Incident Response Policies
Recommendations 42, 43, 44, 45

SPD Use of Force Policies
Recommendations 46.22

SPD Youth Specific Policies and Practices
Recommendation 50.3

SPD Accountability Systems Policies and Practices
Recommendation 51.6

Of Note

Employee Training

Recommendation 11, 12, 13

Community Engagement

Recommendation 15 (Social Media, Foot/Bike Patrols)

Recommendation 16 (Community & Underserved Groups)

SPD Use of Force Policies

Recommendations 46.28

Recommendation Title	Recommendation #	Recommendation	Response	Status	Next Steps	Timeline
Regular Staff Input on SPD Operations	1	Given the significant value of the staff interviews conducted as a part of this review to fully understanding the challenges and opportunities of the Department, SPD and the City should consider establishing a process for a periodic, confidential consultation with SPD employees designed to gather such information into a report for use by SPD and City management. In addition, SPD should institute a process for exit interviews of all employees who leave the Department to obtain similar information.	The Department has reviewed and implemented this recommendation (e.g., monthly sergeants' meetings, bi-weekly check-in meetings with SPOA, other employees' one-on-one meetings, exit interviews)	Completed	Continuation of this process	Completed 4th Quarter of 2020
	2	The City should ensure that SPD is able to fully staff its budgeted positions, so that SPD is able to attract and retain employees, adequately train employees, and support robust community engagement.	The Department is actively recruiting staff to fill positions.	In progress	Continued recruitment and vacancy forecasting, when possible	6+ months
Employee Recruitment, Hiring, and Retention	3	The Department should engage in targeted recruitment of applicants designed to increase the diversity of its workforce.	The Department has broadened its recruiting processes to reach a diverse pool of potential applicants within Sonoma County, surrounding counties, and communities within the state. The broadened recruitment processes include visits to regional academies throughout northern California and advertisements that reach communities and academies throughout the state.	Completed	Continued broad recruitment processes and ongoing process assessment	Completed 1st Quarter of 2021
Employee Performance Evaluations	4	The Department should strengthen its newly implemented performance evaluation system by making its evaluation criteria more focused on the specific functions and missions of SPD.	The Department has focused on completing evaluations and familiarizing supervisory with the system. The Department is considering forming a committee to refine the evaluation form and process.	In progress	Review current evaluation form to determine what, if any, changes are needed	On going
	5	The Department should include public input into the performance evaluation system, both by consulting the public on what criteria should measure employee performance, and by including direct customer input into evaluations.	The Department is considering forming a committee to refine the evaluation form and process. The Department is considering technology platforms to provide for public input in the evaluation process. The Department has teamed with Openpolicing.org to obtain timely feedback from people our department personnel interact with on the phone and in person.	Completed	Openpolicing.org proposal was presented and approved by City Council on July 20, 2021. Meetings with Openpolicing.org regarding implementation began on 8/31/21. The Openpolicing.org platform was implemented on 12/19/21	Completed 4th Quarter of 2021
	6	The Department should consider ways to include the input of peers and other supervisors in employee performance evaluations.	A Supervisors' Notes Form was implemented and is being used regularly to document positive and needs-improvement matters. The current process allows for input from peers and supervisors as it relates to employee performance.	Completed	Ongoing process assessments for improvements	Completed 4th Quarter of 2020
	7	The Department should strengthen its emphasis on customer service criteria in its performance evaluation system.	Customer Service is one of the themes that was implemented with the Supervisors' Notes. It is also a theme within our Mission, Vision, and Core Values Statements	Completed	Ongoing process assessments improvements	Completed 4th Quarter of 2020
	8	The Department should increase the transparency and objectivity of the criteria supervisors use to measure performance in annual employee performance evaluations.	The Department is training and working with supervisors to create a uniform, objective, consistent, and predictable evaluation process.	In progress	Continued training and mentoring of supervisors in how to objectively evaluate personnel. Evaluation content is reviewed by the Lt. and Chief and feedback is provided before a final evaluation.	On going

	9	The Department should enhance the training of supervisors in conducting employee performance evaluations in order to make the process more consistent and predictable for all employees.	The Department is training and working with supervisors to create a uniform, objective, consistent, and predictable evaluation process. Supervisors' Notes are being utilized frequently so that personnel are not surprised by noted information in their annual evaluation.	In progress	Continued training and mentoring of supervisors in how to objectively evaluate personnel. Evaluation content is reviewed by the Lt. and Chief and feedback is provided before a final evaluation.	On going
	10	The Department should support and strengthen the use of supervisory notes to provide regular, ongoing feedback to employees on their performance, and make regular use of such notes for annual performance evaluations.	The Department implemented this system in September 2020, and it is being utilized regularly.	Completed	Continuation of this process	Completed 4th Quarter of 2020
Employee Training	11	SPD should increase overall training opportunities for all employees.	The Department has developed a Training & Employee Career Development Guide that is currently being reviewed and should be implemented in the 1st Quarter of 2022.	In progress	Review in progress	On going
	12	The Department should increase non-traditional training in areas of greater emphasis in modern policing, including Customer service, de-escalation skills, implicit bias, and active bystander training.	Department staff recently completed LGBTQ training and national conflict resolution and tactical communications (de-escalation and bias-free) training. Additionally, some staff members have completed conflict resolution training. Additional non-traditional training will be provided as time/budget permits and will be noted in the Training & Employee Career Development Guide.	In progress	Continued assessment of training options and availability in an effort to develop broader perspectives	On going
	13	SPD should also include an emphasis on non-traditional training in its Field Training Officer programs.	The following has been included in the Training & Employee Career Development Guide: "As much as possible, approved training should increase and implement non-traditional, robust training necessary to support the department core guidelines, including but not limited to de-escalation training, implicit bias training, communications training, scenario-based training and take into consideration the benefits of a "trauma-informed policing" approach, both for its officers and the community members they encounter during incidents. Training to understand and accommodate the effects of trauma on both officers' and community members' emotional and cognitive abilities has great potential to increase positive outcomes and avoid the use of force."	In progress	Continued assessment of training options and availability in an effort to develop broader perspectives	On going
	14	The Department should choose internal trainers from among those employees with a record of closely following the requirements of agency policy and training.	The Department has and continues to assess the experience, performance, and fulfillment of expectations expected of personnel as internal trainers are selected through a selection process.	Completed	Continued assessment of personnel who show tangible accomplishments and traits best suited for a training role	Completed 1st Quarter of 2021

<p>Community Engagement</p>	<p>15</p>	<p>SPD should return to a model of robust and active community engagement as soon as staffing levels allow it to do so.</p>	<p>The Department is actively implementing this recommendation. Foot patrols have been implemented. Bicycle patrols have been implemented. Increased community events are being assessed as pandemic restrictions are eased or removed completely. Foot and bicycle patrols increased over 500% between 04/01/2021 - 10/12/2021 compared to 04/01/2020-04/01/2021. Open house is scheduled for Spring 2022. Additional outreach and engagement event, such as National Night Out, Community BBQs, and Coffee w/ a Cop will be done as pandemic restrictions and staffing levels allow. Social media platforms results increased results in the following: <u>Facebook activity</u> From 10/12/20 – 4/1/21 • Accounts reached: 64K • Net followers: -4 • Total posts: 33 From 4/1/21 – 11/06/21 • Accounts reached: 935K • Net followers: 873 • Total posts: 67 <u>Instagram activity (Some “Insights” only go back 90 days)</u> From 10/12/20 – 4/1/21 • Total posts – 25 From 4/1/21 – 11/06/21 • Total posts – 68 117 net new followers added since 8/08/21 58,218 Impressions since 8/08/21 (105% increase from previous 90-day period)</p>	<p>In progress</p>	<p>Continued outreach, engagement, and involvement in community events</p>	<p>On going</p>
-----------------------------	-----------	---	--	--------------------	--	-----------------

