THE CITY OF SAN DIEGO

Report to the City Council

DATE ISSUED:	June 7, 2016 REPORT NO. 16-059
ATTENTION:	Public Safety and Livable Neighborhoods Committee Agenda of June 15, 2016
SUBJECT:	Update to the San Diego Police Department's Response to the Police Executive Research Forum (PERF) Recommendations

SUMMARY

THIS IS AN INFORMATION ITEM ONLY. NO ACTION IS REQUIRED ON THE PART OF THE COMMITTEE OR THE CITY COUNCIL.

BACKGROUND

Due to several misconduct cases in previous years involving San Diego police officers, in early 2014, the Department requested the assistance of the U.S. Department of Justice (DOJ). The DOJ's Office of Community Oriented Policing Services (COPS) asked the Police Executive Research Forum (PERF), an independent research and technical assistance organization, to conduct the assessment of the Department's policies and practices related to preventing and detecting misconduct.

This review by PERF is called a Critical Response Technical Assessment Review. The comprehensive review had four major focus areas:

1. Officer recruiting and hiring process
2. Supervision and training
3. Accountability: early intervention systems, internal investigations, and discipline
4. Community partnerships

PERF's assessment identified 40 recommendations in which SDPD policies and practices can be improved to achieve the goals of preventing misconduct, and detecting it quickly when it does occur.

The initial report was presented to the Public Safety and Livable Neighborhoods Committee on May 13, 2015. An update report on the PERF recommendations was presented to the Public Safety & Livable Neighborhoods Committee on July 29, 2015.

I. Officer Recruiting and Hiring Process

Recommendation #4: *The SDPD should prioritize funding (or seek additional funding) for recruitment efforts that focus on identifying a pool of local applicants who reflect the diversity of the community.*

RESPONSE: IMPLEMENTED

The Department has a budget of $35,000 annually for recruiting efforts. This includes travel expenses for recruiters, advertising, and personnel expenses for City testing personnel.

Recently, local faith leaders were invited to participate in an initiative introduced by the Department's pre-hire psychologist. The initiative intended to create a community initiated "pathway to the profession." The initiative aimed to actively include churches and schools in preparing future candidates for considering law enforcement as a career option at an early age.

II. Supervision and Training

Recommendation #11: *The SDPD should use annual supervisor training to emphasize the principles of procedural justice and how to apply these principles in policing to ensure the community members are being treated fairly.*

RESPONSE: IMPLEMENTED

The overarching theme of the August 2015 Command Training (formerly referred to as supervisor update training) focused on implementing the philosophy of Procedural Justice. The following topics were among those included in 40 hours of mandatory training for all supervisors. This training was above and beyond required Police Officer Standards and Training (P.O.S.T.) continuing professional training requirements:

- Overview of PERF Recommendation and Department implementation plan
- Emotional Intelligence Model
- Procedural Justice Model
- Non-biased Based Policing
- Tactical De-Escalation
- Crucial Conversations
- Leadership
- VALUES Program
- Employee Wellness
- Trends in Recruiting, Hiring and Training
- Human Resources Refresher (evaluations and discipline consistency)
- Mitigating Civil Liabilities
- Internal Affairs Trends
- Body Worn Camera "Best Practices"
- Critical Incident Management
- Update Training On Dealing With the Mentally Ill Population
- Captain Facilitated Discussion on Personnel Evaluations, Morale and Supervisory Consistency

Fourteen sessions were held from August through November 2015, reaching all sworn supervisory department members and divisions.

Recommendation #12: *The SDPD should minimize the use of acting sergeants and re-evaluate all staffing options that would allow the agency to return to a platoon staffing model, which would bring uniform supervision to each squad and improve squad continuity.*

RESPONSE: IMPLEMENTED (Based on current staffing)

Four of the nine patrol commands have transitioned their staffing matrix to a "Platoon" system since the last reporting out. This means the officers working in these divisions are supervised by their assigned sergeant on their scheduled workdays. The vast majority of the officers assigned to the remaining commands work with their assigned sergeant on their scheduled work days.

