City of Phoenix

To: Milton Dohoney Jr.
Assistant City Manager

Date: March 11, 2016

From: Joseph G. Yahner
Police Chief

Subject: **COMMUNITY AND POLICE TRUST INITIATIVE RECOMMENDATIONS**

The Community and Police Trust Initiative (CPTI) was created by City Manager Ed Zuercher in March 2015. The mission of the CPTI was to build on the work of the Community Engagement and Outreach Task Force to further enhance police and community relations through continued dialogue and partnership. The CPTI members were challenged to develop six to seven high priority, data driven recommendations to increase transparency and accountability between the Phoenix Police Department and the community.

In November 2015, the CPTI membership identified nine first tier and six second tier recommendations for consideration. After meeting and discussing the recommendations with the CPTI membership on March 3, 2016, the decision was made to remove the numerical ranking from the recommendations. Consequently, an implementation plan for all fifteen recommendations has been developed, placing the recommendations in one of three categories. These categories are as follows: Recommendations that have been or are being implemented, recommendations to be implemented within six months, and recommendations that have policy implications.

<u>Recommendations that have been or are being implemented:</u>

1. Add a requirement to the Use of Force Policy that PPD will collect, maintain and report data on all officer involved shootings, whether fatal or non-fatal, as well as any in-custody deaths. This should be reported annually to the City Council, Human Relations Commission, PPD Advisory Boards and to the community.

   Police Department Response: This recommendation was included in the Department's 2009 - 2014 Officer Involved Shooting (OIS) Review report and has been implemented. In-custody deaths will be added to the annual OIS Review report, which will be posted on the Department website annually.

2. Implement Community Listening Sessions at least twice a year working closely with all communities including young adults of the communities.

   Police Department Response: This recommendation is in keeping with the Department's commitment to effective community engagement and outreach.

The first listening session will be held this spring and a second session will be held in the fall.

3. Provide leadership, crisis intervention, cultural competency, disability (physical and mental), diversity and community engagement training throughout the careers for all levels of sworn personnel and civilians with public contact annually. Report to the City Council, PPD Advisory Boards, Human Relations Commission and the community annually.

   Police Department Response: These elements have been incorporated into the 2015-16 Module for all sworn personnel and will be included in subsequent modules as well. Additional training for sworn and civilian staff will be provided on topics such as those listed and others as needed. A report highlighting these training topics and methods of delivery will be posted on the Department website annually.

4. Monitor and assess best practices that are forthcoming from the National Initiative for Building Community Trust and Justice as administered through the Department of Justice's award to the National Network for Safe Communities and John Jay College of Criminal Justice. Bi-annual reports should be made to the City Council, PPD Advisory Boards, Human Relations Commission and to the community and the PPD website on these best practices for implementation by the Department.

   The National Initiative will highlight three areas that hold great promise for concrete, rapid progress:

   a. Reconciliation facilitates frank conversations between communities and law enforcement that allow them to address historic tensions, grievances, and misconceptions between them and reset relationships.

   b. Procedural justice focuses on how the characteristics of law enforcement interactions with the public shape the public's views of the police, their willingness to obey the law, and actual crime rates.

   c. Implicit bias focuses on how largely unconscious psychological processes can shape authorities' actions and lead to racially disparate outcomes even where actual racism is not present.

   Police Department Response: Community Relations Bureau (CRB) staff will monitor and assess best practices derived from the National Initiative for Building Community Trust and Justice. CRB will make implementation recommendations to the Executive Staff based on those practices that are applicable for Phoenix.

   Additionally, the topics of procedural justice and implicit bias will be included in future module training for all sworn members of the Department. A report

highlighting these training topics and methods of delivery will be posted on the Department website annually.

5. Report on PPD's composition including race, gender, age and other relevant demographic data and make comparisons to Census data. Also report on diversity in hiring and promotions, occupational categories, recruitment, outreach and training. PPD should strive to reflect the community that it serves. Provide quarterly and annual reports to the City Council, PPD Advisory Boards, Human Relations Commission and post to the PPD website.

    Police Department Response: This information, minus the age of employees, was most recently provided at the Public Safety and Veterans Subcommittee meeting on February 10, 2016. To ensure that the demographic composition of the Department is available for all to review, it will be posted on the Department website and updated quarterly.

6. Report and dialogue with the community on the May 2015 Final Report of the President's Task Force on 21st Century Policing best practices and metrics underway in the department, in the areas of Building Trust and Legitimacy, Policy and Oversight, Technology and Social Media, Community Policing and Crime Reduction, Training and Education, and Officer Wellness and Safety. This public engagement process should include the solicitation of feedback from the community. PPD should host bi-annual community meetings to report on its results.

    Police Department Response: On October 16, 2015 the Department created an internal working group that is tracking specific accomplishments with regard to each of the relevant recommendations and action items. This information will be shared with the community, and community feedback will be requested, as a component of the bi-annual listening sessions. The first of these listening sessions will held this spring and a second session will be held in the fall. Progress reports will also be posted on the Department website bi-annually.

