Bakersfield Police Department-Community Collaborative

Recommendations Report

Submitted by

The Bakersfield Police Department-Community Collaborative Core Working Group:

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Part 1: Collaborative Mission and Core Commitments

Section 1. BPD-CC Initiative Background

On June 10, 2020, Bakersfield City Councilmember Andrae Gonzales directed the Bakersfield Police Department (BPD) to form a community panel that would work together over a six month period to review and evaluate regional and national police policy and training recommendations. To this end, starting in July 2020, the Bakersfield Police Department-Community Collaborative (BPD-CC) was created to solicit and formalize community-sourced recommendations for policing reform, policing capacity, and building trust and greater partnership between BPD and the Bakersfield Community.

As noted in *The President's Task Force on 21st Century Policing* (2015), "trust between law enforcement agencies and the people they protect and serve is essential in a democracy. The public confers legitimacy only on those whom they believe are acting in procedurally just ways." In order to achieve this trust and carry out our mission, the BPD-CC adopted four key areas of focus for research and recommendations:

- Building Trust and Legitimacy
- Communications and Community Outreach
- Officer Training and Education
- Use of Force Policy and Oversight

Section 2. BPD-CC Core Commitments

Several core commitments are unique to the BPD-CC initiative and inform the charge and scope of work of our Core Working Group (CWG) and committees. We detail these core commitments here.

2.1. Recommendations Focus
As noted, the BPD-CC was formed to solicit and formalize community-sourced recommendations for policing reform, policing capacity, and building trust and greater partnership between BPD and the Bakersfield Community. To this end, the BPD-CC has devoted extensive time, effort, and resources over a 6-month period to both understand current reform efforts and best practices within BPD, as well as areas for

reform that have not been considered and that merit attention. We believe that any organization can benefit from internal reflection and examination of its practices and policies in line with its stated values. The case is no different with the Bakersfield Police Department. Further, given the tremendous responsibility of police officers, the role of police officers as public servants, and the often high stakes of police work in our community, this examination is all the more necessary and important. The recommendations discussed in this report should be understood as an informed and good faith effort to assist BPD in being an effective, responsible, and transparent police force.

During the course of our work, the BPD-CC CWG has engaged in discussion with many local activists and community members interested in "defunding" the police. In our current era, this phrase has become a well-known tagline associated with calls for police reform. It is important to note that the BPD-CC is *not* a budget review committee. This is not part of the charge of our initiative and, so, we do not directly address City of Bakersfield budget allocation for BPD. However, while we do not explicitly discuss the BPD budget we *do* feel that this is an issue that merits public attention and greater transparency and discussion. Given the substantial percentage of city funding that BPD receives on an annual basis, we encourage both the City Council and BPD leadership to engage in proactive, open conversations with the community about current budget allocations to BPD and, also, to document and clearly demonstrate the impacts for our community resulting from this funding and its use. Also, several of our recommendations do call for new actions, policies, and partnerships within and beyond BPD that will, in turn, impact the allocation and use of current BPD funding.

2.2. A Community-Sourced Report
The BPD-CC is a deeply community-sourced initiative. The BPD-CC is composed of Bakersfield community leaders from diverse professions, identities, and areas of expertise. BPD-CC committee members (26 Bakersfield community members across 4 committees, see appendix document 1) were selected by the Core Working Group to play active roles in subcommittees focusing on each of the key areas noted above. Since August 2020, these committees have met weekly to do the vision-setting, extensive research, and discussion that is at the heart of this report. It is accurate to say, then, that Bakersfield community members have been the fundamental catalyst for these evidence-based recommendations delivered to the BPD, the Bakersfield City Council, Bakersfield City Manager, Mr. Christian Clegg, and the greater Bakersfield community.

2.3. Additional Outreach to the Bakersfield Community

The BPD-CC CWG completed extensive outreach to the greater Bakersfield community through numerous mediums in order to gain a robust understanding of community understanding of and sentiment toward BPD, as well as desired areas for policing reform. This community input has been central to the formation and direction of this report. Beyond the extensive work of the BPD-CC core committees, the BPD-CC CWG hosted "Listening Sessions" (1.5 hour open forums for community members to share experiences with BPD of any kind, to state areas of concern or of promise within BPD, and to contribute suggestions for areas of committee focus and reform). These 3 sessions (held via Zoom on October 28, November 7, and November 10, 2020) were attended by 192 persons (see appendix document 2).

In addition, the BPD-CC CWG launched an online, open-access community survey on "Public Safety, Community Policing, and Law Enforcement" launched on November 29, 2020 and closed on January 2, 2021 (see appendix document 3). In the span of 1 month, this survey received responses from 929 Bakersfield community members, responding to 12 Likert-Scale questions (including 4 questions on respondee demographics) and 2 open-ended questions (see open-access link to complete report on survey questions, respondee demographics, and received responses in appendix document 4). Furthermore, BPD-CC CWG members promoted these efforts and solicited community voices through numerous media (radio, television, and podcast) appearances, op-eds, press releases, and consistent social media outreach via Upside Productions, the Kegley Institute of Ethics, and the Bakersfield Police Department (see appendix document 5).

2.4. Collaboration with BPD

From the start, the BPD-CC CWG has recognized that meaningful recommendations for reform must be community-informed and evidence-based. Likewise, the CWG is committed to *learning from* BPD regarding their *already in place* reform efforts and sound policies and practices in recommendation areas. That is, it is a disservice to any meaningful recommendations process to move forward without first understanding the terrain in which one is working. To this end, during the 6 month review process, the BPD-CC CWG met with Chief Greg Terry weekly to discuss this initiative and to gather information on BPD policies and practices relevant to committee research.

In addition, prior to engaging in research on areas of reform for BPD, the BPD-CC committees committed extensive time in meetings with BPD officers and leadership to learn about current department policies and practices on use of force, training and education, building trust and legitimacy, and communicating with the Bakersfield community (PowerPoints presented at these meetings are hosted on the BPD-CC web page, accessible at on the BPD web site). From August 20th to September 24th, 2020,

BPD-CC committees met weekly with BPD officers and leadership at the MLK Community Center for presentations from BPD in the noted areas. These presentations also included time for questions from BPD-CC committee members and were vital in informing BPD-CC understanding of current strengths of BPD as well as areas in need of reform. Also, to gain additional insight from BPD officers regarding their concerns, questions, and hopes for a meaningful reform process, the BPD-CC CWG held a dedicated Listening Session for BPD officers on December 15, 2020. This session was open to BPD officers at the rank of Lieutenant or below (11 officers of diverse ranks attended) and included a 1.5 hour discussion with officers regarding their experiences as police officers, their concerns regarding public lack of understanding of/trust in police work, their concerns regarding media portrayal of police, the challenges of policing during the summer 2020 protests following the murder of George Floyd, and their hopes for greater community engagement with BPD so as to foster better understanding of the strides the department has taken in recent years.

While this report is primarily aimed at recommendations for BPD for meaningful reform, it is important to note that, in some cases, these reforms will include increasing, amplifying, and/or revising positive practices to which BPD is *already* committed. During the course of our meetings with BPD, it became clear, for example, that BPD engages in many community outreach activities (well beyond traditional law enforcement activities) and that many BPD officers and staff are committed to serving their community with integrity and courage. To name just a few, these activities include community programs (Neighborhood Watch, Community Watch, etc.), adult programs (Senior Safety, Robbery Awareness, etc.), and Youth Programs (the Police Activities League, the Audible Egg Hunt, the "A Life Interrupted" Campaign, Christmas Baskets and Toy Drive, etc.).

Community understanding of these BPD outreach efforts and the positive efforts of law enforcement officers in the community, more generally, can be undermined both by insufficient communication strategies by BPD and by high profile events – police-involved shootings, altercations, and related incidents – which, in some cases, undermine trust and the community-focused intentions of many of the BPD officers with whom we have spoken.

2.5. The BPD-CC Report Should Be Seen as a Beginning, Not an End, to Meaningful Reform
The BPD-CC CWG is committed to meaningful, incremental change in BPD and in building trust between BPD and the greater Bakersfield community. Some of the recommendations included in this report can be implemented without extensive changes (e.g. continuing community Listening Sessions and increasing community involvement in police training practices, etc.); others will require a substantive and long-

term commitment on the part of BPD and, also, our community (e.g. completing implementation of 2004 Department of Justice recommendations regarding use of force, introducing an independent auditor and citizen's review board, developing partnerships with local institutions of higher education to enrich police academy curriculum and trainings, etc.). But, regardless, the research and community input that has formed this report merits close attention and action from BPD leadership, the Bakersfield City Council, and the Bakersfield City Manager.

To this end, the CWG is committed to working with Chief Greg Terry and his leadership team to establish an accountability plan for these recommendations, one that will define a 12 month timeline for a formal response from BPD regarding the recommendations listed in this report as well as a planned process for implementation. We see this as a central, not separate, part of this reform process and, further, one that will create greater trust in the Bakersfield community regarding the integrity of this process. Indeed, in our community Listening Sessions we heard many community members express a lack of trust in the process of recommendations due to a potential failure of follow-up based on the recommendations being made. It is essential to address these concerns head-on and demonstrate a willingness to accept and implement informed, new ideas in BPD. In addition, given the substantive community engagement that has occurred within the BPD-CC process the CWG feels strongly that this process and model should be evaluated and refined so as to continue, in some form, indefinitely in the City of Bakersfield.

Section 3. BPD-CC Recommendations for Policing Reform

The BPD-CC recommendations listed here are explained in greater detail and with evidential support in Part 2 of this report, below. These recommendations are sourced from the BPD-CC information gathering, community outreach, and committee research process as described above.

As a whole, the BPD-CC process included 3 major phases: (1) BPD-CC committee information sessions with presentations from BPD officers and leadership; (2) BPD-CC committee research on national police reform recommendations as well as current peer-reviewed police reform research in our focus areas; and (3) community-outreach and input gathering through Listening Sessions, community survey, committee meetings, and CWG meetings.

3.1 Officer Training and Education Committee Recommendations

Committee Chair, Dr. Michael Burroughs

Recommendation 1: Develop relevant partnerships with research institutions and local institutions of higher education for the purpose of enriching the quality and research-base of police academy curriculum and continuing education instruction.

Recommendation 2: Create an education task force to improve assessment of academy instruction, impact, and educational effectiveness.

Recommendation 3: Enhance training and preparedness for police officer response to individuals with mental illness and/or those experiencing mental health crises.

Recommendation 4: Strive to be a leader in anti-racist policing, including by enhancing officer understanding of history of policing and increasing high quality training in impacts of bias in policing outcomes.

Recommendation 5: Increase community involvement in and understanding of BPD educational practice and training.

Recommendation 6: Devote focused attention to impactful ethics and values-orientation training throughout the academy and reinforcement in departmental processes

3.2 Communications and Community Outreach Committee

Committee Chair, Ms. NaTesha Johnson

Recommendation 1: Continue Listening Sessions with the community for the purpose of increasing community engagement.

Recommendation 2: Designate a Diversity and Community Liaison Officer position to increase community engagement and outreach activities.

Recommendation 3: Improve transparency and accessibility of information sharing on BPD website.

Recommendation 4: Improve communication on social media platforms.

Recommendation 5: Continue and refine a community survey to gain community input on law enforcement, public safety, and community policing.

Recommendation 6: Increase marketing outreach efforts for BPD community-based programs.

3.3 Use of Force Policy and Oversight Committee

Committee Chair, Mr. Traco Matthews

Recommendation 1: Complete and implement policy changes related to use of force recommended by the US Department of Justice in 2004 and via subsequent reviews.