	16	The Department should assign employees to ongoing engagement with key community groups, including especially groups representing or serving traditionally disadvantaged populations, as part of their regular duties.	The Department will review this recommendation and assess possible options. Currently, Department members are actively reaching out to community groups and advocates to form new and stronger relationships. The Department has partnered with WCCS and other homeless outreach organizations. Officers routinely walk foot beats in areas of the city frequented and populated with homeless people, not only for enforcement, but also engaging and determining what services can be offered when/if needed. While all department members engage in this activity, the department has assigned a homeless outreach liaison. The Department frequently partners with the Mobile Support Team for mental health related issues. Not just in response to active incidents, but in making MST aware of community members who may not be having an immediate crisis, but are in need of ongoing mental health resources. Another option for outreach that will be explored, as staffing allows, is having officers with fluency in Spanish create engagement opportunities with our Hispanic community members (Florence Avenue Apartments, as an example).	In progress	Continued outreach and engagement	On going
	17	SPD should commit to hiring one or more employees with Spanish language and cultural fluency who can effectively engage with members of the Latinx communities who live, work, and shop in, and travel through, Sebastopol.	This recommendation has been implemented. The Department employs individuals who are Spanish language and culturally fluent (approx. 45%). Also, the Department's current recruitment/job description states that Spanish language ability is highly desirable.	Completed	Continue to employee diverse personnel	Completed with existing personnel who were hired in years past
	18	The Chief should hold regular community meetings with Sebastopol area community organizations to gather input and share information on the Department's policing philosophies and strategies.	The Department has reviewed and implemented this recommendation. To date, four (4) community meetings with Department leadership have been held and more community meetings will come.	Completed	Continuation of community meetings	Completed 1st and 2nd Quarters of 2021
Internal Affairs Investigations System	19	The Department should eliminate the category of "informal" complaint from its complaint investigation process.	Policy 1007 has been revised and a new Department complaint form has been developed. See Policy 1007.3.1 and 1007.5.1(a). Informal no longer means it will not be investigated.	Completed	Continuation of this process to adapt to best practices	Completed 1st Quarter of 2021
	20	The Department should eliminate warnings on its complaint forms and instructions to complainants about possible consequences of filing a false complaint against an employee.	A new Department complaint form has been developed and implemented.	Completed	Continued review and assessment for any edits as needed	Completed 2nd Quarter of 2021
	21	The Department should eliminate from its complaint forms and instructions any notice to complainants about possible public disclosure of their name and contact information.	A new Department complaint form has been developed.	Completed	Continued review and assessment for any edits as needed	Completed 2nd Quarter of 2021
	22	SPD should investigate all complaints lodged with the Department and reach a finding on all allegations of that complaint, regardless of whether internally generated or filed by a community member, and regardless of whether a complainant agrees to categorize the complaint as formal or informal.	The Department has reviewed and implemented this recommendation.	Completed	Continuation of the current process	Completed 1st Quarter of 2021

23	SPD should fully document all investigations, regardless of outcome and regardless of how they originated.	Documentation of each complaint is now retained and tracked.	Completed	Continuation of the current process.	Completed 1st Quarter of 2021
24	SPD should preserve all complaint investigation files for the 5-year period required by state statute, regardless of how they originated.	The Department has reviewed and implemented this recommendation	Completed	Continuation of the current process.	Completed 4th Quarter of 2020
25	SPD should provide complainants with a written notice of findings for any complaint filed by a community member.	The Department has reviewed and implemented this recommendation	Completed	Continuation of the current process.	Completed 1st Quarter of 2021
26	Once a complaint is lodged, SPD should complete the investigation of that complaint, regardless of whether the investigator considers it to lack merit and regardless of whether the complainant later decides not to pursue that complaint.	The Department has reviewed and implemented this recommendation	Completed	Continuation of the current process.	Completed 1st Quarter of 2021
27	SPD should investigate all allegations of every complaint.	The Department has reviewed and implemented this recommendation	Completed	Continuation of the current process.	Completed 4th Quarter of 2020
28	SPD should secure and analyze all evidence material to a complaint investigation, including interviews of all material witnesses to a complaint, as well as all records of any kind that could affect the outcome of the investigation. Every complaint should include an interview of the complainant and the subject officer, absent unavoidable reasons that prevent such interviews.	The Department has reviewed and implemented this recommendation	Completed	Continuation of the current process.	Completed 4th Quarter of 2020
29	SPD should conduct all investigative interviews by using neutral, open-ended questioning of interview subjects, designed to elicit all relevant information known to the interviewee. Avoid either hostile or leading questions, absent extraordinary circumstances.	The Department has reviewed and implemented this recommendation	Completed	Continuation of the current process.	Completed 1st Quarter of 2021
30	The Department should ensure that disciplinary consequences for sustained findings of misconduct are consistent across similar circumstances for all officers, without regard to personal or professional alliances among Department employees and/or officials. Consider implementing a disciplinary matrix to provide greater predictability and consistency in discipline.	The Department maintains Policy 1007, Personnel Complaints, which details some disciplinary procedures. The Department will review this recommendation and make additional changes if necessary. The Department must keep in mind that factors outside of the investigation may influence disciplinary action imposed on an officer. Specifically, the Department must discipline officers in a progressive manner. The Department will ensure that personal and/or professional alliances will not influence disciplinary decisions.	Completed	Continuation of the current process.	Completed 1st Quarter of 2021
31	SPD should implement a conflict-of-interest policy that prohibits any officer or Department official from acting in an investigative or decision-making role for any IA investigation that may implicate their personal or professional interests.	The Department has reviewed and revised Policy 1007, Personnel Complaints, which prohibits the immediate supervisor from serving as the investigator of a complaint if he/she was involved in the incident or the ultimate-decision maker on the matter. The Department will review the policy further to determine whether additional changes can and/or should be made. After further review, Policy 1007 appropriately addresses conflicts-of-interests. Additionally, if a conflict-of-interest is identified and no supervisor within the Department falls outside the conflict-of-interest parameters, the IA will be assigned to an investigator outside of the Department.	Completed	Continuation of the current process. Additionally, if a conflict-of-interest is identified and no supervisor within the Department falls outside the conflict-of-interest parameters, the IA will be assigned to an investigator outside of the Department.	Completed 4th Quarter of 2021
32	SPD should consider outsourcing IA investigations to a highly trained and experienced civilian investigator, in order to provide neutrality, eliminate actual and perceived conflicts of interest, and to provide the public greater	The Department has review and will outsource IA investigations, when necessary, to ensure neutrality, eliminate actual and perceived conflicts or interests.	Completed	Continuation of the current process.	Completed 4th Quarter of 2020

