



City of Culver City

Mike Balkman Council
Chambers
9770 Culver Blvd.
Culver City, CA 90232

Staff Report

File #: 21-617, **Version:** 1

Item #: A-1

CC - (1) Update from the City Manager's Office Related to the Public Safety Review; (2) Discussion of Findings and Recommendations from Public Safety Review Consultants; and (3) Direction to the City Manager as Deemed Appropriate

Meeting Date: January 25, 2021

Contact Person/Dept: John Nachbar, City Manager's Office
Serena Wright-Black, City Manager's Office

Phone Number: (310) 253-6000

Fiscal Impact: No **General Fund:** N/A

Public Hearing: No **Action Item:** Yes **Attachments:** Yes

Public Notification: (E-Mail) Meetings and Agendas - City Council (01/20/2021)

Department Approval: John Nachbar, City Manager (01/20/2021)

RECOMMENDATION

Staff recommends the City Council (1) receive an update from the City Manager's Office related to the Public Safety Review; (2) discuss findings and recommendations from Public Safety Review consultants; and (3) provide direction to the City Manager as deemed appropriate.

BACKGROUND

On May 25, 2020 George Floyd was killed by a Minneapolis, Minnesota police officer during an arrest for allegedly using counterfeit money. After his death, demonstrations and protests were held across the world calling for an end to individual, institutional, and systemic racism and the killings of countless unarmed African Americans by police.

After receiving community feedback, City Council directed the City Manager's Office to lead a comprehensive 90-day study and bring back recommendations on options to reimagine public safety in Culver City through shifting resources and reducing the reliance on law enforcement to address various community needs. City Council also approved professional agreements with consultants, Center for Public Safety Management (CPSM) and Saul Sarabia from Solidarity Consulting, to conduct a workload and deployment analysis, review staffing levels and organizational structure, and

assist with data collection and examination related to race equity and social justice amongst other related services.

The 90-day review was structured to allow for diverse experiences and perspectives from the public. Staff and consultants held several community meetings as well as discussions with the Chief Advisory Panel, Finance Advisory Committee, General Plan Advisory Committee and City employees trained by the Government Alliance on Race and Equity (GARE). There were also six separate focus group discussions held. In addition, members of the public were invited to share their opinions, experiences and priorities related to public safety services, as well as perceptions of the Culver City Police Department (CCPD), via a community survey that was available online and in print. There was also a dedicated webpage and email address created so that members of the public could submit any comments and follow the review as it progressed.

On October 12, 2020 City Council received the City Manager's report and recommendations (Attachment 1) as well as an overview of the consultants' initial findings.

The City Manager's recommendations were designed to build and reinforce trust, decrease the reliance on police officers, and address concerns expressed pertaining to police culture. In summary, those recommendations included:

- Additional policies, training and resources pertaining to anti-bias, racial equity and social justice
- Developing and implementing a restorative justice program
- Reassigning non-criminal police department programs and services
- Reinvesting police department funding to youth programs and social services
- Creating pilot programs related to adult diversion and mental health crisis response

City Council did not take action or provide direction on the recommendations presented by the City Manager's Office or the consultants. However, it should be noted that Council approved, as part of the FY 20-21 budget, the reallocation of \$100,000 from the Police Department for the purpose of providing additional mental health services and case management from Special Services for Groups (SSG) to augment existing services provided by the CCPD Mental Health Evaluation Team (MET) in partnership with a clinician from the Los Angeles County Department of Mental Health (DMH). Staff researched various mental health program models and discussed those alternatives during the Public Safety Review meetings. The short-term goals would be to 1) provide an additional 3-days of mental health services to supplement the existing 4-days of service provided by the MET; and 2) pilot the City's ability to provide non-police emergency response to calls for service related to persons who are suffering from issues related to mental health, substance abuse or homelessness.

Staff is requesting City Council direction on how to design the pilot program with SSG. The program can be an independent model made up of a licensed therapist and an Emergency Medical Technician (EMT) or a Licensed Vocational Nurse (LVN) from SSG. The SSG team will work closely with CCPD and the City Manager's Office to track incoming dispatch calls, manage caseloads, and collect data for program evaluation. This model will require CCPD supervisors to receive emergency calls from the City's contract dispatcher, South Bay Regional Communications Center (RCC) and then assess whether the call is appropriate to be dispatched to the SSG response team. This two-step dispatching is required due to the inability of RCC to dispatch emergency calls directly to non-law

enforcement first responders.

Another option could be a configuration which uses the existing MET model as a template, partnering an SSG clinician with a Culver City Fire Department (CCFD) Firefighter/Paramedic instead of a CCPD officer. This option would allow RCC to dispatch emergency calls directly to CCFD, who would then send the SSG/Paramedic team to respond. This option would require approximately \$185,000 in additional funding to pay for the Firefighter/Paramedic and a response vehicle.

DISCUSSION

At the October 12, 2020 Council meeting, the City's technical advisors on the project, CPSM and Solidarity Consulting, gave a presentation of their initial findings and recommendations. Since that meeting each of the consultants have provided a final report.