Recommendation 2: Devote focused attention to diversified recruitment practices to create greater racial and gender diversity in BPD, including the creation of Chief Diversity Officer and Diversity Recruitment Officer positions and a Diversity and Recruitment Strategic Plan.

Recommendation 3: Strengthen the confidence of psychological evaluations for BPD officers by expanding the working list of psychological evaluators to a minimum of three. Diversity of gender, race, and geographical residence should be considered in the selection of psychological evaluators.

Recommendation 4: To increase use of force accountability, develop a new Early Identification and Intervention System (EIIS), performance metrics, disciplinary policies, and a revised dashboard.

3.4 Building Trust and Legitimacy Committee

Committee Chair, Dr. Mark Martinez

Recommendation 1: The City of Bakersfield should hire an Independent Auditor and create a formal Citizens' Review Board.

Recommendation 2: Develop a robust "welfare check" co-responder model to deal with acute and non-acute mental health and addiction challenges by integrating the services of mental health professionals and improving the training of officers.

Recommendation 3: Increase empathy, strengthen trust, and improve social interaction skills through community collaborations.

Recommendation 4: Modify the "Gang Members Documentation" checklist.

Section 3. Acknowledgments

The BPD-CC CWG thanks the many Bakersfield community leaders and activists that have both preceded and contributed to this effort, pointing to the need for meaningful police reform as well as greater understanding between BPD and the community.

The BPD-CC CWG thanks Chief Greg Terry for his openness to this process and support in allowing the BPD-CC to complete this independent report.

The BPD-CC CWG thanks the many BPD officers and staff members who spent time answering committee member questions, providing presentations, and being open to this important process.

The BPD-CC CWG thanks the many Bakersfield community members who participated in this process, through serving on research committees, attending Listening Sessions, completing the "Public Safety, Community Policing, and Law Enforcement" survey, and sending emails to the CWG to provide feedback on this initiative.

Part 2: BPD-CC Recommendations

Section 1. Officer Training and Education Committee Recommendations

Recommendation 1: Develop relevant partnerships with research institutions and local institutions of higher education for the purpose of enriching the quality and research-base of police academy curriculum and continuing education instruction.

High quality education in line with current research is key to an effective, well-trained, and prepared police force. The committee recommends that BPD closely consider areas of their academy learning domains and continuing education training that could be enhanced by partnership with research institutions and research and practitioner specialists in local institutions of higher education. Previous collaborations of this nature have been transformative for policing nationally, including university-police department collaborations that led to the formation of Crisis Intervention Team (CIT) practices and training to better respond to persons in mental health crisis.

Focus areas for which BPD can consider pedagogical enhancements through these partnerships include the following: discussions of race, racism, and cultural diversity could be enhanced by collaboration and resource-sharing with California State University, Bakersfield (CSUB) and Bakersfield College (BC) Sociology Department faculty members; discussions of ethics, values, and ethical leadership could be enhanced by training collaboration with the CSUB Kegley Institute of Ethics; discussions of pedagogy and educational practice in teaching settings could be enhanced by training collaboration with the CSUB Department of Teacher Education; and discussions of implicit bias, decision-making, and trauma and stress reduction could be enhanced by collaboration and resource-sharing with CSUB Psychology Department faculty members and BC Behavioral Science Faculty Members.

In addition, given promising empirical evidence of the positive benefits for policing outcomes with higher rates of education, BPD should continue to incentivize, encourage, and also create additional support structures for officers and leadership to seek and take on educational opportunities (e.g. classes, workshops, degrees) in local institutions of higher education or through regional and national training programs.

Evidential Support:
- **Beckman, Erik**, "Police Education and Training: Where Are We? Where Are We Going?" *Journal of Criminal Justice* (1976)

- **Beliso-De Jesus, Alisha M.**, "The Jungle Academy: Molding White Supremacy in American Police Recruits" *American Anthropologist* (2019)
- **Paoline, Eugene A., and William Terrill**, "Police Education, Experience, and the Use of Force" *Criminal Justice & Behavior* (2007)
- **Pew Research Center,** "Behind the Badge" (Section 5 - "Reimagining the Police through Training and Reforms") (2017) https://www.pewsocialtrends.org/2017/01/11/behind-the-badge/
- **The President's Task Force on 21st Century Policing,** "Final Report of President's Task Force on 21st Century Policing," (Recommendation 5.1.2: "Establish Partnerships with Academic Institutions to Develop Rigorous Training Practices"; Recommendation 5.11: "Encourage and Incentivize Higher Education for Officers") (2015) https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf
- **Thompson, Don**, "Police Groups Back Requiring College Classes for Recruits" *AP News* (2020) https://apnews.com/article/legislation-california-police-police-reform-63ee664ce281e9f6f6f131b593bac6d8

Recommendation 2: Create an education task force to improve assessment of academy instruction, impact, and educational effectiveness.

It is not possible to fully understand the pedagogical impact of academy and post-academy instruction without robust assessment and evaluation of the learning process, student experience, and relevant outcomes. The committee recommends that BPD create an education taskforce (composed of officers from multiple ranks alongside external education experts and/or consultants) charged with improving assessment practices of academy and police continuing education instructors and assisting with defining and assessing educational outcomes for Learning Domains. This task force should also propose an achievable plan for the selection of high quality, pedagogically trained academy and continuing education session facilitators from both within and beyond BPD.

We suggest that this task force consider collaboration with relevant educational assessment experts (e.g. assessment staff from Kern County Office of Superintendent of Schools) to investigate more significant means of assessing and understanding the impact of training in the police academy and all continuing education modules. This revision would include creating a new and significantly more in-depth evaluation form and process for BPD academy and continuing education sessions. For example, to our knowledge, BPD currently relies on a BPD Instructor Evaluation Form (see appendix document 6) that does not evaluate any elements of what participants learn, gain, or are

able to do as a result of completing a learning session with an instructor. Rather, this 5 (Likert-Scale) question evaluation form focuses exclusively on participants' views of the session instructor. Greater assessment and evaluation of learning outcomes and participant experience (alongside evaluation of instructors) is needed to better understand the impact of instruction.

The Kirkpatrick Evaluation Model is an example of a leading model for evaluating in-service training and professional learning and should be considered for adoption by BPD. The Kirkpatrick Model has four levels of evaluation including participants' reactions to the training, the efficacy of the learning itself, changes in behavior as a result of the training, and the training outcomes/results.

In addition, the committee recommends instituting high standards and clear quality control measures in the selection and training of academy instructors. In addition to relevant field experience and availability, all instructors should receive substantial training in teaching practice and discussion facilitation. Instructors should be assessed by and receive formal feedback from the education task force or an assigned committee of peers annually.

Evidential Support:
- **LucidChart**, "The Kirkpatrick Evaluation Model: How to Measure Training Effectiveness," (ND) https://www.lucidchart.com/blog/how-to-use-the-kirkpatrick-evaluation-model
- **Marion, Nancy**, "Police Academy Training: Are We Teaching Recruits What They Need to Know?" *Policing: An International Journal of Police Strategies & Management* (1998)
- **Ness, James**, "The Relevance of Basic Law Enforcement Training - Does the Curriculum Prepare Recruits for Police Work: A Survey Study" *Journal of Criminal Justice* (1991)
- **Pew Research Center,** "Behind the Badge" (Section 5 - "Reimagining the Police through Training and Reforms") (2017) https://www.pewsocialtrends.org/2017/01/11/behind-the-badge/
- **Wolfe, E. Scott, Kyle McLean, Jeff Rojek, Geoff Alpert, and Mike Smith,** "Advancing a Theory of Police Officer Training Motivation and Receptivity," *Justice Quarterly* (2019)

Recommendation 3: Enhance training and preparedness for police officer response to individuals with mental illness and/or those experiencing mental health crises.

According to the Institute for Criminal Justice Training Reform, at least 25% of people killed by law enforcement officers exhibit signs of mental illness. Police officers are often first (or only) responders to persons with mental health crises. Given the enhanced vulnerability of persons with mental illness in encounters with police, the potentially enhanced danger to police officers in these encounters, and the inherent difficulty of assessing mental illness in "real time" encounters, it is essential that focused and increased attention be applied to the best training possible in this area.

Given these challenges, the critical importance of this area of training, and Bakersfield community member feedback regarding the centrality of attending to police encounters with the mentally ill, the committee recommends investing in cutting edge pedagogical training and research in the area of responding to persons in mental health crises.

The committee recommends that BPD implement the Integrating Communications, Assessment, and Tactics (ICAT) training program of the Police Executive Research Forum. This program was designed with input from hundreds of U.S. police professionals and is regarded, nationally, as an exemplar program for police training in successfully and safely defusing a range of critical incidents. Specifically, ICAT training is designed for situations involving persons who are unarmed or are armed with weapons other than firearms, and who may be experiencing a mental health or other crisis. The training uses essential building blocks of critical thinking, crisis intervention, communications, and tactics in an integrated approach. The program emphasizes scenario-based training (an evidence-based and effective pedagogical tool) and is anchored by the Critical Decision-Making Model that helps officers assess situations, make safe and effective decisions, and document and learn from their actions.

Evidential Support:
- **BPD-CC Listening Sessions Community Feedback** (November 7, 2020)
- **Marx, Willem**, "A Florida Sheriff Adopted Scottish Police Training. Now His Deputies Use Force Less Often" *NBC News* (2020): https://www.nbcnews.com/news/us-news/florida-sheriff-adopted-scottish-police-training-now-his-deputies-use-n1231886
- **Police Executive Research Forum** - ICAT Training Guide: https://www.policeforum.org/icat-training-guide
- **Police Executive Research Forum** - "Critical Issues Survey" (Question 4 - "Mental Health Calls") (2020) https://www.policeforum.org/criticalissuesdec34
- **Rogers, Michael S., Dale E. McNiel, and Renee L. Binder**, "Effectiveness of Police Crisis Intervention Training Programs," *The Journal of the American Academy of Psychiatry and the Law* (2019)

Recommendation 4: Strive to be a leader in anti-racist policing, including by enhancing officer understanding of history of policing and increasing high quality training in impacts of bias in policing outcomes.

A central focus of the BPD-CC (and many other police reform movements across the U.S.) includes restoring or creating trust between police departments and the communities they serve. The centrality of trust building is indicated in the Final Report of the President's Task Force on 21st Century Policing, as well as several other prominent police reform reports. Building this trust is no easy task, nor can it be accomplished by any one means. But it is essential that trust-building efforts are sensitive to the broader socio-historical context of U.S. race relations, including historical ties between policing and institutional racism. Police officers should be educated about this history, both nationally and locally, as (beyond any individual officer's bias or lack of bias) it conditions public understanding of police, especially in (though not limited to) minority communities.

In our current era, a major area of distrust between police and the public involves views on the impact of racism in policing. Indeed, a fundamental impetus for the BPD-CC project as a whole stems from community demands for accountability and attention to racialized policing practices in the wake of the murder of George Floyd and other persons of color in encounters with police. Research continues to show that officers are more likely to use deadly force against Latino and Black suspects than against White suspects. Police officers should be educated about the history of policing both nationally and in their own community and, further, how in real and perceived ways, these practices have been tied to structures and practices of racism.

Given these concerns, and documented negative and differential outcomes for persons of color in use of force incidents, it is essential that officers receive the best training possible in understanding implicit bias, cultural diversity, perspective-taking, empathy, and stereotype countering and replacement. Partnership with relevant local historical and community organizations (e.g. African American Network of Kern County), anti-racism education organizations, anti-bias training organizations (e.g. Counter Bias Training), and, also, with local departments of Sociology and Psychology could be helpful in adding substantive training meeting these ends.