Recommendation #14: *The SDPD needs more training on accountability and the application of principles of equity and fairness for first-line supervisors to ensure officers understand that discipline is consistently applied.*

RESPONSE: IMPLEMENTED

Training was provided by the Department's Human Resources staff and the Department's legal advisors on accountability, consistency in evaluations, and discipline. Training and captain-facilitated discussions also occurred at the divisional level during annual Command Training in August 2015.

Each captain was required to discuss the following:

Consistency

- What mechanisms exist that ensure consistency of discipline and rewards at the divisional level?
- Which individuals at your command require most of your time?
  - How can your peers and supervisors assist in developing and holding personnel accountable?
- Leaders require the trust of their followers to be successful. How can that trust be developed at your division?

Procedural Justice and Community Policing

Modeling

- Who at your division models it well?
- What behaviors do they exhibit?
- How can you encourage more from others?
- How are you rewarding the officers who do it well?
- What can you do as a supervisor to remediate an individual that isn't modeling it well?

- As a supervisor, in what ways can you capture whether the community believes that you're treating them fairly?

Evaluations

- What development strategies are you using with your individual employees?
- What should you know about every employee?
- What does your captain expect you to know?
- Do our existing evaluations capture behavior consistent with the concepts of procedural justice and community policing?
- What, if anything, would you add?

Captain:

- What behaviors do you expect from your sergeants and lieutenants that demonstrate excellent interpersonal skills and leadership?

Recommendation #15: *The SDPD should identify ways to measure whether personnel are applying the principles of community policing and procedural justice in carrying out their duties.*

RESPONSE: IMPLEMENTED

The recent promotional testing process for the ranks of Police Officer lll, Detective, Sergeant, and Lieutenant heavily emphasized and tested candidates' ability to provide examples of demonstrated practical experience, and/or the ability to apply principles to scenarios requiring the use of procedural justice or community oriented policing concepts to realistic and challenging scenarios. Source material used for testing included PERF publications on procedural justice, emotional intelligence (*Crucial Conversations*), and other specifically selected reading focused on 21st Century police leadership.

In the first three quarters of FY 2016, the nine patrol commands have completed 435 random customer satisfactions surveys. On a rating scale of 1-5, with 5 being the highest possible score, the Department has achieved an average score of 4.61 from these participants.

The vast majority of respondents have been pleased with the professional response of SDPD officers when they are needed. The biggest complaint was on delays in getting through to Communications Division and response times. These issues drove down the overall score.

Recommendation #16: *The SDPD needs a personnel development strategy to develop and retain its existing personnel. The current evaluation process could be supplemented through the use of individual development plans and ongoing opportunity for mentoring and coaching.*

RESPONSE: IMPLEMENTED

During Command Training 2015 and during Human Resources update training, the use of the Supplemental Performance Report, used for performance deficiencies, was reviewed as a tool for development and accountability. Additionally, the Career Enhancement Plan, was offered as a proactive tool to be used by supervisors to assist in developing and mentoring

employees. Also, the Department created its first formalized Leadership Development Unit in late 2014. Under the direction of a lieutenant and two sergeants, efforts to provide more formalized mentoring and training specific to leadership is a priority.

Recommendation #17: *SDPD leaders may want to further develop the Department's directives to emphasize the roles and responsibilities of supervisors. In addition, performance evaluations and reviews of supervisors should include these factors and should assess the supervisor's ability to connect with, develop, and lead his or her subordinates.*

RESPONSE: IMPLEMENTED

2015 Command Training provided captains the opportunity to work with their management team to clearly establish the role of supervision (sergeants, lieutenants, captains) within the organization globally, while also allowing each division and unit to clearly delineate roles within their division, respective teams, and work groups. The format allowed time and structure for commanding officers to give their expectations, and for facilitated discussion among co-workers about role accountability and mission attainment. It also allowed peer supervisors to work through any personal differences in the interest of consistent supervision and mission.