		confidence that such investigations are objectively conducted.				
	33	The Department should make complaint notification letters as specific and personal to recipients as possible.	The Department has reviewed and implemented this recommendation	Completed	Continuation of the current process.	Completed 1st Quarter of 2021
	34	The Department should share with the public on its website information about complaints and internal investigations, including the nature of the allegations, and the outcomes of investigations. Providing more openness in this area helps increase public trust and strengthen community relationships. This same transparency should also exist around data on uses of force.	The Department has reviewed and is working to implement this recommendation. A Department website update is currently in progress and this information will be included on the website soon. New staff was trained in March 2021 to assist with managing and designing the website.	In progress	Once the SPD website is updated, this information is intended to be reflected on a transparency page	6+ months
	35	SPD should develop written internal deadlines to complete an investigation and review process and require supervisory approval for deviation from those deadlines.	The Department has adopted a 60-day completion deadline by the investigator, and 120 days to close out and investigation, barring any unforeseen or unusual circumstances.	Completed	Continuation of the current process.	Completed 1st Quarter of 2021
	36	The Department should evaluate its individual misconduct investigations to ensure that all relevant issues are identified and pursued to a reasonable extent, including a written standard requiring formal interviews with witness officers.	The Department has reviewed and implemented this recommendation	Completed	Continuation of the current process.	Completed 1st Quarter of 2021
	37	SPD should evaluate its levels of discipline for sustained policy violations to ensure that the proper amount of remediation is occurring.	The Department has reviewed and implemented this recommendation	Completed	Continuation of the current process.	Completed 1st Quarter of 2021
	38	The Department should consider simplifying the employee appeal process for imposition of discipline. This could include eliminating appeal steps in the process. It also could include creating a presumption that the Chief's decision is correct and valid, absent evidence of bias or bad faith.	This recommendation will be considered by the City and the Department. Such action will require negotiations with SPOA.	Under review	Action will require negotiations with the SPOA	Unknown
Use of Force Reporting and Review	39	The Department should institute a formal Use of Force Reporting System, which should include mandatory, timely reporting of every use of force by an officer on a reporting form that includes robust data collection. Every reported use of force should be evaluated by a supervisor for compliance with agency policy, and where a policy violation is indicated, a full investigation should follow.	The Department maintains Policy 300.8, Reporting the Use of Force, which requires prompt, complete, and accurate reports of use of force. The Department developed a Use of Force report form to collect related data via the form on an on-going basis. All uses of force are now being tracked and reviewed by a supervisor and Use of Force Review Panel.	Completed	Continued review and assessment for any changes as needed	Completed 3rd Quarter of 2021
	40	SPD should broaden its definition of "force" in its use of force policy to include all actions considered force under Fourth Amendment case law and to capture those employee actions that are correlated with escalation of force.	The Department maintains Policy 300 Use of Force. The Department revised the policy to more thoroughly define the term "force." The department issued a Notice of Operational Change (NOC) that defines Use of Force as "any level of physical force employed by an officer beyond that which is necessary to handcuff a compliant subject." The NOC explicitly states "the direct and intentional pointing of a firearm at a person(s)" shall be documented as a use of force.	Completed	Continued review and assessment for any changes as needed	Completed 3rd Quarter of 2021
	41	The Department should consider creating a use of force review panel process for significant uses of force by employees, in order to study and learn from such incidents how to better avoid force and to resolve incidents at the lowest possible level of force.	The Department developed a Use of Force report form and will collect related data. The Department has implemented a Use of Force Review Panel and process for all uses of force.	Completed	Continued review and assessment for any changes as needed	Completed 3rd Quarter of 2021

Critical Incident Response Policies	42	SPD should adopt a policy to guide its interactions with families of victims killed by officers, including the designation and training of an SPD employee as a “family liaison” during such incidents.	Customer Service is one of the themes that was implemented with the Supervisors' Notes. It is also a theme within our Mission, Vision, and Core Values Statements. Pursuant to the Sonoma County Critical Incident Protocol and SPD Policy 305, the Rohnert Park Department of Public Safety, the Petaluma Police Department, the Santa Rosa Police Department, the Sonoma County Sheriff’s Department, and in some cases, CHP or the Sonoma County District Attorney’s Office can be a lead agency. There is no provision for SPD to be a lead agency. Resources are already in place to assist victims’ family members, including the DA’s victim advocates.	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2021
	43	SPD should adopt a policy to guide its interactions with community groups during such incidents, including an emphasis on the Chief holding timely community meetings and sharing as much information as possible with the public.	The Department will assess this recommendation for possible addition to Policy 305, Officer Involved Shootings and Deaths. it is already the practice of SPD management to provide timely press releases related to incidents of public interest, including officer involved deaths. However, this information sharing is subject to the restrictions outlined in SPD Policy #305.10, which states, “Any media release shall be prepared with input and concurrence from the supervisor and department representative responsible for each phase of the investigation.”	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2021
	44	The Department should adopt a policy to guide its transparency efforts during officer involved deaths of community members, including releasing video as quickly as possible and ensuring that all information provided by SPD is as accurate and complete and timely as possible.	The Department will assess this recommendation for possible addition to Policy 305, Officer Involved Shootings and Deaths. 1. SPD transparency efforts are already guided, including the release of BWC footage as “quickly as possible,” by SPD Policy 305.8, which states, “Any MAV, body-worn and other known video or audio recordings of an incident should not be publicly released during an ongoing investigation without consulting the prosecuting attorney or City Attorney’s Office, as appropriate.” In order to comply with this policy section, the wording in Recommendation 44 of, “as quickly as possible,” shall be construed to mean as quickly as investigatively prudent with the highest priority given to the integrity of the investigation.	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2021

	45	SPD should adopt a policy to support and protect officers involved in the death of a community member, recognizing that the trauma involved in such an incident can significantly impact such employees.	The Department maintains Policy 305, Officer Involved Shootings and Deaths, which relates to the investigation of an officer-involved shooting. SPD Policy and the California Peace Officers' Bill of Rights (Government Code §§ 3300 et seq.) currently provide both support and protection to Officers involved in the death of a person. For example, SPD Policy 305.5.5 states, in part, the following: - "Any request for legal or union representation will be accommodated." - "A licensed psychotherapist shall be provided by the department to each involved Sebastopol officer." - "Each involved Sebastopol officer shall be given reasonable paid administrative leave following an officer-involved shooting or death. It shall be the responsibility of the Lieutenant to make schedule adjustments to accommodate such leave."	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2021
SPD Use of Force Policies	46	The Sebastopol Police Department's Use of Force Policy should consider including the following principles:				
	46.1	The UOF policy should be founded on and strongly emphasize a robust Sanctity of Life Statement affirming the value of all human life, the inherent dignity of all persons, and an officer's duty to uphold citizens' civil and constitutional rights. The emphasis should be on the welfare of the community and the corresponding and related physical and emotional well-being of the officers who serve them.	The Department maintains Policy 300.5, Use of Force - Policy	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
	46.2	The policy should emphasize de-escalation as an approach to any potential use of force incident. It should include a clear definition of de-escalation principles and practices, including the use of time and distance and tone of voice to de-escalate a potentially volatile interaction, and a requirement to use de-escalation techniques whenever feasible. As used in this context, de-escalation should be distinguished from the use of less-lethal force to avoid more lethal force.	The Department maintains Policy 300.5.1, Alternative Tactics - De-Escalation	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
	46.3	The policy should provide that any force used be proportional to the situation calling for its use. For example, non-compliance with an officer's lawful order may justify a lower level of force than actions that threaten others.	The Department maintains Policy 300.6, Use of Force	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
	46.4	The policy should provide that any force used must be objectively reasonable and the minimal amount necessary to accomplish a lawful policing objective (see California Penal Code Section 835a; Graham v. Connor (1989) 490 US 386).	The Department maintains Policy 300.6, Use of Force	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
	46.5	The policy should consider defining "necessary" as it applies to force, as meaning that a lower level of force would not have achieved the lawful objective in question.	The Department has reviewed and believes "necessary" is self-explanatory and does not need a greater definition	Completed	Continued review and assessment for any changes as needed	Completed 2nd Quarter of 2021