Evidential Support:
- **African American Network of Kern County:** http://aankc.org
- **BPD-CC Listening Sessions Community Feedback** (October 28 and November 7, 2020)
- **Counter Bias Training**: https://www.faac.com/milo-range/simulators/cbtsim/

- **Dunham, Roger and Nick Peterson,** "Making Black Lives Matter: Evidence-Based Policies for Reducing Police Bias in the Use of Deadly Force," *Criminology & Public Policy* (2017)
- **Edwards, Clarence,** "Race and the Police," *National Police Foundation Blog* (2019)
  https://www.policefoundation.org/race-and-the-police/
- **Hall, Alison V., Erica V. Hall, and Jamie Perry,** "Black and Blue: Exploring Racial Bias and Law Enforcement in the Killings of Unarmed Black Male Civilians" *American Psychologist* (2016)
- **Nix, Justin, Bradley A. Campbell, Edward H. Byers, and Geoffrey P. Alpert,** "A Bird's-Eye View of Civilians Killed by Police in 2015: Further Evidence of Implicit Bias," *Criminology & Public Policy* (2017)
- **Norwood, Candace,** "Can Use of Force Restrictions Change Police Behavior? Here's What We Know," *PBS News Hour* (2020)
  https://www.pbs.org/newshour/politics/can-use-of-force-restrictions-change-police-behavior-heres-what-we-know
- **Police Executive Research Forum** - "Critical Issues Survey" (Question 4 - "Priorities for Federal Funding for Training")
  https://www.policeforum.org/criticalissuesdec34
- **Radiolab,** "Shots Fired: Part 1" (2017):
  https://www.wnycstudios.org/podcasts/radiolab/articles/shots-fired-part-1
- **The President's Task Force on 21st Century Policing,** "Final Report of President's Task Force on 21st Century Policing," (Recommendation 1.2: "Acknowledging the Role of Policing in Past and Present Injustice and Discrimination") (2015)
  https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf
- **U.S. Department of Justice Community-Oriented Policing Services (COPS) Office**, "Collaborative Reform Initiative: An Assessment of the San Francisco Police Department" (Recommendation 27 - "Addressing Anti-Bias Goals") (2016)
  https://cops.usdoj.gov/RIC/Publications/cops-w0818-pub.pdf

Recommendation 5: Increase community involvement in and understanding of BPD educational practice and training.

As noted in the Final Report of the President's Task Force on 21st Century Policing, as well as in the U.S. Department of Justice Community Oriented Policing Services Assessment of the San Francisco Police Department, community involvement in and understanding of police training practices can lead to greater trust, understanding, and, also, a greater sense of procedural justice in police actions. Research shows that persons are more likely to comply and cooperate with police officers when they view

policing as a just and equitable institution. But this view is difficult to realize without greater community involvement in and understanding of BPD educational practice and training.

Given this, the Committee recommends that BPD increase community involvement in educational practice in several ways. First, the Principled Policing sessions previously held by BPD (involving close and unscripted dialogue between BPD officers, leadership, and community members) were high quality, authentic, and impactful. These sessions should be resumed and expanded in scope so as to include more substantive interactions between community members and BPD officers. These sessions should also be more widely and effectively publicized to include a greater segment of the Bakersfield population. BPD should also consider utilizing external, trained facilitators to lead at least some of these sessions, either in conjunction with current BPD facilitators or separately from these facilitators.

Second, and related to the first, the highly successful Listening Sessions begun by the BPD-CC Core Working Group should be continued and expanded (see Communications and Community Outreach Committee Recommendation 1, below, for additional detail on this recommendation). The continuation of these sessions was a common request at our Listening Sessions. Attendance at at least one of these sessions should be part of BPD training for recruits and, further, an assigned theme for a selected Listening Session could focus on community questions and feedback regarding desired areas for training and education in BPD.

Third, BPD already engages in efforts to include community members and organizations in its training practices (e.g. staff from The Center for Sexuality & Gender Diversity, staff from the Kern County Network for Children, staff from the Bakersfield Homeless Center, and more). This community inclusion is commendable, both as it is a valuable and community-informed educational resource for recruits and, also, as it creates more transparency and understanding between community members, organizations, and BPD. We encourage BPD to expand these efforts and to consider doing additional outreach to local activist groups (e.g. Community TRUSTT, Faith in the Valley, Black Lives Matter, etc.), where possible, to include these voices and perspectives in the training process. This outreach could also include publicized opportunities for community members to experience police training alongside officers.

Evidential Support:
- **Birzer, Michael L. and Ronald Tannehill**, "A More Effective Training Approach for Contemporary Policing" *Police Quarterly* (2001)

- **Equal Justice USA**, "Trauma to Trust Program" https://ejusa.org/issues/trauma-informed-policing/trauma-to-trust/
- **Israel, Tania, Audrey Harkness, Kevin Delucio, Jay N. Ledbetter, and Todd Raymond Avellar,** "Evaluation of Police Training on LGBTQ Issues: Knowledge, Interpersonal Apprehension, and Self-Efficacy," *Journal of Police Criminal Psychology* (2014)
- **Police Executive Research Forum** - "Critical Issues Survey" (Question 6 - "Police Community Relationships") https://www.policeforum.org/criticalissuesdec34
- **The President's Task Force on 21st Century Policing,** "Final Report of President's Task Force on 21st Century Policing," (Recommendation 5.2: "Law Enforcement Agencies Should Engage Community Members in the Training Process") (2015) https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf
- **Tyler, Tom R., Phillip Atiba Goff, and Robert J. MacCoun,** "The Impact of Psychological Science on Policing in the United States: Procedural Justice, Legitimacy, and Law Enforcement," *Psychological Science in the Public Interest* (2015)
- **U.S. Department of Justice Community-Oriented Policing Services (COPS) Office**, "Collaborative Reform Initiative: An Assessment of the San Francisco Police Department" (Finding 40 - "Formalizing Community Engagement"; Finding 47 - "Engage in Ongoing Communication with the Community"; Finding 48 - "Develop a Robust, Broad-Based Community Forum for Input on Policing") (2016) https://cops.usdoj.gov/RIC/Publications/cops-w0818-pub.pdf

Recommendation 6: Devote focused attention to impactful ethics and values-orientation training throughout the academy and reinforcement in departmental processes.

The committee recommends that BPD commit to further instilling and revitalizing their stated core values - Compassion, Accountability, and Professionalism - throughout the academy and departmental processes. While many professional organizations have stated values or codes of ethics, living by and reinforcing these values in the fundamental activities and membership of an organization is a higher order and more demanding process. Indeed, many professional organizations that have committed severe ethical violations also had stated codes of ethics. Thus, while important, stating values is not enough.

Reinforcing a culture that fosters BPD guiding values would include setting clear, well-defined, and not-negotiable expectations for officer conduct. It would include consistent reinforcement of the values in officer training, departmental and staff meetings, and integration of the values throughout BPD in everyday functioning. It would also include highlighting examples of when these values have been met by officers and staff (or, alternatively, when they have not been met) and using these examples as instructive for the entire department, from the top down. BPD could increase these examples by developing an ethics awards program that publicly acknowledges and honors officers who have acted in accord with BPD core values.

BPD already includes discussion of core values in their academy training. Formal, prioritized, training communicates that the values matter. The committee recommends that instructors find additional ways to revisit the core values throughout instruction and learning domains to reinforce them (an important pedagogical technique for any desired learning outcome) and to demonstrate, concretely, how the values are not supererogatory, but rather, essential to good and effective policing. These discussions would convey BPD's commitment to these values for new recruits and also help recruits to understand the origin and significance of these values.

It is also recommended that BPD incorporate their stated values into the hiring and recruitment process, performance review process, and in their external messaging to the community. Locally, both the CSUB Kegley Institute of Ethics and Dr. Sue Watson (CEO and Founder, Business Initiatives) possess relevant expertise to assist BPD with developing these and additional strategies for incorporating ethics and values throughout BPD.

Evidential Support:
- **Business Initiatives:** https://www.businessinitiatives.com
- **Gentile, Mary,** *Giving Voice to Values: How to Speak Your Mind When You Know What's Right* (2010)
- **James, Harvey,** "Reinforcing Ethical Decision Making Through Organizational Culture," *Journal of Business Ethics* (2000)
- **Kegley Institute of Ethics:** www.csub.edu/kie
- **The President's Task Force on 21st Century Policing,** "Final Report of President's Task Force on 21st Century Policing," (Recommendation 5.3: "Law Enforcement Agencies Should Provide Leadership Training") (2015) https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf
- **U.S. Department of Justice Community-Oriented Policing Services (COPS) Office**, "Collaborative Reform Initiative: An Assessment of the San Francisco

Police Department" (Finding 54 - "Awards and Recognition that Reward Organizational Values and Goals") (2016)
https://cops.usdoj.gov/RIC/Publications/cops-w0818-pub.pdf

Section 2. Communications and Community Outreach Committee Recommendations

Recommendation 1: Continue Listening Sessions with the community for the purpose of increasing community engagement.

The BPD Community Collaborative conducted three Listening Sessions with Bakersfield residents (held virtually on October 28, November 7, and November 10, 2020). These 90 minute sessions provided an outlet for community members to share their experiences, insights, and ideas as it relates to police reform. In discussion with Chief Greg Terry, the BPD-CC CWG decided to serve as lead facilitators for these sessions and, further, it was decided that BPD representatives would not be present so residents could feel open to share any and all ideas and experiences. Participants were provided with the opportunity to openly discuss their personal concerns, suggestions for reform, and/or praise as it relates to the police department.

Common themes voiced at these sessions included (but are not limited to):
- Defunding BPD or reallocating City of Bakersfield funding to meet additional community needs. Specific funding areas mentioned included homelessness reduction and increased mental health services.
- The need for greater community understanding of BPD use of force policies and the need for oversight.
- The need for additional Listening Sessions and BPD-community information sessions.
- The need for increased police officer training regarding mental health services and crises.
- Improving police officer training, including racial bias and cultural sensitivity training.
- Concerns about lack of transparency and information sharing as it relates to BPD arrests, investigations, and incidents.

In addition, the BPD-CC conducted an internal Listening Session with the BPD (December 15, 2020). Eleven officers attended (Lieutenant as highest ranked) this 90 minute session and openly expressed their personal concerns and experiences about their work and engagement with the community.

Common themes included (but are not limited to):
- A frustration at a perceived lack of community understanding of relevant BPD policies, including use of force and arrest procedures.
- The desire for more positive acknowledgement of BPD in the media and community. Officers felt that the many positive actions of and changes within BPD are overshadowed by past events.
- A frustration with the portrayal of police officers as racist, as disconnected from the community.
- The difficulty of being attacked (physically and verbally) and not reacting at protests (summer of 2020).
- The benefits of increased community involvement with policing (e.g. ride-along, simulations, community programs) and social responsibility.

Based on community response and the feedback received at these sessions, the Communications and Community Outreach Committee recommends that BPD continue community-focused Listening Sessions to improve understanding and working relationships between police officers and Bakersfield residents. These Listening Sessions should create an outlet for gathering information and insights from the public to improve safety, police decisions, and best practices relating to the needs, interests, and values of the community. In addition, these sessions could provide an accessible outlet for sharing information on departmental resources and community-policing activities (e.g. transparency and accountability practices, community programs, developments in use of body cameras and new technologies, etc.). Finally, these sessions could be used to address specific community and/or police concerns in a timely manner.

Specific objectives and/or directives for these sessions could include (but are not limited too):

- Conducting regular (i.e. quarterly) Listening Sessions with the community
- Hold both in-person and virtual sessions: virtual attendance should be made available for those unable to attend the in-person sessions. In-person sessions should be facilitated in multiple locations in Bakersfield, offering a balanced representation across the city.
- Listening Sessions could address specific topics of import in the community in a timely manner, such as community policing, training and education, procedures of investigations, emergency response, etc.
- Consider inviting assigned representatives from local activist groups and community organizations to selected Listening Sessions in order to foster constructive dialogue. These groups include (but are not limited to) the Center for

Sexuality and Gender Diversity, Sunrise Kern, Community TRUSTT, Thee Next Step Bakersfield, Faith in the Valley, and Black Lives Matter.