Specific questions were also provided for discussion to elicit feedback about the current performance evaluation format and its ability to capture behaviors expected of employees based on the Department's Mission, Vision and Goals to include the philosophies of Community Oriented Policing and Procedural Justice, and the Divisions' unique priorities.

The sergeant and lieutenants' Performance Evaluation forms have very specific performance anchors related to: interpersonal skills (internal and external), leadership, subordinate mentoring/career development, and teamwork. Feedback provided by the captains after their discussions with their management teams indicate that the broad areas currently evaluated allow for specific topics identified at the divisional level to be addressed at the captains' direction.

III. Accountability: Early Identification and Intervention System (EIIS), Internal Investigations & Discipline

On April 22, 2016, the San Diego Police Department implemented the IAPro software which included the conversion of the existing Internal Affairs database and the creation of an interface to the Department's Human Resources employee database. IAPro/Blue Team is an integral part of the new EIIS structured system. IAPro's EIIS/early warning system consists of robust analytical tools, which constantly evaluate every Department employee and their performance as compared to their peers. The EIIS system contains thresholds determined by the Department and best practices. The system allows for easy identification, flexible intervention, thorough reporting and documentation. Front-line personnel will receive training on the new Blue Team program via a structured rollout. The Blue Team training is project to begin the early part of August 2016.

Recommendation #19: *The SDPD should strongly consider fully implementing all of the protocols outlined in the technical assistance guide Enhancing Cultures of Integrity: Building Law Enforcement Early Intervention Systems, published by the COPS Office in 2011 and any other best practices for EIIS, specifically regarding the development of a formalized referral, intervention, and documentation process. The Department has done an effective job of developing the system; it needs to be fully implemented.*

RESPONSE: IMPLEMENTATION IN PROCESS

The San Diego Police Department's EIIS is a structured system that identifies and assists supervisors in managing behaviors that could result in performance-related problems by individual employees. The San Diego Police Department has adopted the protocols outlined in the technical assistance guide Enhancing Culture of Integrity: Building a Law Enforcement Early Intervention Systems, published by the Community Oriented Policing Systems (COPS) Office in 2011. The intent of EIIS is to provide non-disciplinary intervention, guidance, and resources whenever possible, and/or to assist employees with professional development, in order to provide the highest level of service and satisfaction to the public.

Recommendation #20: *Lieutenants should receive notifications from the EIIS administrator on officers in their chain of command. In cases when first-line supervision is lacking, the lieutenant in charge must step in to provide adequate supervision.*

RESPONSE: IMPLEMENTATION IN PROCESS

Lieutenant/Managers will receive notifications from the EIIS Administrator and will review all of the employees for whom they are responsible in the EIIS system on a monthly basis. When necessary, the Lieutenant/Managers will conduct appropriate follow-up with the Department employee(s). Lieutenant/Managers will also ensure their Sergeant/Supervisor is conducting his or her monthly inspections. Acting Sergeant/Supervisors will only have access to their own personal data. In cases when first-line supervision is lacking, the lieutenant in charge shall step in to provide adequate supervision.

Recommendation #21: *The SDPD should incorporate the following additional indicators unsatisfactory performance evaluation, all civil litigation against an officer, canine bites, tardiness, and positive indicators into the Department's EIIS and include them in the agency's written policy. In addition, the policy should provide procedures on how and when supervisors are to enter this information into the EIIS if these additional indicators cannot be automated into the EIIS. SDPD should also implement a nuanced system for when various indicators trigger an alert. Different indicators should trigger supervisor review at different thresholds based on generally acceptable standards and the preferences of Department leaders (perhaps for more careful scrutiny of certain indicators).*

RESPONSE: IMPLEMENTATION IN PROCESS

The San Diego Police Department will include the above listed indicators into the EIIS written procedure which is being finalized. The San Diego Police Department has also assigned aggregate thresholds that will trigger an EIIS alert.