7. Provide a plain language statement on the PPD's website summarizing the Department's Use of Force Policy.

    Police Department Response: This recommendation has been met. The Department's Use of Force Policy states the following: "It is the policy of the Department to use a reasonable amount of force to conduct lawful public safety activities. The response option employed will be reasonable and based on the totality of the circumstances." (Operations Order 1.5.3.A and B).

    The Use of Force Policy was also recently revised to include a Sanctity of Life statement and greater emphasis on de-escalation. The Department's Operations Orders, to include the abovementioned use of force language, are posted on our website.

8. Encourage continuous engagement of PPD with places of worship and the community (e.g. schools, festivals, participate in youth based programs, interact with single mothers, involvement in high crime impacted neighborhoods). Report to the City Council, PPD Advisory Boards, Human Relations and the community on the PPD website and on dashboards.

   Implementation Plan: This is occurring and will be ongoing. We are constantly seeking opportunities to establish new relationships and enhance existing relationships. Comprehensive community engagement updates will be posted on our website bi-annually.

Recommendations to be implemented within six months:

9. Partner with the community to facilitate a train-the-trainer initiative to enlist a cadre of citizen volunteers who will train the community, especially children, youth and young adults, and parents/guardians on how to appropriately interface with law enforcement.

   Police Department Response: The Department is fully supportive of this recommendation and is prepared to work with the community to develop and deliver a mutually agreed upon curriculum. CRB staff will work with our community partners to initiate this process this spring.

10. Adopt preferences for seeking "least harm" solutions such as warnings and or citations in lieu of detention for minor infractions, especially for juveniles.

    Police Department Response: The Department is supportive of this recommendation and is already taking steps to explore implementation. Assistant Chief Kurtenbach serves on the Maricopa County Juvenile Justice Steering Council and the Arizona Supreme Court Juvenile Detention Alternatives Initiatives Advisory Committee.

    The overarching goal of these bodies is to support and lead collaborative, innovative, and evidence-informed solutions to the challenges faced by the juvenile justice system. Through effective communication and trust development with key stakeholders, system improvement efforts can be prioritized and achieved improving youth outcomes and improving public safety.

    Assistant Chief Kurtenbach has also been appointed to the Arizona Supreme Court's Task Force on Fair Justice for All. The Task Force will study and make recommendations that ensure that defendants are not disparately punished

    because they are poor and are unable to pay fines or post bail. The Task Force shall file a report and make recommendations to the Arizona Judicial Council by October 31, 2016.

11. Implement formal feedback tools including community surveys using best practices indicators. Track and report the level of trust, respect, transparency, and accountability for the PPD monthly, quarterly and annually to the Phoenix City Council, PPD Advisory Boards, Human Relations Commission and post on dashboards and on the PPD website.

Police Department Response: The City of Phoenix uses an independent research firm to administer a survey of city residents every two years, measuring satisfaction rates for top city services. Survey questions regarding the Police Department are included in the City survey. We are open to exploring additional methods of tracking levels of trust, respect, transparency and accountability.

12. Track and report employee commendations and recognition to the City Council, Human Relations Commission, and PPD Advisory Boards. Report data monthly and in annual reports posted to the PPD website. *(Pillar: Reporting)*

    Implementation Plan: Synopses of commendations that result in special recognition from the Honors Board will be posted to the PPD website quarterly. The video of the Annual Awards Ceremony will continue to be posted on the PPD website as well.

 <u>**Recommendations that have policy implications:**</u>

13. Require documentation/report and aggregate data any time any officer draws and trains a weapon on subjects. Provide quarterly and annual reports to the City Council, PPD Advisory Boards, Human Relations Commission and post to the Phoenix Police Department (PPD) website on the following areas:

    a. Situation or circumstances surrounding incident
    b. Demographics of subject(s): age, race, gender, ethnicity, disability if any (mental, physical)
    c. Demographics of officer(s): age, race, gender, ethnicity
    d. Other tactics that could have been used if the weapon was discharged (i.e. de-escalation or non-lethal tactics employed in the situation)

    Police Department Response: This recommendation is concerning because it has the potential to significantly affect officers' decision making processes during critical incidents. Additionally, it would require changes to policy and reporting procedures necessary to capture the requested information.

14. Convene a panel of community members and at least one outside expert (City Manager) to explore the implementation of a civilian review body to hear and review complaints against PPD with investigative powers to the extent permitted by A.R.S. with auditing authority and the ability to make substantive and binding judgments in connection with complaints. Within six months of being convened, panel would provide a report on best practice models for a PPD civilian review board.

    Police Department Response: This recommendation will require further discussion.

15. Track and report information about traffic stop data, summonses, arrests, reported crime and other law enforcement data aggregated by demographics, geographics, and

precincts. Reports should be posted on PPD's website and in annual reports. The following data should be reported:

a. Incident type
b. Date/time
c. Suspicious vehicles
d. Traffic
e. Pedestrians
f. Location
g. Ethnicity
h. Gender
i. Bicyclists

Police Department Response: This will require changes to policy and reporting procedures necessary to capture the requested information once the RMS is more stable.

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City of Phoenix

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