- The appointed BPD Diversity Liaison Officer (see Recommendation 2, below) could consult with community groups to determine the desired structure and focus of these selected Listening Sessions.

In conclusion, Listening Sessions will call upon the community to contribute ideas and insight for the overall improvement of public safety. It will also provide an opportunity to increase community understanding of current BPD community policing activities. Community policing should be the responsibility of everyone and Listening Sessions will hold both the police and the community accountable in taking a proactive approach to public safety.

Evidential Support:
- **Bakersfield Police Department - Community Collaborative (BPD-CC) Community Survey,** "Public Safety, Community Policing, and Law Enforcement" (2021)
- **BPD-CC Listening Sessions Community Feedback** (October 28, November 7, and November 10, 2020)
- **Brainard, Lori A., and Teresa Derrick Mills,** "Electronic Commons, Community Policing, and Communication: Online Police-Citizen Discussion Groups in Washington, DC" *Administrative Theory & Praxis* (2011)
- **Nalla, Mahesh K., Gorazd Mesko, and Maja Modic,** "Assessing Police-Community Relationships: Is there a Gap in Perceptions between Police Officers and Residents?" *Policing and Society* (2018).
- **The President's Task Force on 21st Century Policing,** "Final Report of President's Task Force on 21st Century Policing," (Recommendation 4.5.1 - "Schedule Regular Forums and Meetings with Community Members") (2015) https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf
- **U.S. Department of Justice Community-Oriented Policing Services (COPS) Office**, "Collaborative Reform Initiative: An Assessment of the San Francisco Police Department" (Finding 40 - "Formalizing Community Engagement"; Finding 47 - "Engage in Ongoing Communication with the Community"; Finding 48 - "Develop a Robust, Broad-Based Community Forum for Input on Policing") (2016)
https://cops.usdoj.gov/RIC/Publications/cops-w0818-pub.pdf

Recommendation 2: Designate a Diversity and Community Liaison Officer Position to oversee and increase community engagement and outreach activities.

The Committee recommends that BPD designate a qualified officer to serve as the Department's Diversity and Community Liaison Officer. The Diversity and Community Liaison Officer will be responsible for fostering communication, understanding, and working relationships between BPD and diverse communities. This will include focusing on forging connections with diverse members of the community defined by race, gender, ethnicity, culture, language, age, and sexual orientation (LGBTQ). The Diversity and Community Liaison Officer's specific efforts could include (but are not necessarily limited to): (1) partnering with community-led organizations, (2) overseeing direct outreach to community in order to recruit diverse participation in BPD outreach programs, (3) facilitating Listening Sessions, (4) identifying public safety priorities for diverse communities and forging solutions (e.g. promoting community engagement through foot patrol assignments for officers) and (5) advising on relevant training opportunities for staff and officers relating to community engagement and community policing.

The primary goal of this position is to strengthen links and facilitate constructive communication between diverse residents and BPD. As mentioned in the BPD-CC Listening Sessions, residents have concerns regarding a lack of transparency and information sharing within BPD. Some residents expressed a lack of trust in and understanding of who to turn to in non-emergency incidents. The Diversity and Community Liaison Officer could oversee a team of officers specifically assigned to diverse communities to foster better working relationships.

The Diversity and Community Liaison Officer should possess:

- Emotional intelligence and cultural competence with understanding of and sensitivity toward different cultures in the Bakersfield community.
- A willingness to be accessible and open to dialogue with underserved neighborhoods and groups.
- Effective communication skills for purposes of communicating with Bakersfield residents, community groups, and developing a culture of trust.

The Diversity and Community Liaison Officer should be a permanent position in BPD and, as such, will increase interactions with the community and better understand its needs. This position can add great impact to and collaboration with the Chief Adjutant Officer position currently held within BPD and overseen by the Chief of Police.

Evidential Support:

- **Bakersfield Police Department - Community Collaborative (BPD-CC) Community Survey,** "Public Safety, Community Policing, and Law Enforcement**"** (2021)
- **BPD-CC Listening Sessions Community Feedback** (November 7, 2020)
- **Brainard, Lori A., and Teresa Derrick Mills,** "Electronic Commons, Community Policing, and Communication: Online Police-Citizen Discussion Groups in Washington, DC" *Administrative Theory & Praxis* (2011)
- **Morison, Kevin P,** "Hiring for the 21st Century Law Enforcement Officer: Challenges, Opportunities, and Strategies for Success," Office of Community Oriented Policing Services (2017)
- **Skogan, W.G. and S. M. Hartnett,** *Community Policing, Chicago Style* (1997)
- **Stoecker, Randy, et al.,** "Building Community-Police Relations by Building Community-Community Relations, *Police Chief* (2019) https://www.policechiefmagazine.org/building-community-police-relations-by-building-community-community-relations/
- **Willis, Dan** "Principles of Effective Law Enforcement Leadership," *Law Enforcement Bulletin* (2011)
- **U.S. Department of Justice Community-Oriented Policing Services (COPS) Office**, "Collaborative Reform Initiative: An Assessment of the San Francisco Police Department" (Finding 40 - "Formalizing Community Engagement in Support of Community Policing" (2016) https://cops.usdoj.gov/RIC/Publications/cops-w0818-pub.pdf

Recommendation 3: Improve transparency and accessibility of information sharing on BPD website.

As discussed by the President's Task Force on 21st Century Policing, law enforcement agencies should collect data on numerous aspects of police activities, including (but not limited to) demographics on all detentions (stops, frisks, searches, summons, arrests, etc.). Maintaining updated and accessible data in these areas would help to accurately and transparently reflect what is happening in daily interactions between BPD and members of the community they serve.

Currently, the BPD website statistics and data section (hosted on the BPD website landing page), consists of Internal Affairs Annual Statistical Reports dating back to 2015. However, these reports provide segmented data on Internal Affairs investigations, Disciplinary Actions Against Officers, Use of Force, and General Definitions. These annual reports do not provide reliable data on the demographics impacted by key police activities (arrests, summons, incidents, stops, frisks and searches, etc.).

The Committee recommends that BPD improve transparency on the BPD website (and on all social media platforms) to provide greater public information sharing. BPD should track and report information on police data for public access. Gathering more and better data is the first step in truly understanding what's happening in our community.

Full transparency is intended to inform and educate the public on policing activities including departmental policies, arrests, summons, high profile cases, accidents, arrests, incidents, and aggregate data related to specific demographics (e.g. race, gender, and socially disadvantaged neighborhoods) for public review. This information could be visible on the landing page and made easily accessible.

According to an empirical study by San Diego State University, Criminology Department, "increased access to government data is correlated with greater trust among citizens." In order to increase public trust in BPD, the department must be willing to expand its current mechanisms and practices of reporting data. In general, providing the community with an accessible analysis of its policing activities will help to forge a better partnership with the community.

Therefore, it is recommended that BPD implement the following:

- Provide a link to the [Law Enforcement Management and Administrative Statistics](#) (LEMAS) page to provide the public with jurisdiction - wide crime statistics.
- Collect reliable data on crime and police performance locally for public access. Types of data should include:
  o Use of force, police pedestrian and vehicle stops, officer involved shootings and stops with information on demographics including race, gender, age, and police zones (North, Hill, Central, Metro, South and Valley).
- Post the Internal Affairs Annual Statistical Report online.
- Update "News Highlights" with relevant topics on BPD website at least weekly to increase community engagement.
- Establish a direct and anonymous "Community Member Feedback" (citizens complaints and grievances) portal linked to BPD website to expand information collection.
- Consider collaborations with local institutions of higher education and community-led organizations to consider additional means for data collection and analysis.

It is evident that there is room for improvement with transparency and information sharing on the BPD website. BPD has acknowledged the need for improvement in many

of these areas and has declared a positive intent to help the community gain greater visibility into key information on police activities and community engagement.

Evidential Support:
- **Boston Police Reform Task Force, "**Recommendations to the Mayor" (Recommendation 5 - "Develop Practices that Maximize Accountability, Transparency, and Public Access" (2020) https://www.boston.gov/sites/default/files/file/2020/10/BPD-reform-task-force-english.pdf
- **Chanin, Joshua and Jacob Courts**. "Examining the Determinants of Police Department Online Transparency" *Criminology, Criminal Justice, Law, and Society* (2017)
- **Smith, Megan and Austin, Roy L. Jr.,** The White House (Blog) - President Barack Obama "Launching the Police Data Initiative" (2015)
- **The President's Task Force on 21st Century Policing,** "Final Report of President's Task Force on 21st Century Policing" (Recommendation 1.3.1: "Make All Department Policies Available for Public Review and Regularly Post on the Department's Website") (2015) https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf
- **Varenik, Robert O.** "Exploring Roads to Police Reform: Six Recommendations" Lawyers Committee for Human Rights (2013)

Recommendation 4: Improve communication on social media platforms.

Interpersonal communication between the community and police is essential in building stronger community relations. Social media is a commonly used gateway for conversations and connecting with people. It's a marketing tool that helps users communicate to a broader audience. According to BPD-CC community survey feedback ("Public Safety, Community Policing, and Law Enforcement"), respondents want BPD to interact with the community in different capacities, including social media. Some direct responses included requesting more information on programs and incidents, as well as more presence in the community.

In efforts to build rapport and connections with the community, BPD should use their social media platforms to increase community awareness and interactions through positive messaging. A study published in *The American Journal of Interdisciplinary Innovations and Research* (2019) suggests police use of social media and citizen engagement "could be used as a tool to not only increase community awareness but would allow greater public participation in police-community discussions as well."

Currently, the BPD Community Relations Department engages in a variety of social media platforms, including Facebook, Twitter, Instagram, SnapChat, YouTube and NextDoor. The Community Relations Department's social media model goal is to improve transparency, become more responsive, and play an even more meaningful part in the discussions that matter in people's lives. In addition, they are constantly exploring new platforms that are appropriate and fit all demographics related to the community. Although their mission is to engage and educate, many residents feel disconnected and disengaged from BPD social media platforms.

To this end, the committee recommends that BPD improve community policing on social media platforms by doing the following:

- Post high profile cases and critical incidents on all social media platforms to keep the public abreast of investigations, incidents, and reports, and to prevent misinformation presented on public forums (scanners, neighborhood hubs, and online groups).
- Change the name of the "Commend a BPD Employee" program on the BPD website to spotlighting a "BPD Employee of the Month" and "Citizen of the Month" that, in turn, can be highlighted on all BPD social media platforms.
- Highlight positive community-policing programs (i.e., Neighborhood Watch, Crime Free Kids, Calling 9-1-1, and more) and select a program weekly or monthly to be highlighted on all social media platforms.
- Embed all social media links onto the BPD website for quick accessibility
- Consider "boosting" posts for events and community information to reach a broader audience. Boosting is a marketing tactic used to target specific demographics and to increase the amount of people who are able to see postings.
- Encourage officers to identify positive stories relating to citizen-police interactions and share with the BPD Community Relations Department. These stories could be shared on social media platforms.