46.6	The policy should provide that, overall, force used by the department should comply with principles of fair and unbiased policing, so that there is no disparate percentage of instances of force used against any demographic category of persons under similar circumstances.	The Department maintains Policy 300.5.1, Fair and Unbiased Use of Force	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
46.7	The policy should provide that officers should give a verbal warning whenever feasible before using force.	The Department maintains Policy 423.7, Use of Force	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
46.8	The policy should provide that officers must continually re-assess the situation to evaluate the necessity of force or continued need for force as circumstances change.	The Department maintains Policy 300.6, Use of Force	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
46.9	Special consideration should be given in both policy and training for vulnerable populations, including those for whom there is evidence or suspicion of mental/emotional/behavioral health challenges, those under the influence of drugs or alcohol, pregnant women, the elderly, those who are cognitively divergent, and the young.	The Department maintains Policy 300.6.3, Factors Used to Determine the Reasonableness of Force	Completed	Continued review and assessment for any changes as needed	Completed 2nd Quarter of 2021
46.10	There should be an emphasis on Crisis Intervention Training and support for mental health professionals handling such situations whenever possible and appropriate. The policy should provide that a sworn law enforcement officer generally should not be the first responder to a situation involving a mental health issue, absent evidence to suggest a threat of violence to self or others.	The Department maintains Policy 300.6.1, Alternative Tactics - De-Escalation and Policy 408.10, Training. The Department is currently working with a consultant to determine if a CAHOOTS-type model would be beneficial and practical in Sebastopol, and the City has contracted with West County Community Services for alternative services to be provided to our vulnerable communities within the City	In progress	Continued review and assessment for any changes as needed. The Department is awaiting the CAHOOTS study to be completed by the consultant to determine the next steps.	8+ months
46.11	Officer training under the use of force policy should emphasize increased reliance on good communication skills to minimize escalation of emotional reactivity and the need for use of force.	The Department maintains Policy 300.5.1, Alternative Tactics - De-Escalation. Department personnel receive training related to communication at a minimum of every two years.	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
46.12	The policy should include restrictions on firing into moving vehicles unless necessary to prevent imminent death or serious bodily injury. Shooting at fleeing felons unless required to prevent imminent death or serious bodily injury should be prohibited.	The Department maintains Policy 300.7.1, Shooting at or from Moving Vehicles.	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
46.13	The policy should provide that Tasers and similar electric conduction devices should be considered potentially lethal force options. There should be more significant restrictions on the use of Tasers on vulnerable populations, such as those who may be under the influence of drugs or alcohol, mentally ill or impaired, overweight, or obviously in poor health or infirm.	The Department maintains Policy 303.5.2, Special Deployment Considerations. The Department has reviewed the policy in detail and concludes the current information provided in the policy follows best practices. To make this policy more restrictive would potentially create significant confusion for personnel and render the device unusable in many situations. Additionally, to render the Taser as "potentially lethal force" would create an environment that would render the use of the device only viable in a deadly force situation, which is unreasonable.	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
46.14	Officers should be required to actively intervene, and report uses of excessive force through both policy and training. The department should consider active bystander training designed to encourage an agency culture that expects and welcomes officers to intervene to prevent other officers from taking action that may constitute unnecessary force. This will help build a teamwork culture and protect officers and the public from unnecessary injury and indignity and lower litigation risks for the department.	The Department maintains Policy 300.5.2, Duty to Intercede	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020

46.15	The policy should require that all uses of force be reported to supervisors in writing by the officer who employed force, that reports be reviewed by a supervisor for compliance with policy that same day (if possible), and the records documenting such reports and reviews be preserved for future review.	The Department maintains Policy 300.8, Reporting the Use of Force	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
46.16	The policy should require that evaluation of use of force incidents include whether the officer exhausted all other reasonable alternatives before resorting to force, as well as whether de-escalation techniques were reasonable and employed.	The Department has reviewed Policy 300 - Use of Force Policy, which clearly states that force must be reasonable. De-escalation techniques are emphasized within the Use of Force policy and are noted on the Use of Force report form. All uses of force are now being tracked and reviewed by a supervisor and Use of Force Review Panel.	Completed	Continued review and assessment for any changes as needed	Completed 3rd Quarter of 2021
46.17	The Department should employ a Use of Force Reporting form to better track all uses of force and reflect the Department's values.	The Department developed a tracking system for uses of force. All uses of force are now being tracked and reviewed by a supervisor and Use of Force Review Panel.	Completed	Continued review and assessment for any changes as needed	Completed 3rd Quarter of 2021
46.18	The Department should implement an electronic database for all use of force reporting and review to record and publicly report data on all uses of force by agency employees.	The Department intends to implement an electronic database for all use of force reporting, both in RIMS and through the use of MS Excel. Once the Department's website redesign is complete, the intent is to provide use of force data publicly.	In progress	Website re-design completion	6+ months
46.19	The use of force policy should more specifically define what constitutes force, including both a general definition and an "including but not limited to" list of examples of force. Among the examples of force listed in this definition should be any threat of force by an officer against a community member and any officer pointing a weapon at a community member.	The Department maintains Policy 300 Use of Force. The Department revised the policy to more thoroughly define the term "force." The department issued a Notice of Operational Change (NOC) that defines Use of Force as "any level of physical force employed by an officer beyond that which is necessary to handcuff a compliant subject." The NOC explicitly states "the direct and intentional pointing of a firearm at a person(s)" shall be documented as a use of force. "Any threat of force by an officer" is not considered a use of force, rather, it is a warning of what may reasonably occur should a person fail to comply.	Completed	Continued review and assessment for any changes as needed	Completed 3rd Quarter of 2021
46.20	The policy should provide that, whenever an officer uses force, officers will administer first aid at the scene, as soon as possible, when needed.	The Department maintains Policy 300.9, Medical Consideration	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
46.21	The Department should develop metrics for tracking and public reporting of use of force incidents, include such metrics in its UF tracking database, compile such metrics into reports, and make such reports easily and regularly available on the department's public website.	The Department intends to implement an electronic database for all use of force reporting, both in RIMS and through the use of MS Excel. Once the Department's website redesign is complete, the intent is to provide use of force data publicly.	In progress	Website re-design completion	6+ months