Recommendation #22: *The SDPD should automate all necessary Department systems with the agency's EIIS and determine if the system can automatically notify the EIIS administrator, the commander (i.e., division captain), the lieutenant, and the sergeant of any flagged officers under their supervision.*

RESPONSE: IMPLEMENTATION IN PROCESS

The EIIS has implemented an automatic alert process to identify and evaluate the behavior of Department employees who have met the criteria for an Early Intervention Assessment. The EIIS administrator will review the alerts to determine if an employee has surpassed a threshold and a proper alert has been triggered. Checks and balances are in place to confirm appropriate notifications are made to the employee's chain of command.

Recommendation #23: *The SDPD should develop a formalized policy regarding the process for EIIS interventions so that all interventions are consistently documented.*

RESPONSE: IMPLEMENTATION IN PROCESS

The EIIS procedure has been written and is currently being reviewed and finalized. The procedure outlines the intervention process and will assist with ensuring all interventions are thoroughly and consistently documented and closed out.

Recommendation #24: *The SDPD should consider moving the policy-required supervisor review of the EIIS from a quarterly basis to a monthly basis and any time a supervisor is assigned a new employee.*

RESPONSE: IMPLEMENTATION IN PROCESS

Sergeant/Supervisors will review all of the employees for whom they are responsible in the EIIS system on a monthly basis. Additionally, they will conduct an EIIS review upon receiving a new employee under their supervision. When necessary, the Sergeant/Supervisor will conduct appropriate follow-up with the employee(s) as stated in the EIIS procedure.

Recommendation #25: *Lieutenants should conduct these monthly EIIS reviews with acting sergeants regarding officers' performance.*

RESPONSE: IMPLEMENTATION IN PROCESS

Lieutenant/Managers will conduct the review of any Department employee being supervised by an Acting Sergeant/Supervisor and conduct any appropriate follow-up.

Recommendation #28: *The SDPD should provide the Citizen's Review Board (CRB) with routine updates on the status of complaints received from the board, as a way for CRB to track the status of these complaints.*

RESPONSE: IMPLEMENTED

The Internal Affairs Unit has developed an Excel-based tracking system for the Citizen's Review Board (CRB) to assign a tracking number, log, route and track the status of complaints made to the CRB and routed to the Internal Affairs Unit. This tracking system will log complaint letters to the CRB by tracking number, and will route and record the disposition of the complaints received by CRB, which are then routed to the Internal Affairs Unit. Testing of the Excel-based tracking system via SharePoint was completed in July 2015.

Recommendation #32: *Should the commanding officer want to go outside the matrix to discipline an officer, he or she should outline and describe the decision in a memo that must be approved and signed by the assistant chief in the chain of command prior to the discipline.*

RESPONSE: IMPLEMENTED

All formal discipline requires the written approval of an Assistant Chief, prior to the discipline being administered. The Department's Discipline Manual has been updated to reflect this change in protocol.

IV. Community Partnerships

Recommendation #33: *The SDPD should work to rebuild trust with the community. Building on its past reputation as a leader in problem oriented policing, the SDPD should re-engineer its approach to working with the community focusing on strategies that use the principles of community policing and procedural justice.*

RESPONSE: IMPLEMENTED

Public Safety is a shared responsibility between our police officers, professional civilian staff, volunteers and the community whom we so proudly serve. Community policing provides the greatest opportunity for keeping our streets safe. Our community partnerships are essential for designing and implementing crime prevention strategies and problem solving measures. It is the police and the community working together to address crime fighting and quality of life issues that foster the highest levels of public trust and safety. This working relationship helps San Diego keeps its reputation as one of the safest large cities in the United States.

The Department has added nine additional community relations officers (CRO) and we now have a CRO in every service area. This has doubled our ability to reach out to community groups and attend community meetings.

As outlined in our Quarterly Community Policing Report available on the Department's website, the Department attends, on average, over 1,100 community events per quarter.

We accomplish our community policing strategy in a variety of ways but most can be put into four categories:

I. Community Partnerships-The meetings we have to discuss public safety, crime statistics, and quality of life issues.
II. Community Involvement-The events we participate in throughout the City to foster community relationships. Our ride-along program is an integral part of this.
III. Community Outreach-The ways we provide awareness, education, and information to the community about public safety, crime trends, and crime prevention.
IV. Community Givebacks-The volunteering and charity efforts we participate in inside and outside our normal work hours.