Evidential Support:
- **Beshears, Michael L., Michelle Beshears, Mark Bond,** "Improving Police Social Media Practice" *The American Journal of Interdisciplinary Innovations and Research* (2019)
- **Lieberman, Joel D., Deborah Koetzle, Mari Sakiyama,** "Police Departments' Use of Facebook: Patterns and Policy Issues" *Police Quarterly* (2003)
- **Lovell, Jarret S.,** "Media Power & Information Control: A Study of Police Organizations & Media Relations" The National Institute of Justice (2002) https://www.ojp.gov/pdffiles1/nij/grants/197060.pdf

- **Pew Research Center**, "Behind the Badge" (Section 6 - Police Views, Public Views) (2017)
  https://assets.pewresearch.org/wp-content/uploads/sites/3/2017/01/06171402/Police-Report_FINAL_web.pdf
- **Stoecker, Randy, et al.,** "Building Community-Police Relations by Building Community-Community Relations, *Police Chief* (2019)
  https://www.policechiefmagazine.org/building-community-police-relations-by-building-community-community-relations/
- **The President's Task Force on 21st Century Policing,** "Final Report of President's Task Force on 21st Century Policing" (Pillar 3 - Technology and Social Media) (2015)
  https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf
- **Varenik, Robert O.** "Exploring Roads to Police Reform: Six Recommendations" Lawyers Committee for Human Rights (2013)

Recommendation 5: Continue and refine a community survey to gain community input on law enforcement, public safety, and community policing.

On November 29, 2020, the BPD-CC CWG launched an online, open-access community survey ("Public Safety, Community Policing, and Law Enforcement"). This survey was designed to assist in making evidence-based recommendations to BPD by gathering relevant opinions, experiences, and insights from Bakersfield community members relating to BPD and police reform. The survey contained 12 Likert-Scale questions on trust and confidence in and/or satisfaction with BPD (including 4 questions on respondee demographics) and 2 open-ended questions relating to police reform suggestions and concerns with or suggestions relating to policing in Bakersfield (see open-access link to complete report on survey questions, respondee demographics, and received responses in appendix document 4). The survey closed on January 2, 2021. In the span of 1 month, the survey received responses from 929 Bakersfield community members.

Survey responses revealed a broad range of community views relating to trust in and satisfaction with BPD. For example, for Likert-Scale Question 8 ("I am satisfied with the overall performance of the Bakersfield Police Department") we saw a wide range of responses (30.64% of respondents "strongly agreed"; 25.57% "agreed"; 16.8% "strongly disagreed"; and 13.05% "disagreed," with 14.56% of respondents selecting "neutral").

Ultimately, across most all of the questions asked, survey responses were very diverse. There was both substantial support and praise of BPD, but also, substantial concern and distrust indicated.

Based on the highly successful survey process (i.e. even with limited resources and time, the BPD-CC CWG received nearly 1,000 responses to this survey - including substantive open-ended comments - in the span of 1 month), the Committee recommends that BPD continue and refine the community survey initiated by the BPD-CC CWG in order to continue to assess the community's needs, expectations, and perceptions of BPD, public safety, and community policing. Survey data could be analyzed so as to inform and improve BPD training, identify potential problem areas in BPD operations (or community perceptions of BPD operations), and to learn how to better promote positive community engagement, among other ends. In addition, the survey could also identify positive feedback and promising areas of police-community interactions, police performance, and community satisfaction.

The committee recommends that this survey be conducted annually or every-other-year, depending on the length of survey and time needed for data analysis, response, and implementation of findings. Additionally, it is recommended that the survey process be advised and managed by an independent agency with expertise in community surveys and data analysis. As was done with the BPD-CC community survey, this survey could be composed of both Likert-scale and open-ended questions for the community to express feelings and personal experiences.

The results of the community survey should be made publicly accessible on BPD's website and at selected community forums (or Listening Sessions, see Communications and Community Outreach Recommendation 1 above). Relevant data could also be shared with the Bakersfield City Manager, City Council, and Chief of Police as well as BPD staff and officers.

Evidential Support:
- **Bakersfield Police Department - Community Collaborative (BPD-CC,)** Community survey on "Public Safety, Community Policing, and Law Enforcement" (2021)
- **Ekins, Emily,** "Policing in America: Understanding Public Attitudes Towards the Police. Results from a National Survey" (2016) https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2919449
- **International Association of Chiefs of Police**, "Community Member Feedback as an Effective Tool for Building and Maintaining Trust" (2020) https://www.theiacp.org/sites/default/files/243806_IACP_Community_Member_Feedback_p1.pdf
- **Maslov, Anton,** "Measuring the Performance of the Police: The Perspective of the Public" Public Safety Canada Research Report (2015)

https://www.publicsafety.gc.ca/cnt/rsrcs/pblctns/2015-r034/index-en.aspx
- **Skogan, W.G. and S. M. Hartnett,** *Community Policing, Chicago Style* (1997)
- **The President's Task Force on 21st Century Policing,** "Final Report of President's Task Force on 21st Century Policing," (Recommendation 1.7 - "Tracking Community Trust through Annual Surveys") (2015) https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf
- **U.S. Department of Justice Community-Oriented Policing Services (COPS) Office**, "Collaborative Reform Initiative: An Assessment of the San Francisco Police Department" (Finding 46 - "Collect Data on Community Policing" (2016) https://cops.usdoj.gov/RIC/Publications/cops-w0818-pub.pdf

Recommendation 6: Increase marketing and outreach efforts for BPD community outreach programs.

During the course of our meetings with BPD, it became clear that BPD engages in many community outreach activities (well beyond traditional law enforcement activities) and that many BPD officers and staff are committed to serving their community with integrity and courage. To name just a few, these activities include community programs (Neighborhood Watch, Community Watch, etc.), adult programs (Senior Safety, Robbery Awareness, etc.), and Youth Programs (the Police Activities League, the Audible Egg Hunt, the "A Life Interrupted" Campaign, Christmas Baskets & Toy Drive, etc.). BPD tailors many programs and presentations to perceived needs in the community.
BPD community outreach programs are offered free of charge and can be scheduled by contacting a Community Relations Specialist. Translators are also available at many of these events.

However, community awareness and understanding of these BPD outreach efforts and the positive efforts of law enforcement officers in the community, more generally, are undermined by insufficient communication strategies.

In the BPD-CC "Public Safety, Community Policing, and Law Enforcement" community survey, community members called for more visibility in community outreach efforts. In order for BPD to fully engage with the community and increase trust and communication, the department must be able to effectively educate and engage a greater portion of the Bakersfield community in its community outreach programs.

To this end, the committee recommends that BPD increase marketing outreach efforts for these programs by doing the following (this is not an exhaustive list):

- Reimplement a weekly local news segment in partnership with a local news outlet to discuss crime prevention, events, programs, activities, workshops, Listening Sessions, and other community engaged activities. **Note:** A previous program of this kind was called "Police Beat." It is recommended, however, that BPD change the name of this segment to a more approachable and inviting name, without problematic connotations.

- Establish a community-based email group for timely updates on community programs and activities. Members of the community could sign-up directly on the BPD website and be invited to do so via BPD social media and at community Listening Sessions.

- Continue to attend community events to increase BPD-community interaction beyond direct law enforcement activities. Respondents from the BPD-CC community survey expressed a desire to develop better relationships with BPD. Attendance at and a willingness to participate in a wide range of community events can provide opportunities for face-to-face interactions and greater understanding between police and community members.

- Use social media, newsletters, community events, selected partnerships with community groups, and the City of Bakersfield's website to educate the public on BPD outreach technology such as TextTips, P3 tips.com, Text-to-911, AVL (GPS navigator), Smart911, and Shot Spotter. These applications and services are currently being used by BPD. Through the Listening Sessions, the committee learned that the community is unaware of many of these services and their purpose(s).

These recommendations can improve outreach efforts. However, we also understand that BPD cannot engage the community alone. The community must "show up" and be present at BPD programs. Community partnership - in both directions - is key.

Evidential Support:
- **Bakersfield Police Department - Community Collaborative (BPD-CC) Community Survey,** "Public Safety, Community Policing, and Law Enforcement" (2021)
- **BPD-CC Listening Sessions Community Feedback** (October 28, November 7, and November 10, 2020)
- **Cognac, Chris**. "Ready, Set, Engage! Ideas and Options for Community Engagement and Partnership Building," *Community Policing Dispatch* (2015)

https://cops.usdoj.gov/html/dispatch/06-2015/community_engagement_and_partnership_building.asp
- **Ellis, Gene,** "Prevention-Focused Community Policing: Building Public Trust" International Association of Chiefs of Police (ND). https://www.policechiefmagazine.org/prevention-focused-community-policing/
- **Johnson, William H.** "Community Engagement in Policing. Kansas City Police Department," The Bill Blackwood Law Enforcement Institute of Texas (2019)

Section 3. Use of Force Policy and Oversight Subcommittee Recommendations

Recommendation 1: Complete and implement policy changes related to use of force recommended by the US Department of Justice in 2004 and via subsequent reviews.

The committee recommends that BPD fully implement the recommendations provided by the United States Department of Justice (US-DOJ) in 2004 and echoed by the American Civil Liberties Union (ACLU) ("Patterns & Practices of Police Excessive Force in Kern County") in a 2017 report. While some changes have been implemented in the 16 years following the initial US-DOJ report, hesitancy to fully embrace the recommendations has resulted in a continuation of higher-than-average use of force (UOF) results for BPD. The committee's review of UOF data from January 2015 – October 2020 confirmed the higher-than-average results cited in the ACLU report.

Results for UOF are troubling across the United States. A 2016 Police Executive Research Forum report ("Guiding Principles on Use of Force") cites research from *The Washington Post* revealing that 25% of people killed by police in 2015 displayed signs of mental illness, 16% were armed with a knife, 9% were completely unarmed, and 5% were "armed" with a vehicle. Their findings concluded that in one-third of fatal officer-involved shootings, police executives believed there were opportunities to de-escalate the situation so as to reasonably avoid the use of deadly force.

Racial disparities in UOF incidents at the national level are also disturbing. Per a July 2020 study of UOF and police shootings in 382 metropolitan areas (Schwartz, Jahn, 2020), Black Americans are three times more likely to be killed by police than White Americans. Based on committee research, BPD results mirror or exceed these national numbers. The committee's review of BPD data (2015-2020) shows that more than a quarter of the UOF incidents reported were against Blacks although they constitute only 7% of the Bakersfield population.

Based on these findings, the committee feels that a primary change needed in BPD is both *cultural* and *practical*. Culturally, sanctity of life and human dignity must be instilled as core values and aspirations. All interactions with the public must flow from these chief pillars. Practically, police officers must see themselves as custodians of safety for *everyone* in the community and BPD's policy language and training must reflect this mindset.

In line with these recommendations, below is an example of a recommended change for BPD's central UOF policy.

Additional policy recommendations suggested by the ACLU and US-DOJ are included in the report appendix document 7.

BPD Policy 300.1 Purpose and Scope: Replace current language with the following:

The role of law enforcement is to safeguard the life, dignity, and liberty of all persons, without prejudice. Officers shall carry out duties, including UOF, in a manner that is fair and unbiased.

An officer shall consider the principles of proportionality in looking at the totality of the circumstances by weighing the severity of the offense, the level of tangible resistance, and the need for apprehension prior to the utilization of force.

Officers shall employ de-escalation and crisis intervention techniques whenever feasible. When making UOF decisions, an officer should be mindful that subjects may be physically or mentally incapable of responding to police commands due to a variety of circumstances including, but not limited to, alcohol or drugs, mental impairment, medical conditions, or language and cultural barriers.

An officer may only use force that they reasonably believe is proportional to the seriousness of the suspected offense or the reasonably perceived level of actual or threatened resistance. An officer shall continually evaluate their tactics when determining the appropriate UOF response.

If necessary, an officer shall render medical aid as soon as reasonably possible.