46.22	The SPD should increase and implement robust training necessary to support these core guidelines, including but not limited to de-escalation training, implicit bias training, communications training, and scenario-based training.	The Department provides legislatively and POST-mandated training to sworn personnel in regards to use of force, arrest and control, and communications. Though more robust training is desired by the Department, budgetary and staffing constraints are a hinderance. The Field Training Program (FTP) contains several sections related to de-escalation training. In 2021, officers completed a 2-hour online webinar through National Conflict Resolution Center (NCRC), regarding Tactical Communications, which included de-escalation training. POST offers a no-cost 2-hour Tactical Communications training and several no-cost webinar courses related to de-escalation training. The FTP contains a section related to cultural diversity and biases. Additionally, POST offers additional training related to implicit biases. The current FTP contains several sections related to communications training. Every section of the FTP contains competency under scenario testing.	Completed	Continued review and assessment with the intent to create greater training opportunities for personnel.	Completed 4th Quarter of 2021
46.23	SPD should carefully train dispatchers in the importance of verifying and accurately reporting all information that may or may not suggest a threat is present in any incident to which an officer is asked to respond. Dispatch information can be the critical factor in whether an officer responds to a call for service in a way that makes it likely that the officer may employ force. Dispatchers should be trained to understand that the safety of the public is as important as the safety of a responding officer and that their actions may help determine whether force is used appropriately in response to the situation. Every Department review of any use of force by an officer should consider the role of dispatch in shaping the officer's perceptions.	All dispatchers attend a POST Public Safety Dispatcher's Basic Course where they receive the training recommended in this report. Additionally, dispatchers receive 24 hours of continuing professional training during each two-year POST training cycle that addresses this recommendation.	Completed	Continued review and assessment with the intent to create greater training opportunities for personnel.	Completed with existing personnel upon hiring and continued education/training during their employment
46.24	In particular, where a call for service identifies a "suspicious" individual as presenting some danger and they are a part of a disadvantaged group (such as a racial, ethnic, or religious minority), dispatchers should be trained to seek an objective basis for such claims from the reporting party. The dispatcher should then report accurately to the responding officer the information they gather through such inquiries. Where there appears to be no objective basis for concern about the suspect, the dispatcher should communicate this to the responding officer.	All dispatchers attend a POST Public Safety Dispatcher's Basic Course where they receive the training recommended in this report. Dispatchers receive 24 hours of continuing professional training during each two-year POST training cycle. Additionally, dispatchers receive more training in this regard during their communications training program.	Completed	Continued review and assessment with the intent to create greater training opportunities for personnel.	Completed with existing personnel upon hiring and continued education/training during their employment
46.25	The Department should monitor and analyze use of force incidents, and establish an electronic, early intervention program to target officers at risk of using excessive force.	The Department developed a tracking system for uses of force. All uses of force are now being tracked and reviewed by a supervisor and Use of Force Review Panel. Use of force incidents and early intervention tracking is accomplished through the implemented tracking system.	Completed	Continuation of the current process.	Completed 3rd Quarter of 2021
46.26	SPD should partner with an independent, civilian oversight partner to analyze use of force data, seeking relevant opportunities to decrease use of force incidents.	The Department has reviewed and concludes that the few uses of force that occur each year are reviewed critically and objectively through a layered review process that meets the intent of this recommendation.	Completed	Continuation of the current process.	Completed 2nd Quarter of 2021

	46.27	SPD should emphasize officer health and wellness, providing officers with a mental/emotional health support infrastructure for those experiencing traumatic incidents and stressful work and life situations.	The Department maintains Policy 305.9, Debriefing. The Department does emphasize health and wellness for all personnel. The Department and City provides personnel with accessible support options to address any health and wellness needs.	Completed	Continuation of the current process.	Completed 4th Quarter of 2020
	46.28	The department should consider the benefits of a “trauma-informed policing” approach, both for its officers and the community members they encounter during incidents. Training to understand and accommodate the effects of trauma on both officers’ and community members’ emotional and cognitive abilities has great potential to increase positive outcomes and avoid the use of force.	The following has been included in the Training & Employee Career Development Guide: "As much as possible, approved training should increase and implement non-traditional, robust training necessary to support the department core guidelines, including but not limited to de-escalation training, implicit bias training, communications training, scenario-based training and take into consideration the benefits of a “trauma-informed policing” approach, both for its officers and the community members they encounter during incidents. Training to understand and accommodate the effects of trauma on both officers’ and community members’ emotional and cognitive abilities has great potential to increase positive outcomes and avoid the use of force."	In progress	Continued assessment of training options and availability in an effort to develop broader perspectives.	On going
SPD Bias Free Policing Policies	47	SPD’s Bias Free Policing Policy should consider including the following principles:				
	47.1	The Department should be clear in its policy by including a definition of biased policing and a statement on the limited circumstances in which characteristics of individuals may be considered in policing decisions.	The Department maintains Policy 401, Bias Based Policing - Sonoma County Protocol. The Department maintains Policy 402, Racial/Bias Profiling	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
	47.2	The Department should make clear in policy that a violation of the Bias Free Policing Policy is a serious matter justifying significant discipline.	The Department maintains Policy 401, Bias Based Policing - Sonoma County Protocol. The Department maintains Policy 402, Racial/Bias Profiling	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
	47.3	The Department should consider committing the agency to an anti-racist philosophy that seeks to counter the influences of racism in society, generally.	The Department maintains Policy 401, Bias Based Policing - Sonoma County Protocol, and Policy 402, Racial/Bias Profiling, which both clearly state bias based on race and more will not be tolerated.	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
	47.4	The Department should consider providing specific examples in its policy where bias in policing may arise, such as decisions to search a person or a vehicle, and explain that such practices are not allowed.	The Department has reviewed this recommendation and concludes that Policy 401 and 402 clearly state expectations	Completed	Continued review and assessment for any changes as needed	Completed 2nd Quarter of 2021
	47.5	The policy should include a mandate that officers intervene when they see an example of biased policing and report any observed violation of the policy.	The Department maintains Policy 401, Bias Based Policing - Sonoma County Protocol. The Department maintains Policy 402, Racial/Bias Profiling. Both policies state "It is the responsibility of Sonoma County law enforcement/every member of this department to prevent, report, and respond appropriately to clear discriminatory or biased practices	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
	47.6	The Department should collect and analyze data on all stops, including robust demographic information, and share analyses of that data with the public in regular reports.	The Department is in the process of finalizing data collection mechanism to meet the requirements of AB953, The Racial and Identity Profiling Act of 2015, known as RIPA. Once data collection mechanisms are completed, it is the Department's intent to publish that information on its website. RIPA test data collection began 10/15/21 and is being submitted on a testing basis before final implementation on 1/1/21.	In progress	Continued review and assessment with the intent to complete this recommendation once data collection processes are finalized and in practice	5+ months