Center for Public Safety Management (CPSM)

CPSM was contracted to review CCPD operations. The review provides City Council with a baseline of the current operations and offers recommendations to improve overall organizational efficiency. The final report (Attachment 2) submitted by CPSM includes 129 recommendations. Key recommendations fall within the following areas:

- Succession planning
- Staffing and personnel deployment
- Enhanced training plan
- Review of internal operations
- Software procurement
- Policy development and review/update of existing policies
- Reassignment of non-criminal programs and activities

Solidarity Consulting (Solidarity)

Solidarity's scope of work focused on providing a racial equity and social justice level of review for each phase of the project, facilitate community engagement, and make recommendations to address equity and social justice issues related to public safety.

Solidarity's final report (Attachment 3) provided the following recommendations:

1. Remove police from emergency response calls involving individuals who are unhoused, suffering from mental health and/or substance abuse issues.
2. Provide non-law enforcement response to certain misdemeanor charges.
3. Remove police from traffic enforcement and ensure that practices of 'proactive policing' are not in conflict with constitutional policing.

Use of Force Policy Update

On June 15, 2020, City Council authorized former Mayor Göran Eriksson to sign former President Barack Obama's Mayor's Pledge ("Pledge"). The Pledge commits mayors, city councils and police oversight bodies to the following actions:

1. Review police use of force policies;

2. Engage communities by including a diverse range of input, experiences, and stories in the review;
3. Report the findings of the review to the community and seek feedback; and
4. Reform the police use of force policies.

City Council approved a process to review CCPD Use of Force policy to include:

- Internal administrative review, led by the City Manager's Office, in coordination with the Chief of Police, of Culver City Police Department Policies 300 (Use of Force) and 301 (Use of Force Review) (collectively, "Policies");
- Meeting with the City's GARE team members to receive comments and reactions to the Policies;
- Holding meetings with the community to hear about their experiences and perceptions of how CCPD uses the Policies;
- Soliciting additional feedback utilizing a public survey;
- Discussing the Policies and community feedback with the Police Chief's Advisory Panel;
- Reporting findings to City Council, receive feedback and direction on potential revisions to the Policies;
- Develop an implementation plan, which includes meeting and conferring with appropriate labor representatives as required; and
- Implement policy reforms.

Staff has held several meetings with CCPD, GARE team members and/ the Chief's Advisory Panel (CAP) to review the Policies. In addition, feedback regarding CCPD's use of force was solicited in the community survey as well as the focus group discussions. The proposed revisions reflect Chief Cid's stated philosophy and values, best organizational practices and recommendations from GARE and CAP, as well as recent changes made at the State and Federal levels. The Policies (Attachment 4) have received notable revisions in the following sections:

- 300.2.1 Duty to Intercede
- 300.2.2 Fair and Unbiased Use of Force
- 300.3.5 Restrictions on the Use of Carotid Control Hold
- 300.3.6 Restrictions on the Use of a Choke Hold
- 300.3.7 Alternative Tactics - De-Escalation
- 300.5 Use of Force Options
 - Officer Presence: The mere presence of a clearly identifiable police officer, and/or marked police vehicle.
 - Verbal Direction: Clear, lawful, and understandable verbal direction by an officer directed at an individual in order to gain compliance.
 - Directing of Firearms: The directing of a firearm toward an individual in order to gain compliance, based on the perceived threat and/or the totality of the circumstances.
 - Physical Control Techniques: Physical intervention and/or physical control of an individual. This may include leading or moving an individual from a location and the normal application of handcuffs and/or other restraint devices.
 - Pain Compliance Techniques: Manipulation of an individual's joints or activating certain pressure points to create sufficient pain to achieve compliance.
 - Personal Weapons: Striking methods performed by an officer (including kicks, punches,

- knees, and/or elbows) against an individual.
- Intermediate Weapons: The use of Batons, ASP expandable batons, Conducted Energy Weapons (i.e. Taser or similar device), OC Spray, Pepper Balls, Kinetic Energy Projectiles, or canines (K9).
- Lethal or Deadly Force: Lethal or deadly force shall include but shall not be limited to, the discharge of a firearm. It also may include the use of any weapon and/or technique capable of causing serious bodily injury or death.
- 300.6.1 Shooting at or from Moving Vehicles
- 300.6.2 Displaying and Directing of Firearms
 - (a) Displaying of Firearms
 - (b) Directing of Firearms (Reportable)
- 300.7 Supervisor Responsibility
 - New requirements for directing of firearms
- 300.7.1 Notification to Supervisors
 - Directing of firearms toward an individual (as defined in section 300.6.2(b)).
- 300.10 Training
 - “Officers, investigators, and supervisors will receive periodic training on this policy and demonstrate their knowledge and understanding and application by the Use of Force Training Staff, Field Training Officers (FTOs), and other subject matter experts, such as the Crisis Negotiation Team (CNT), the Mental Health Evaluation Team (MET).”

Staff requests that City Council review the draft policies and provide feedback and direction.

FISCAL ANALYSIS

The fiscal impact is dependent upon what recommendations, if any, City Council determines to implement.

ATTACHMENTS

1. ATT 1_2021-01-25_CC_Public Safety Review Report_101220
2. ATT 2_2021-01-25_CC_CPSM Final Report and Recommendations
3. ATT 3_21-01-25_CC_Solidarity Final Report and Recommendations
4. ATT 4_2021-01-25_CC_CCPD Use of Force Policies 300/301

MOTION(S)

That the City Council:

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2. Discuss findings and recommendations from Public Safety Review consultants; and
3. Provide direction to the City Manager as deemed appropriate.