Officers shall use deadly force only when reasonably necessary in defense of human life or serious bodily injury. Supervisors in the Bakersfield Police Department shall evaluate the UOF used by its officers to ensure that the use of such force is lawful and

consistent with this policy. All UOF incidents will be tracked and trended and used as learning opportunities in both officer specific and department training and re-trainings. Excessive or repeated UOF by specific officers will be addressed per department policy.

This policy will be regularly reviewed and updated.

Evidential Support:
- **American Civil Liberties Union (ACLU),** "Patterns and Practices of Police Excessive Force in Kern County." (2017) https://www.aclusocal.org/sites/default/files/patterns_practices_police_excessive_force_kern_county_aclu-ca_paper.pdf
- **BPD-CC Listening Sessions Community Feedback** (October 28, November 7, and November 10, 2020)
- **Police Executive Research Forum**, "Critical Issues in Policing Series: Guiding Principles on the Use of Force" (2016) https://www.policeforum.org/assets/30%20guiding%20principles.pdf
- **Reiss, Albert T. Jr.,** "Controlling Use of Deadly Force" *The Annals of the American Academy of Political and Social Science* (1980)
- **Schwartz GL, Jahn JL.** "Mapping Fatal Police Violence Across U.S. Metropolitan Areas: Overall Rates and Racial/Ethnic Inequities." (2020) https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0229686
- **The Washington Post,** "Final Tally: Police Shot and Killed 986 People in 2015" (2016) https://www.washingtonpost.com/national/final-tally-police-shot-and-killed-984-people-in-2015/2016/01/05/3ec7a404-b3c5-11e5-a76a-0b5145e8679a_story.html
- **U.S. Department of Justice, Civil Rights Division,** Investigation of the City of Bakersfield Police Department (Apr. 12, 2004) ("US-DOJ Letter"). https://www.justice.gov/sites/default/files/crt/legacy/2011/04/14/bakersfield_ta_letter.pdf

Recommendation 2: Devote focused attention to diversified recruitment practices to create greater racial and gender diversity in BPD, including the creation of Chief Diversity Officer and Diversity Recruitment Officer positions and a Diversity and Recruitment Strategic Plan.

To instill trust, it is important that our police department represent the community it serves, including in racial and gender diversity. Research from The President's Task Force on 21st Century Policing affirms the importance of managing bias by hiring candidates who "are likely to police in an unbiased manner" due to more positive and representative experiences with diverse groups. Likewise, an assessment of the San Francisco Police Department by the US-DOJ in 2016 highlights the need for a defined

plan to improve diversity recruiting and hiring at all levels of the police force. The committee feels that BPD can take greater and more organized steps to increase gender and Black, Indigenous, and people of color (BIPOC) diversity throughout its ranks. For example, one important reason for diversity is that it could impact UOF incidents (See Graph 1).

Graph 1. UOF incidents and officer race/gender
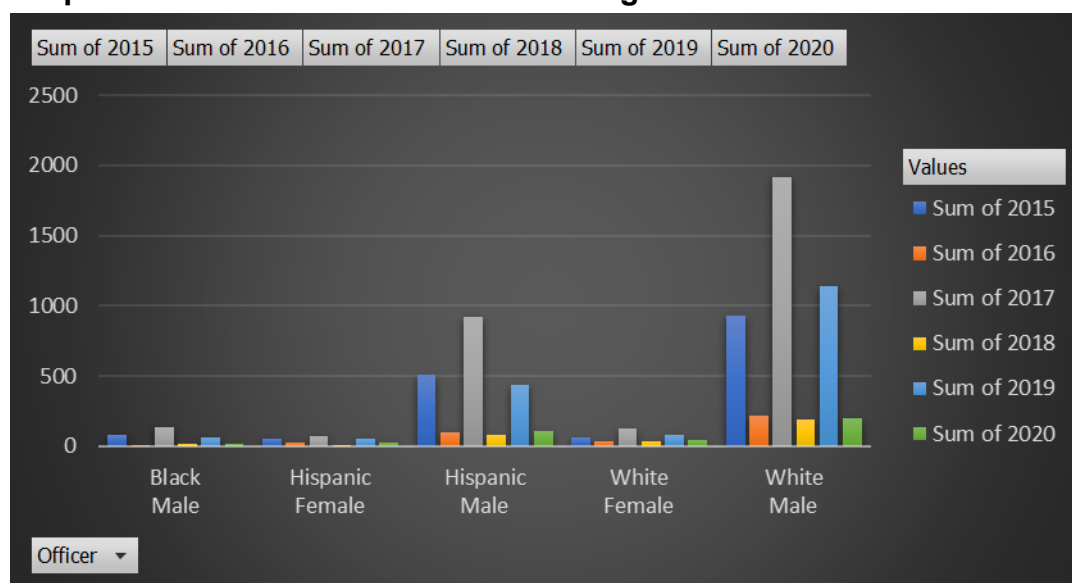
According to 2018 City of Bakersfield statistics, there are clear areas for improvement in enhancing diversity in BPD. For example, in 2018, there was limited representation of Black persons in Detective, Senior Police Officer, and Sworn Police Officer ranks (12 total as compared to 177 White persons across these categories). The 2018 City of Bakersfield Equal Opportunity Employment Plan notes, too, that there is significant underrepresentation of White and Hispanic/Latina females as well as Hispanic/Latino males across numerous police ranks.

While BPD has made attempts to improve the diversity of its police force, much of the recruiting to date has focused on local hires and candidates with a military background. Additionally, in conversations with BPD leadership the CWG was presented with no formal strategy within BPD for diversity recruiting. Following the guidance of recent national police reform efforts, the committee recommends a more organized and systematic effort to address diversity and recruitment practices. This includes the creation of Chief Diversity Officer and Diversity Recruitment Officer positions that would report directly to the Police Chief. These officers would be charged with working with Human Resources to develop a Diversity and Inclusion Strategic Plan. They would also be charged with analyzing and creating plans for greater diversity and recruitment in BPD, setting concrete goals and outcomes, and creating an annual review to assess

progress. This review would, in turn, be shared with and presented to the community at a Listening Session or open forum, annually.

The created Strategic Plan should include strategies for recruitment of populations underrepresented in BPD. To achieve a more diversified police force, BPD must intentionally diversify where they recruit and whom they recruit. Recruiting should be targeted to new locations and environments where the department is more likely to find diverse, competitive, and willing candidates. The committee recommends starting with locations from the list below for future recruitment efforts (this is not an exhaustive list):

- Historically Black Colleges and Universities (HBCUs)
- College campuses outside of the immediate geographical area with a diverse student body
- Job fairs and career days at high schools with high levels of diversity
- Expansion of the BPD Explorers Program to include more women and minorities in minority-dominant neighborhoods

The committee also recommends that BPD expand the profile of their ideal officer candidate to include:

- Women of all backgrounds
- Students with majors besides Criminal Justice
- Candidates with a demonstrated commitment to (non-military) community service
- Individuals with past convictions who have been rehabilitated

Evidential Support:
- **Boston Police Reform Task Force**, "Boston Police Reform Task Force: Recommendations to the Mayor" (Recommendation 2 - "Formalize and Expand BPD's Commitment to Diversity and Inclusion") (2020) https://www.boston.gov/sites/default/files/file/2020/10/BPD-reform-task-force-english.pdf
- **BPD-CC Listening Sessions Community Feedback** (October 28, November 7, and November 10, 2020)
- **Chief Greg Terry and BPD staff,** "BPD-CC Information Sessions: Use of Force Training Presentations for the BPD-CC Use of Force Policy & Oversight Subcommittee" (2020) (PowerPoint Presentations available on BPD-CC web page)
- **Dunham, Roger and Nick Peterson**, "Making Black Lives Matter: Evidence-Based Policies for Reducing Police Bias in the Use of Deadly Force" *Criminology & Public Policy* (2017)

- **Equal Opportunity Employment Plan for City of Bakersfield** (2018)
  https://bakersfieldcity.us/civicax/filebank/blobdload.aspx?blobid=33446
- **The President's Task Force on 21st Century Policing,** "Final Report of President's Task Force on 21st Century Policing," (Recommendation 1.8: "Strive to Create a Workforce that Contains a Broad Range of Diversity") (2015)
  https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf
- **United States Census Bureau - Bakersfield**
  https://www.census.gov/quickfacts/fact/table/bakersfieldcitycalifornia/AGE295219
- **U.S. Department of Justice Community-Oriented Policing Services (COPS) Office**, "Collaborative Reform Initiative: An Assessment of the San Francisco Police Department" (Findings 81 - 85: "Diversity and Recruitment Practices" (2016)
  https://cops.usdoj.gov/RIC/Publications/cops-w0818-pub.pdf

Recommendation 3: Strengthen the confidence of psychological evaluations for BPD officers by expanding the working list of psychological evaluators to a minimum of three. Diversity of gender, race, and geographical residence should be considered in the selection of psychological evaluators.

The committee's research revealed that a single Psychological Evaluator was used to assess the mental health fitness of all law enforcement professionals in Kern County (BPD, KCSO, DA's Office) for more than two decades. While recent changes have been made to the psychological evaluation process for BPD officers, it is troubling that a single perspective (including the potential biases of a single perspective) may have unduly influenced the culture of local law enforcement agencies to date.

The results speak for themselves. The ACLU "Patterns & Practices of Police Excessive Force in Kern County" 2017 report highlights officers who had multiple UOF incidents in a short period. The committee recognized that every officer with multiple incidents had been evaluated and cleared by a single Psychological Evaluator. The committee's assessment is that a higher level of UOF incidents may have been accepted, even normalized, due to that narrow perspective.

The committee believes that an effective way to reduce potential biases in evaluation of police officers following UOF (and other) incidents is to expand and diversify the number of Psychological Evaluators being used for mental health reviews. The California State Commission on Peace Officer Standards and Training website contains a long list of Psychological Evaluators, many of whom appear to come from diverse backgrounds in terms of gender, race, and geography. Securing additional evaluators from this list could bring a fresh perspective to the evaluation process. The committee recommends that BPD use *a minimum* of three Psychological Evaluators in total, and that diversity of gender, race, and geography factor into who is selected to perform the evaluations.

Additionally, for any deadly UOF or repeat incidents, officers should go through psychological evaluations from two separate evaluators. If the two Psychological Evaluators come to differing conclusions, a third evaluation should be required. Officers in this category should not be authorized to return to work until receiving clearance from a minimum of two evaluators. In addition to receiving an evaluation for mental fitness, these officers should receive additional mental health support via mandatory therapy in an individual or group setting as part of a holistic approach to officer well-being.

Evidential Support:
- **American Civil Liberties Union (ACLU),** "Patterns and Practices of Police Excessive Force in Kern County" (2017) https://www.aclusocal.org/sites/default/files/patterns_practices_police_excessive_force_kern_county_aclu-ca_paper.pdf
- **CA Psychological Evaluators:** https://post.ca.gov/psychological-evaluators-list.
- **Chief Greg Terry and BPD staff,** "BPD-CC information sessions: Use of Force Training Presentations for the BPD-CC Use of Force Policy & Oversight Subcommittee" (2020) (PowerPoint Presentations available on BPD-CC web page)
- **The President's Task Force on 21st Century Policing,** "Final Report of President's Task Force on 21st Century Policing" (Pillar Two - Policy and Oversight) (2015) https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf

Recommendation 4: To increase use of force accountability, develop a new Early Identification and Intervention System (EIIS), performance metrics, disciplinary policies, and a revised dashboard.

Since 2015, the BPD Quality Assurance (QA) Department has collected use of force data from Internal Affairs and officer reports to proactively find outliers (i.e. relatively high UOF incidents) regarding officer behaviors and conduct. This process should be formalized via the development of an Early Identification & Intervention System (EIIS) built in conjunction with an Independent Auditor (IA) and Civilian Review Board (CRB) (see Recommendation 1, Building Trust and Legitimacy Committee, below). Disciplinary policies should be developed to articulate clear consequences for violations of UOF procedures, and a formal dashboard should be created.