	47.7	The Department should incorporate racial disparity data in early warning systems that indicate issues that could cause additional training or closer evaluation of officer conduct.	The Department is in the process of finalizing data collection mechanism to meet the requirements of AB953, The Racial and Identity Profiling Act of 2015, known as RIPA. Once data collection mechanisms are completed, it is the Department's intent continually review the data to determine any racial disparity data that may indicate issues. RIPA test data collection began 10/15/21 and is being submitted on a testing basis before final implementation on 1/1/21.	In progress	Continued review and assessment with the intent to complete this recommendation once data collection processes are finalized and in practice	5+ months
	47.8	The policy should address agency employee responses to observed bias from reporting parties during calls for service or enforcement actions.	The Department has reviewed this recommendation and concludes that Policy 401 and 402 clearly state expectations of personnel. Personnel participate in recurring communications training that incorporates bias and how to respond appropriately to calls for service and reporting parties as it relates to bias.	Completed	Continued review and assessment for any changes as needed	Completed 2nd Quarter of 2021
SPD Policies on Policing of First Amendment Demonstrations	48	SPD should consider adopting a policy to guide policing of public demonstrations that includes the following guiding principles:				
	48.1	A clear commitment to prioritize the protection of the First Amendment Rights of demonstrators to assemble and express themselves in public spaces freely;	The Department maintains Policy 423, First Amendment Assemblies.	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
	48.2	A prioritization of de-escalation as a core approach to effective crowd management;	The Department maintains Policy 423, First Amendment Assemblies, which states information should be obtained by group organizers and/or leaders. In order to gather information from group organizers and/or leaders, it must be done in a de-escalative way that creates a relationship for information to be shared.	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
	48.3	A limitation on force in such circumstances to circumstances where it is both necessary and unavoidable to avoid harm to others or destruction of property;	The Department maintains Policy 423, First Amendment Assemblies, which has a specific section related to uses of force.	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
	48.4	Limits on the amount of force that officers may use to prevent the destruction of property;	The Department maintains Policy 423, First Amendment Assemblies, which has a specific section related to uses of force and a reasonable response which is determined by the Incident Commander.	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
	48.5	A prohibition on the use of kinetic weapon projectiles into a crowd for any purpose.	The Department maintains Policy 423, First Amendment Assemblies, which has a specific section related to uses of force and a reasonable response which is determined by the Incident Commander. The Department has reviewed this recommendation and concludes that prohibition of kinetic weapons projectiles into a crowd for "any purpose" is not reasonable or realistic. Each instance must be assessed on an individual basis and dynamic events, such as demonstrations, should not preclude the use of resources that may prevent injury or death to personnel or people.	Completed	Continued review and assessment for any changes as needed	Completed 2nd Quarter of 2021
	48.6	A ban on the use of tear gas to control groups or individuals who do not pose any immediate threat of serious harm to other persons;	The Department maintains Policy 300, Use of Force and Policy 423, First Amendment Assemblies, both of which have statements related to properly employing use of force techniques in response to resistance.	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
	48.7	A prohibition on "kettling", where police officers box in or guide demonstrators to an area that has no egress;	The Department has reviewed this recommendation and concludes this is not a practice used by SPD, nor could it be used by SPD based on the SPD personnel-to-demonstrating persons ratio.	Completed	Continued review and assessment for any changes as needed	Completed 2nd Quarter of 2021

	48.8	Ensuring that an officer of the rank of Lieutenant or above is present to review & respond in real-time to any serious use of force by an officer during a demonstration;	The Department has reviewed this recommendation and concludes this is the current practice. Because of the size of the Department and though extremely rare, there may be times when a Lieutenant or above is not initially present but will be present at some point.	Completed	Continued review and assessment for any changes as needed	Completed 2nd Quarter of 2021
	48.9	A prohibition on mass arrests; limiting arrests to individuals for which probable cause exists to justify an arrest;	The Department has reviewed this recommendation and concludes this is the current practice.	Completed	Continued review and assessment for any changes as needed	Completed 2nd Quarter of 2021
	48.10	A prohibition on the use of obscene, insulting, or disrespectful gestures or language by police officers toward anyone present at a demonstration;	The Department maintains Policy 320, Standards of Conduct, which applies to everyone in all settings.	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
	48.11	Limits on crowd dispersal to circumstances that create an immediate threat to public safety, or where widespread violence or property destruction reasonably appears imminent;	The Department maintains Policy 423.6, First Amendment Assemblies - Unlawful Assembly Dispersal Orders, which clearly states that public safety is presently or is about to be jeopardized.	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
	48.12	A requirement that orders to disperse be delivered in such a manner that they are audible to an entire crowd and are repeated (if possible), before efforts to enforce the dispersal order; include avenues to disperse in the announcement of the dispersal order;	The Department maintains Policy 423.6, First Amendment Assemblies - Unlawful Assembly Dispersal Orders, which states all information in this recommendation.	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
	48.13	A requirement that police officers involved in the protest policing wear name tags and badges with their officer numbers visible;	The Department maintains Policy 1020.4, Uniform Regulations - Insignia and Patches, which clearly states "a regulation nameplate, or authorized sewn on cloth nameplate, shall be worn at all time while in uniform." The Department has reviewed the recommendation as it relates to the "officer number visible" and concludes it is not necessary in a department of this size.	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
	48.14	Explicit protections for members of the crowd to audio and video record or observe the demonstration at all times; and	The Department has reviewed this recommendation and concludes that the law already protects those who exercise their right to record demonstrations. Additionally, the Department maintains Policy 423, First Amendment Assemblies, which provides policy related to non-violent demonstrations which includes passive observers.	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
	48.15	Ensuring in advance that mutual aid agreements between responding police agencies clearly specify what policies and training govern policing of any protest.	The Department has reviewed this recommendation and concludes it has been completed.	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
SPD Policies and Practices Related to Immigrants	49	SPD should consider adopting an Immigration/ Immigrant Policy that includes the following principles:				
	49.1	Include immigrants as a group characteristic protected by the Department's Bias-Free Policing Policy.	The Department maintains Policy 401, Bias Based Policing - Sonoma County Protocol. The Department maintains Policy 402, Racial/Bias Profiling	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
	49.2	Prohibit SPD officers from taking any enforcement action based on actual or perceived immigration status; asking people about their immigration status; or assisting with a civil immigration enforcement action.	The Department maintains Policy, 411.4, Immigration Violations - Immigration Inquiries Prohibited	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
	49.3	Guarantee language access in interactions with immigrant community members who have limited English proficiency, including seeking partnerships with community organizations trusted by immigrant community members, acting as culturally proficient translation providers for law enforcement interactions.	The Department maintains Policy 334, Limited English Proficiency Services	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020