Recommendation #34: *The SDPD should consider a program that helps Department officials to confront unconscious biases, such as Fair and Impartial Policing (FIP) program, to address the concerns of biased policing raised by some community members.*

RESPONSE: IMPLEMENTED

Our last two PERF updates highlighted Advanced Officer Training, added a month of Field Training Officer observation and community engagement phase for trainees, and Command Training in 2014 and 2015 for all supervisors.

In November 2015 and January 2016, a two-day Effective Interactions class was mandated for all new officers. This training is now given to all officers at the conclusion of their field phase training. The training is provided as a foundation for understanding unconscious bias and how it can interfere with an officer's ability to effectively work with people.

The course description is as follows:

In addition to managing the intra-psychic rigors of the job, competent police officers must possess and demonstrate exceptional interpersonal skills. To develop and reinforce this, the San Diego Police Department's Wellness Unit, in collaboration with Police Psychologist Dr. Daniel Blumberg, created a 2-day course which integrates psychological job dimensions of peace officers with the theory of Emotional Intelligence. The course focuses on the application of techniques to enhance the emotional regulation and competence of officers in their interactions with the public, fellow officers, superiors, and all members of the Department. Emphasis is placed on how officer safety increases when these techniques are mastered and applied.

The course provides brief explanations and video examples of the four primary skills of Emotional Intelligence. Each component is followed by: modeling by experienced officers, practice, class exercises, and role-playing scenarios. The class also includes unscripted one-on-one interactions with community member volunteers, which allows for shared learning and relationship building. The training teaches officers to view each interaction from a skill based model. Each skill builds upon the previous and provides officers with a clear understanding of how they themselves are fundamentally responsible for making each and every interpersonal interaction more effective.

All Field Training Officers were provided with an abridged version of this training to reinforce what the new officers are being trained and similar training is currently being tailored for delivery in the next series of Advanced Officer Training (required for all officers and sergeants) starting in 2017.

Recommendation #37: *The SDPD should consider neighborhood or beat level "customer" satisfaction surveys. Survey results should inform patrol priorities for each neighborhood. Surveys might be conducted on a regular schedule or continuously through a system in which post –contact survey cards are given to people who have just had an interaction with the police.*

RESPONSE: IMPLEMENTED

The results of the 2015 Citywide Resident Satisfaction Survey, which included questions related to police services, were released on March 2, 2016.

We continue to gather information on customer satisfaction through monthly random surveys conducted by the service area lieutenants (two per watch, per service area, per month). Captains are responsible for reviewing the results, including the information in their Quarterly Management Reports, and presenting the information to the Chief's Executive Committee.

Each patrol Captain has also established a Captain's Advisory Board. The Captains meet regularly with their respective boards, which are made up of community leaders from their areas of responsibility. These meetings provide an opportunity for two-way communication, information sharing and the setting of priorities for the area commands.

The San Diego Police Department attends on average, more than 1,100 community events each quarter. Our Department personnel come in contact with millions of people every year through radio calls and everyday interactions. Social and traditional media are platforms we use for the release of information to our community.

Recommendation #38: *The SDPD should develop tailored cultural education involving community leaders and representatives to be delivered during the lineup.*

RESPONSE: IMPLEMENTED

The Department has often opened its doors to various community groups so they could provide tailored cultural education. Most recently, the LGBT community worked with Department leaders to prepare line-up training specific to law enforcement interaction with transgender citizens. This training is currently occurring in patrol divisions throughout the Department. It is being presented by members of the LGBT community.

The Department has also completed a training video on the Muslim culture which will be presented at officer line-ups.

Recommendation #40: *The SDPD should update its website to embody the goals values, and mission of the Department.*

RESPONSE: IMPLEMENTED

The Police Department web page has now been updated and includes the revised Mission, Vision and Goals of the Department. The Department plans to continue to work with the City as it is developing and updating Department websites across the City.

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