Police departments in other parts of the state and country have taken similar approaches to preemptively seeking to reduce UOF incidents. Per a 2015 Police Executive Research Forum report ("Critical Response Technical Assessment Review: Police Accountability—Findings and National Implications of an Assessment of the San Diego Police Department"), the San Diego Police Department (SDPD) instituted an

Early Identification and Intervention System in 2010 to increase officer accountability after a misconduct scandal eroded trust with their community. The report highlighted the US-DOJ's recommendation that all police departments develop some type of EIIS to improve awareness of potential issues like officer-involved shootings, higher-than-average UOF incidents, citizen-initiated complaints, canine bites, and more. The full list of categories for SDPD's EIIS system is included in appendix document 8, including five categories added in 2014.

BPD has established its own protocol for collecting UOF data via a relatively simple method, citing a lack of 'industry standards' for data attributes to collect. However, data collected has been inconsistent and scattered, making it hard to utilize for identifying potential issues in advance. BPD was unable to provide the committee with a clear list of evaluation metrics currently maintained by the department and reviewed by leadership on a regular basis. The QA department was also unable to produce examples of trends that had been acknowledged and addressed via the collected data. The committee's assessment is that BPD may rely too heavily on supervisor intervention to discover outliers in officer behavior and provide too little additional oversight through formal metrics. The development of an EIIS would formalize a proactive process and help make sure it becomes embedded in the BPD culture.

The committee also believes that including EIIS data for officer performance metrics would be a valuable addition. For most organizations, establishing and communicating a collection of metrics to compare unit and/or employee performance to a set of standards or targets is essential to improving performance over time. This is a best practice. The PERF/SDPD report suggests the same: with performance metrics tied to how officers execute UOF policies, real change can happen.

Additionally, BPD should create disciplinary policies related to violations of UOF procedures and commit to following through with consistent discipline for those violations. A task force reviewing Boston Police Department policies and procedures required several new actions, two of which are included here:

- Zero-tolerance offenses – the police department should develop a list of zero-tolerance offenses (and associated policies) that if violated, would result in immediate termination. Other infractions (non-terminable) should be captured in the EIIS and reviewed by BPD leadership for appropriate discipline.

- Reporting of Arrest-Related Deaths – any deaths related to an arrest must be reported to the IA and CRB and to the public via the revised dashboard and other reporting mechanisms (i.e. an annual report).

Finally, transparency and quality data will be key to achieving this culture change and stronger accountability. While a "dashboard" of sorts is already published on the BPD website, the reported UOF numbers are obsolete and lacking in information the public may deem relevant (i.e. number of deaths, race of those killed, etc.). In conjunction with the IA and CRB, the dashboard should be revitalized to provide more relevant and timely data for UOF incidents and complaints. The committee recommends that updates on UOF and complaint statistics be reviewed and published monthly. This will allow negative trends to be quickly addressed and rectified. While the IA and CRB should determine the full scope of dashboard categories, the committee recommends that geographical region and racial demographics be included at a minimum.

In summary, the committee recommends that BPD partners with the IA and CRB to develop a new Early Identification and Intervention System (EIIS), performance metrics, disciplinary policies, and a revised dashboard. Because it will take time to strategically think through which metrics will help best achieve these aspirations, the committee recommends a timeframe of completion within 12 months.

Evidential Support:
- **American Civil Liberties Union (ACLU),** "Patterns and Practices of Police Excessive Force in Kern County" (2017) https://www.aclusocal.org/en/publications/patterns-and-practices-police-excessive-force-kern-county
- **BPD-CC Listening Sessions Community Feedback** (October 28, November 7, and November 10, 2020)
- **Chief Greg Terry and BPD staff,** "BPD-CC Information Sessions: Use of Force Training Presentations for the BPD-CC Use of Force Policy & Oversight Subcommittee" (2020) (PowerPoint Presentations available at BPD-CC web page)
- **Police Executive Research Forum,** "Critical Response Technical Assessment Review: Police Accountability-Findings and National Implications of an Assessment of the San Diego Police Department." (2015) https://cops.usdoj.gov/RIC/Publications/cops-w0756-pub.pdf
- **Reiss, Albert T. Jr**., "Controlling Use of Deadly Force" *The Annals of the American Academy of Political and Social Science*" (1980) https://journals.sagepub.com/doi/abs/10.1177/000271628045200112

Section 4. Building Trust and Legitimacy Committee Recommendations

Recommendation 1: The City of Bakersfield should hire an Independent Auditor and create a formal Citizens' Review Board.

Pillar Two (Policy & Oversight) of the President's Task Force on 21st Century Policing cites the need for external, independent oversight of law enforcement and emphasizes that auditors must have adequate training, knowledge, and experience with law enforcement. The use of an Independent Auditor can improve transparency, confirm best practices in BPD, and can lead to mutual trust between community and law enforcement as the department continues to grow in an ever-expanding city environment.

Increasingly, California cities are contracting with independent expert auditors to review critical incidents, advise on investigations, recommend training and policy changes, provide training, assist with the design and use of oversight systems, and report to the public. Given the degree of increased sophistication, specialization, and complexity within BPD, and the high-level of scrutiny – from California's Attorney General to international media attention – that has been directed at BPD and surrounding law enforcement, it's increasingly clear that BPD would benefit from inviting outside experts to help evaluate and make adjustments on current policing practices. Independent auditors have the experience, knowledge, and access to meaningfully address issues needed to drive consequential change.

Indeed, in 2008 the Department of Justice recommended an independent auditor be appointed to oversee BPD reform efforts, citing the failure of BPD supervisors to competently review officers' use of force. Supervisors reached conclusions regarding use of force incidents inconsistent with available evidence and failed to reconcile contradicting accounts regarding officers' use of force.

Oversight is needed and, what is more, in order to garner the trust of law enforcement professionals and the community this oversight must be objective, knowledgeable, and experienced. At a dedicated BPD-CC Listening Session (December 15, 2020), some BPD officers indicated a lack of trust in the ability of inexperienced citizens to provide comprehensive oversight. As a result, the BPD-CC CWG recommends that an objective, professionally experienced, and knowledgeable Independent Auditor be hired by the City Manager alongside input from a Citizens' Review Board to provide objective accountability.

In a nod to the spirit of democratic governance in America, a Citizens' Review Board composed of a diverse panel of individuals from Bakersfield community organizations, faith groups, student or youth groups, and academic institutions with demonstrated interest in law enforcement issues should be appointed. These groups know the community but may lack the professional expertise to evaluate officer-specific data. While the Citizens' Review Board may be prohibited from accessing protected and/or confidential information, they represent the voice of ongoing community feedback, a next phase of the BPD-CC initiative, and can recommend that the Independent Auditor review cases, policies and/or trends of interest to the public.

The Independent Auditor's duties should specifically include, at minimum, audits of use of force and complaint records. The Auditor and Citizens' Review Board should share the goal of establishing permanent structures for independent use of force review and agency oversight. Because all taxpayer funded policing institutions are public service agencies there should be regular public hearings and detailed reports on the progress of reforms, policy changes and training, as well as data on officers' actual use of force (see Communications and Community Outreach Recommendation 1, above).

The need for greater oversight of BPD was a strong theme of the BPD-CC Listening Sessions. Based on these sessions and our research, the committee believes that an Independent Auditor and a Citizens' Review Board offers a depth and breadth of professional oversight alongside local knowledge and understanding of our community. The committee recognizes that time will be needed to identify an Independent Auditor and establish a standing, representative review board of local citizens. The committee recommends that an Independent Auditor and Citizens' Review Board be appointed within 12 months of submission of this report and its recommendations.

Evidential Support:

- **American Civil Liberties Union (ACLU)**, "Patterns and Practices of Police Excessive Force in Kern County" (2017) https://www.aclusocal.org/en/publications/patterns-and-practices-police-excessive-force-kern-county
- **CBS-Dallas Fort Worth,** "Police Reform Experts to Conduct 'Rigorous, Independent' Review of Fort Worth Police Department," (2019) https://dfw.cbslocal.com/2019/11/08/police-reform-experts-review-fort-worth-police-department/
- **Police Executive Research Forum (PERF),** "Critical Issues in Policing Series: Guiding Principles on the Use of Force" (2016) https://www.policeforum.org/assets/30%20guiding%20principles.pdf.
- **Prenzler, Tom, Louise Porter and Geoffrey P. Alpert,** "Reducing Police Use of Force: Case Studies and Prospects," *Aggression and Violent Behavior* (2013)

- **The President's Task Force on 21st Century Policing,** "Final Report of President's Task Force on 21st Century Policing," (Recommendation 1.5.1 - "Involve Community in Process of Developing and Evaluating Policies and Procedures"; Recommendation 2.2.2 - "Mandate External and Independent Criminal Investigations") (2015)
  https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf
- **United Nations Office on Drugs and Crime.** *Handbook on Police Accountability, Oversight and Integrity, Criminal Justice Handbook Series* (2011)
  https://www.unodc.org/pdf/criminal_justice/Handbook_on_police_Accountability_Oversight_and_Integrity.pdf
- **U.S. Department of Justice Community-Oriented Policing Services (COPS) Office**, "Collaborative Reform Initiative: An Assessment of the San Francisco Police Department" (Finding 77 - "Routine, Ongoing Organizational Audits") (2016)
  https://cops.usdoj.gov/RIC/Publications/cops-w0818-pub.pdf
- **Walker, Samuel,** "Police Accountability: Current Issues and Research Needs," presented at the National Institute of Justice Policing Research Workshop: Planning for the Future (2006)
  https://www.ncjrs.gov/pdffiles1/nij/grants/218583.pdf

Recommendation 2: Develop a robust "welfare check" co-responder model to deal with acute and non-acute mental health and addiction challenges by integrating the services of mental health professionals and improving the training of officers.

A 2019 *Washington Post* report found that, by conservative estimates, 20 to 25% of persons killed by police were in a mental or behavioral health crisis. Additionally, studies have repeatedly found that those under the influence of drugs or alcohol are more likely to have police force used against them. BPD's records show a significant percentage of people shot and killed were initially contacted by law enforcement because they exhibited signs of mental illness and disability. A 2016 Police Executive Research Forum (PERF) report - using the same research cited by the *Washington Post* in 2019 - concluded that in one-third of fatal officer-involved shootings, police executives believed there were opportunities to de-escalate the situation and avoid the use of deadly force.

The committee strongly recommends that BPD further develop and implement a co-responder model of service for the City of Bakersfield. Co-responder models consist of specially trained team members that respond with or in place of law enforcement to persons experiencing mental health or addiction crises. Current co-responder work performed in the City of Bakersfield is insufficient and continues to rely upon BPD as the primary response for individuals experiencing the results of unmet treatment needs.

This recommendation will address a long standing but incorrect belief that law enforcement is the best response to all individuals experiencing a behavioral health crisis. Unmet treatment needs, not a violent offense, are often the catalyst that generates a check on the welfare call for service and for many of the individuals contacted by BPD, an arrest does not provide an adequate solution.

Additionally, BPD officers are often placed in difficult, "no-win" situations in these cases. The community expects a solution and voiced several concerns about BPD response to persons in mental health crises at the BPD-CC Listening Sessions. The use of mental health professionals and additional training for officers were among the most frequent themes of the Listening Sessions. But BPD officers are provided with few tools to resolve problems for individuals experiencing mental health or behavioral crises. To further compound this issue, individuals in crisis do not always respond well to verbal commands from law enforcement. This can and does result in otherwise avoidable instances of escalation of force.