	49.4	Provide cultural sensitivity training to officers and dispatchers to better assist them in the effective performance of their duties with immigrant community members and others whose cultures may not be as familiar to them.	The Department has reviewed this recommendation and concludes personnel receive cultural sensitivity training, including immigrant communities, on a recurring basis as required by POST and legislation.	Completed	Continued review and assessment for any changes as needed	Completed 1st Quarter of 2021
	49.5	Prohibit sharing personal information about immigrant community members in the custody and control of SPD with federal authorities that could be used for civil immigration enforcement.	The Department maintains Policy 411.7, Immigration Violations - Information Sharing.	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
	49.6	Prohibit participation by SPD officers in federal enforcement actions related to civil immigration laws.	The Department maintains Policy 411.7, Immigration Violations - Information Sharing.	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
	49.7	Conduct regular departmental outreach and engagement to immigrant communities whose members may work or reside in or travel through Sebastopol.	The Department will review to determine how best to accomplish this recommendation. An option for outreach that will be explored, as staffing allows, is having officers with fluency in Spanish create engagement opportunities with our Hispanic community members (Florence Avenue Apartments, as an example).	In progress	Continued review and assessment how to best accomplish	On going
SPD Youth Specific Policies and Practices	50	SPD should consider adopting a policy governing Interactions with Youth that includes the following principles:				
	50.1	Recognize that youth cannot fully understand complicated legal issues and admonitions during police interactions, and therefore require that communications with a youth witness or suspect must include their parent or guardian, absent an emergency that requires immediate action.	The Department maintains Policy 311, Temporary Custody of Juveniles, which details communications requirements as it relates to the juvenile and their parent(s).	Completed	Continued review and assessment how to best accomplish	Completed 4th Quarter of 2020
	50.2	Where a police officer must provide admonitions such as Miranda warnings to a minor, consider translating such warnings into simpler language more understandable to a young mind, in addition to providing the full warning in writing.	The Department maintains Policy 311, Temporary Custody of Juveniles, which details communications requirements as it relates to the juvenile and Miranda warnings.	Completed	Continued review and assessment how to best accomplish	Completed 4th Quarter of 2020
	50.3	Recognizing the implications of the young brain's cognitive development and where possible and advisable, utilize restorative justice principles and approaches to resolve enforcement actions that involve youth.	As a matter of routine, in regard to youth offenders, it has been the procedure of the Department to seek to resolve enforcement issues effectively, with the least possible negative, yet effective, impact on the offender. This is accomplished through warnings, referring matters to schools when appropriate, written citations, and, when warranted, physical arrest and booking at the juvenile detention center. Physical arrest and booking are by far the least utilized course of action. In all cases, parents or guardians are notified, frequently before any of the above actions are taken, so as to provide input on their thoughts on the most effective course of action that would resolve the issue and provide a restorative justice option.	Completed	Continued review and assessment how to best accomplish	Completed 4th Quarter of 2021

SPD Accountability Systems Policies and Practices	51	SPD should consider adopting a Policy on Internal Affairs Investigation that includes the following principles:				
	51.1	An investigator should make every reasonable effort to interview every complainant, both to ensure that the investigator understands fully the nature of the complaint and the complainant’s view of the available evidence, as well as to convey to the complainant that the agency takes all complaints of employee misconduct seriously.	The Department maintains Policy 1007.6, Personnel Complaints - Administrative Investigations which addresses this specific recommendation	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
	51.2	Additionally, an investigator should interview all subject employees and employee witnesses named in a complaint.	The Department maintains Policy 1007.6, Personnel Complaints - Administrative Investigations which addresses this specific recommendation	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
	51.3	Where possible, the investigator also should interview at least one third-party witness outside SPD in any investigation involving serious allegations, such as excessive force, racial bias, etc.	The Department maintains Policy 1007.6, Personnel Complaints - Administrative Investigations which addresses interviewing all witnesses	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
	51.4	Regardless of the alleged misconduct’s seriousness, the investigator should interview all witnesses with information material to the investigation.	The Department maintains Policy 1007.6, Personnel Complaints - Administrative Investigations which addresses interviewing all witnesses	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
	51.5	When interviews are conducted, the investigator should ensure they are digitally recorded and secured to preserve an exact interview record for subsequent review by agency supervisors and any independent reviewer.	The Department maintains Policy 1007.6, Personnel Complaints - Administrative Investigations which addresses this specific recommendation	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
	51.6	The Department should improve its documentation of interviews by moving from digital sound recording, which is usually currently employed, to digital video recording with both sound and visual information that the investigator, supervisors, and any independent reviewer can review.	The Department maintains Policy 1007.6, Personnel Complaints - Administrative Investigations which addresses the digital recording of interviews. At this time, the Department does not have the capability of recording interviews by any means other than body worn camera, which is not always useful. Additionally, the Department does not have the budget that will allow for a system to purchase as indicated in this recommendation. As a result, recording of interviews will continue to be done with the use of body worn cameras or a portable recording device.	Completed	Continued review and assessment to determine best practices/possible options	Completed 4th Quarter of 2021
	51.7	The Department should carefully preserve all documentary and video evidence that may play a role in any future investigation, with a clear chain of custody showing when and if it has been viewed or in possession of any agency employee.	The Department maintains Policy 1007., Personnel Complaints - Administrative Investigations and City of Sebastopol Resolution 2021-6329 (Records Retention Policy) address the retention of such records.	Completed	Continuation of the current process.	Completed 1st Quarter of 2021

51.8	Investigators should quickly secure any third-party evidence identified by the complainant or other witnesses or any evidence otherwise identified during the investigation.	The Department maintains Policy 1007.6, Personnel Complaints - Administrative Investigations	Completed	Continuation of the current process.	Completed 4th Quarter of 2020
51.9	Each investigation should include the following information about any employee: a.) previous complaints filed, b.) previous administrative investigations and outcomes, c.) performance evaluations, commendations awarded and/or discipline imposed and why, and d.) information related to an employee's inclusion on the agency's Brady list, including any investigative or complaint file associated with that inclusion. This information should be considered and weighed carefully by the investigator, especially where the credibility of witness statements could influence the outcome of investigative findings.	The Department has reviewed this recommendation and concludes that best practice is for each investigation to stand on its own merits with supporting evidence and documentation related to the specific complaint. Information to be considered in this recommendation can only be used in the disciplinary process when applicable and cannot be considered in other investigations as it may potentially create bias and subjectivity during the objective investigation.	Completed	Continued review and assessment to determine best practices/possible options	Completed 4th Quarter of 2021
51.10	Where policy requires body-worn camera video to be recorded for particular types of incidents, but witnesses state that the video was not recorded, the lack of such evidence should be a separate subject of the investigation. The investigation should explore the reasons for the absence of the video in some detail.	The Department maintains Policy 418, Body Worn Cameras, which states when/how body worn cameras are to be utilized	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
51.11	Each investigation should include a thorough analysis of all allegations made by the complainant	The Department maintains Policy 1007.6, Personnel Complaints - Administrative Investigations which addresses this specific recommendation	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
51.12	The Department should adopt a formal written policy forbidding any retaliatory acts by agency employees against community members who file complaints against, or provide evidence in investigations of complaints against, Department employees.	The Department maintains Policy 1007, Personnel Complaints, which sufficiently states the handling of personnel complaints. Additionally, the Department maintains Policy 320, Standards of Conduct, which sufficiently states the standards of conduct that is expected of SPD personnel.	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
51.13	The Department should include this non-retaliation policy on its formal complaint forms and any other written materials that describe the complaint process.	The Department has implemented a new complaint form that clearly states the complaint process and welcomes complaints from the public	Completed	Continued review and assessment for any changes as needed	Completed 2nd Quarter of 2021
51.14	SPD should adopt a formal Conflict of Interest Policy to forbid involvement of employees in any investigation that involves a person or organization with which the employee has a familial, financial, and/or significant personal relationship.	The Department maintains Policy 1007.6, Personnel Complaints - Administrative Investigations which addresses this specific recommendation. Additionally, this recommendation is a current practice of the current Department leadership	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
51.15	The Conflict-of-Interest Policy also should forbid any employee from involvement in the conduct or management of any investigation in which that employee is implicated as a subject, supervisor, or witness, or if the employee's personal or professional interests would be affected by the outcome of the investigation.	The Department maintains Policy 1007.6, Personnel Complaints - Administrative Investigations which addresses this specific recommendation. Additionally, this recommendation is a current practice of the current Department leadership	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
51.16	When conducting witness and officer interviews, investigators typically should utilize open-ended questioning (as opposed to leading or hostile questions) and maintain a neutral demeanor. The investigator should encourage the witness to remember and provide all of the information of which they may be aware.	The Department maintains Policy 1007.6, Personnel Complaints - Administrative Investigations which addresses this specific recommendation	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020

	51.17	Investigators should undertake a full analysis of factual evidence and should consider and weigh all material evidence, both for and against a specific finding	The Department maintains Policy 1007.6, Personnel Complaints - Administrative Investigations which addresses this specific recommendation	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
	51.18	In addition, where the investigator makes findings, the analysis should reference any specific criteria of the relevant policy and explain why the evidence meets or does not meet that criteria.	The Department maintains Policy 1007.6, Personnel Complaints - Administrative Investigations which addresses this specific recommendation	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
SPD Body-Worn Camera Policies and Practices	52	SPD should consider adopting a Body-Worn Camera Policy that includes the following guiding principles:				
	52.1	Define the overall purpose of body-worn cameras (BWC) as providing an accurate video record of interactions between police officers and the public, without limited that purpose to collecting evidence for criminal or administrative investigations.	The Department maintains Policy 418, Body Worn Cameras, which addresses this recommendation	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
	52.2	Require officers to activate their BWC at the moment it is clear that they will interact with a member of the public in any official capacity beyond a friend greeting or casual conversation.	The Department maintains Policy 418.6, Body Worn Cameras - Activation of the Portable Recorder, which addresses this recommendation	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
	52.3	Once activated, require officers to maintain their BWC in an active state until the officer's participation in the incident has ceased, including any transport by the officer of a suspect to a detention or medical facility.	The Department maintains Policy 418.6.2, Body Worn Cameras - Cessation of Recording, which addresses this recommendation	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
	52.4	Require officers to notify a member of the public when they are being recorded by the BWC, where possible given the nature of the interaction.	The Department maintains Policy 418, Body Worn Cameras. The Department will review the policy to determine if the recommendation provided is needed and/or necessary. Policy 418.5, Body Worn Cameras - Member responsibilities, notes members are encouraged to advise private persons they are recording, and sufficiently fulfills this recommendation.	Completed	Continued review and assessment to determine best practices/possible options	Completed 4th Quarter of 2021
	52.5	Require an officer to report any incident where they did not activate their BWC in situations where the policy required it and explain the reason for such failure.	The Department maintains Policy 418, Body Worn Cameras. The Department will review the policy to determine if the recommendation provided is needed and/or necessary. Policy 418.6, Body Worn Cameras - Activation of the Portable Recorder, notes members are required to activate their body worn camera unless it meets one of the exceptions, which sufficiently fulfills this recommendation.	Completed	Continued review and assessment to determine best practices/possible options	Completed 4th Quarter of 2021
	52.6	Include in the policy a notice that the failure to activate a BWC where required, and without a reasonable explanation for such failure, will result in discipline.	The Department maintains Policy 418, Body Worn Cameras. The Department will review the policy to determine if the recommendation provided is needed and/or necessary. Any violation of policy is subject to an internal affairs investigation and discipline, which sufficiently fulfills this recommendation.	Completed	Continued review and assessment to determine best practices/possible options	Completed 4th Quarter of 2021
	52.7	Communicate to officers that a violation of the BWC Policy will be considered a serious violation deserving of significant discipline.	The Department maintains Policy 418, Body Worn Cameras. The Department will review the policy to determine if the recommendation provided is needed and/or necessary. All violations of policy are considered serious and are assessed for disciplinary action accordingly. The seriousness of policy violations has been communicated by SPD Administration to SPD personnel and within this Policy Manual, which sufficiently fulfills this recommendation.	Completed	Continued review and assessment to determine best practices/possible options	Completed 4th Quarter of 2021

	52.8	Require that BWC video footage be downloaded from BWC units as soon as possible at the conclusion of a shift, and clearly prohibit editing, erasing, copying, sharing, altering, or distributing recordings, except as otherwise allowed by policy.	The Department maintains Policy 418.7, Body Worn Cameras - Prohibited Use of Body Worn Cameras and Policy 418.10, Body Worn Cameras - Request for Deletion of a Recording, which address this recommendation	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
	52.9	Clearly state the Department's commitment to transparency in the release of BWC camera footage for high-profile events at the earliest opportunity that will not substantially interfere with an open investigation.	The Department maintains Policy 418.9.1, Body Worn Cameras - Release of Audio/Video Recording and Policy 418.11, Body Worn Cameras - Critical Incidents. The Department has reviewed the current policy and concludes the policy language adequately addresses this recommendation	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
	52.10	Clearly state the Department's commitment to protect the privacy of members of the public recorded on BWC video, to the extent reasonably possible.	The Department maintains Policy 418.6.2, Body Worn Cameras - Cessation of Recording, which addresses this recommendation	Completed	Continued review and assessment for any changes as needed	Completed 4th Quarter of 2020
Transparency and Community Feedback Processes	53	The Department should enhance the clarity and accessibility of its website in terms of required information and consider ways to further utilize it as a vehicle for informing and engaging the public.	The Department has reviewed this recommendation and a website is in the process of being updated	In progress	Continuation of the website update	6+ months
	54	SPD should engage community members at the interview stage of its hiring and promotional processes.	The Department has reviewed and implemented this recommendation. Recently, including a Police Officer hiring process and Sergeant promotional process, community members participated in the processes. It is the Department's intent to continue fulfilling this recommendation	Completed	Continuation of the current process	Completed 4th Quarter of 2020 and 1st Quarter of 2021
	55	SPD should seek out and implement additional processes to gather feedback from the broader Sebastopol community concerning the Department's operations and values.	The Department will review this recommendation to assess possible processes and technological platforms can be used to accomplish this recommendation	Under review	Continued review and assessment to determine best practices/possible options	6+ months
	56	SPD should create a feedback loop for its criminal justice and social service partner regarding the performance of its employees and the Department as a whole.	The Department will review this recommendation and assess possible options	Under review	Continued review and assessment to determine best practices/possible options	TBD
Independent Civilian Oversight Processes	57	SPD should develop an effective mechanism to obtain robust community input into police department decisions on significant policy changes, enforcement strategies, or other major issues.	The Department will review this recommendation and assess possible options	Under review	Continued review and assessment to determine best practices/possible options	12+ months
	58	City leadership should establish a community process to consider and create a model of independent, effective civilian oversight that is appropriate to Sebastopol's needs.	The Department will review this recommendation and assess possible options	Under review	As discussed in the June 17, 2021 City Council Meeting and as stated by Mr. Threet, this recommendation should be postponed for at least 12 months in order for the new Department leadership to be more established and review, assess, and accomplish other recommendations noted in this report.	12+ months