The use of specialized co-responder units, whose personnel have the skills needed to de-escalate confrontation and conflict situations, has long been advocated for by researchers and police professional organizations. PERF recommends the use of mental health professionals, writing: "In most instances, officers should call additional, specialized resources to the scene. This approach is especially important in cases involving people with mental illness. These additional resources can include officers with training in mental illness and critical response, mental health clinicians and other medical personnel, and any additional less-lethal options beyond what the initial responding officers are carrying."

Multiple co-responder models exist throughout the United States and the United Kingdom. Communities have developed models to fit their needs and this has created variations. But, taken as a whole, co-responder models enhance law enforcement capacity by augmenting their "tool kit" to include teams of behavioral health specialists (e.g. addressing chemical dependency, mental health, homelessness services, etc.). Calls for service are either diverted from law enforcement to these specialist teams or they are called in immediately after law enforcement makes contact and assesses the situation. This frees police officers to respond to other calls and links the individual that is suffering to services immediately.

Law enforcement agencies across the country – and in similarly sized communities – are using mental health professionals with strong models in Eugene, Oregon; Seattle, Washington; and Los Angeles, California. Composition of teams vary from:

Mental Health Support Team, Pima County Sheriff (Arizona) – A specially trained unit of officers that provide support to the entire department.

Behavioral Health Outreach Program, Kitsap County (Washington) – Behavioral Health Navigators are embedded within the department and respond to officers that have identified individuals in need of assistance.

CAHOOTS-Crisis Assistance Helping Out On The Streets (Eugene, Oregon) - A community nonprofit (White Bird Clinic) contracted to provide 24/7 response service to multiple mobile teams with expertise in medical aide, mental health, substance abuse, and homelessness services. In 2017 CAHOOTS handled 17% of total calls to Eugene Police Department, roughly 24,000 calls. Police backup was requested only 150 times.

Because BPD already uses the services of the Kern County Mobile Evaluation Team (MET) – with BPD officers both expressing their appreciation for MET's participation and their desire to have their services more widely available – the committee recommends expanding and permanently integrating MET's role into BPD welfare check response. Currently BPD waits between one and three hours for a MET specialist to arrive, which has led to police actions being taken when medical or psychological treatment would have been more appropriate. The primary reason for this disjointed approach can be debated but a lack of organizational resources, personnel, and funding appear to be at the heart of this issue.

Relatedly, the committee recommends greater promotion of the SMART911 emergency number as well as ongoing police training on (1) recognizing the traits of individuals who are experiencing a mental health crisis and (2) de-escalating encounters with persons in mental and behavioral health crisis (see Officer Training and Education Committee, Recommendation 3, above).

Evidential Support:
- **American Civil Liberties Union (ACLU)**, "Patterns and Practices of Police Excessive Force in Kern County" (2017) https://www.aclusocal.org/sites/default/files/patterns_practices_police_excessive _force_kern_county_aclu-ca_paper.pdf
- **Atherley, Loren and Matthew J. Hickman.** "Controlling Use of Force: Identifying Police Use of Force Through Review of Police Administration Records" *Policing* (2014)
- **Beck, Jackson et. al** "Case Study: CAHOOTS – Eugene Oregon" *Vera Behavioral Health Crisis Alternatives* (2020)

- **BPD-CC Listening Sessions Community Feedback** (October 28, November 7, and November 10, 2020)
- **Community TRUSTT**, Community Meeting (2018).
- **Elmson, Zusha**. "When Mental Health Experts Not Police, Are the First Responders" *Wall Street Journal* (2018)
- **Karma, Roge**. "We Train Police to Be Warriors and Then Send Them Out to be Social Workers: The Fatal Mismatch of American Policing," *Vox* (2020) https://www.vox.com/2020/7/31/21334190/what-police-do-defund-abolish-police-reform-training
- **Krider, Ashley et. al.** "Responding to Individuals in Behavioral Health Crisis via Co-Responder Models: The Role of Cities, Counties, Law Enforcement, and Providers," *Policy Research Inc & National League of Cities* (2020).
- **Reiss, Albert T. Jr.**, "Controlling Use of Deadly Force" *The Annals of the American Academy of Political and Social Science* (1980)
- **Wexler, Chuck**. "Refining the Role of Less Lethal Technologies: Critical Thinking, Communication and Tactics Can Reduce the Need for Less-Lethal Weapons," Police Executive Research Forum (2020) https://www.nationalpublicsafetypartnership.org/clearinghouse/Content/ResourceDocuments/PERF_Refining%20Less%20Lethal%20Technologies.pdf

Recommendation 3: Increase empathy, strengthen trust, and improve social interaction skills through community collaborations.

In *The Annals of the American Academy of Political and Social Science* a long-recognized maxim of law enforcement scholarship is restated: improved social interaction skills translates into better decisions and more effective policing. Social interaction skills are improved primarily in two ways – *experience* and *training*.

Social interaction skills can help officers de-escalate situations by helping them become better "readers" of the people and environments they encounter. Findings from The President's Task Force on 21st Century Policing affirm that treating people with dignity and respect and giving individuals "voice" during encounters are primary tenets of procedurally just behavior. In short, trust and legitimacy are increased when officers demonstrate higher levels of skill during social interactions. Social Interaction Training (SIT) provides a viable opportunity to help officers improve in building trust and legitimacy skills in our community.

While SIT can improve officer community policing, our committee acknowledges that it also could require a restructuring of BPD's training policies that may not be immediately feasible. The committee recommends that SIT be increased and prioritized in police training but, also, that BPD build upon community outreach programs already in place in

order to enhance police officer social interactions and relationships with Bakersfield's many diverse populations.

Among these programs, BPD's Police Activity League (PAL) provides a public space for our community's youth to participate in afterschool programs and train for athletic programs, which offer safe places (and snacks) for the many kids who may not have parents at home when they get out of school. Apart from PAL, many members of our community benefit from BPD's "A Life Interrupted" campaign, which teaches local teens about the tragedy and human suffering that comes from reckless or drunk driving.

Similarly, there are many communities in Bakersfield that profit from BPD's Halloween "trick or treat" walk. Other programs that often don't get substantial media attention (this is not an exhaustive list) include BPD's Christmas toy/meal drive and their Special Olympics program. The "Audible Easter Egg Hunt" for deaf children offers a significant value-added community program. Programs like these are all sponsored by BPD officers and should be continued and promoted more vigorously. In addition, the committee encourages BPD to incorporate and build new areas of community outreach, which might include community grant seeking initiatives that enhance community outreach and social interaction contact points.

For example, BPD could start by looking at grass-roots trauma-informed human trafficking task force programs already being led by the Kern Coalition Against Human Trafficking. This would be especially helpful since Bakersfield's communities of color continue to endure violence as countless local trafficking victims are Black, Latino, and Asian. Indeed, local Kern County experts have identified over 200 child victims since 2018 alone. Working with local Kern advocates would do wonders to not only make Bakersfield's streets safer but would help local community volunteers and area specialists secure funding from professional sources (like the DOJ) which would contribute greatly to making Bakersfield a safer place.

Additionally, BPD could develop additional partnership pilot programs in 2021 with organizations who serve diverse communities in nonenforcement areas. Apart from human trafficking, additional examples might include Court Appointed Special Advocates of Kern County (CASA) where officers could serve as child advocates. The same goal could also be achieved via partnership with other agencies that serve low-income or diverse residents. BPD officers could be invited to participate in one of these community programs.

The committee envisions multiple "wins" for this work. These partnerships may serve as strategic upstream activities that could reduce the likelihood of costly enforcement interactions. They can also help increase officer empathy and social interactions and thereby improve de-escalation skills. More importantly, these programs may provide the

Bakersfield community more opportunities to perceive officers in a different way, which would strengthen trust and legitimacy.

Evidential Support:
- **BPD-CC Listening Sessions Community Feedback** (October 28, 2020)
- **The President's Task Force on 21st Century Policing,** "Final Report of President's Task Force on 21st Century Policing," (Recommendation 1.5 - "Promote Public Trust by Initiating Positive Nonenforcement Activities" (2015) https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf
- **Wolfe, S., Rojek, J., McLean, K., Alpert, G.,** "Social Interaction Training to Reduce Police Use of Force" *The Annals of the American Academy of Political and Social Science* (2020) https://journals.sagepub.com/doi/full/10.1177/0002716219887366
- **U.S. Department of Justice, Office of Justice Programs (Office for Victims of Crime),** "Enhanced Collaborative Model Task Force to Combat Human Trafficking" (2020) https://ovc.ojp.gov/sites/g/files/xyckuh226/files/media/document/OVC-2020-18392.pdf
- **U.S. Department of Justice Community-Oriented Policing Services (COPS) Office**, "Collaborative Reform Initiative: An Assessment of the San Francisco Police Department" (Finding 40 - "Formalize Community Engagement") (2016) https://cops.usdoj.gov/RIC/Publications/cops-w0818-pub.pdf

Recommendation 4: Modify the "Gang Members Documentation" checklist.

Between 1970 and 2018 the non-Hispanic white population of California went from roughly 77 percent of the population to 36.6 percent. By many measures California has become a minority dominant state, where people of color now make up the majority of the population in numerous counties across the state. Unfortunately, communities of color are also, per capita, the largest source of the state's prison population.

For example, Latino men in California have an incarceration rate of 101.6 per 10,000. This is more than double the rate for white men in California (42.2 per 10,000). The numbers are far worse for African-Americans in California. With an incarceration rate of 423.6 per 10,000, African-Americans are jailed at ten times the rate of white men in California. According to the Public Policy Institute of California, "California's prison population has stabilized." Unfortunately, in spite of the leveling off of California's prison population, 92 percent of all incarcerated adults with gang enhancement charges since 2019 are either African-American or Latino men.

Rather than deterring crime – or addressing the circumstances that push individuals into gang environments – overly broad interpretations of gang associations may be criminalizing cultures and/or relationships between people who reside in low-income Black and Latino communities. If we are following the goals of the State Assembly's Men and Boys of Color (BMOC) initiative, this is an unfortunate development. One of the stated goals of California's BMOC initiative is to restructure opportunity environments among boys and men of color. Disparate incarceration rates based, in part, on gang enhancement charges undermines these goals over time.

Since *Brown v. Plata* (2011) – in which the Supreme Court ordered California to reduce its prison population for violating inmates' Eighth Amendment rights – California's in custody prison population has declined from 163,000 in 2011 to around 95,000 in 2021. While prison population numbers are falling in California the number of prisoners with a gang enhancement charge – again, the vast majority of whom are Black or Latino – has risen by almost 40 percent.

This is a broad problem that extends beyond BPD. For example, Immigration and Customs Enforcement (ICE) has a history of inaccurately applying "gang enhancement" charges to pursue DACA (Deferred Action for Childhood Arrivals) students and others in the immigration pipeline. In one case, U.S. District Court in the State of Washington found that ICE arrested a DACA student, unilaterally revoked his DACA status, and claimed that his status could be terminated "automatically" because he presented an "egregious public safety concern" because of his alleged gang affiliation. The judge in that case ruled ICE had willfully misled the court about the gang affiliation. In a Kern County case involving Bakersfield Community College student Jose Bello, ICE wrongly accused Mr. Bello of being affiliated with gangs.

These dynamics are significant because, at the moment, BPD maintains a "Gang List" that pre-identifies individuals as gang members. Gang identification occurs from observations of persons primarily in neighborhoods of color. The Gang List is composed after BPD documents gang affiliation as determined by a series of questions outlined and then "check-listed" in the "Special Enforcement Unit Gang Member Documentation / Update Form" (SEUGMD). While the check-listed SEUGMD form is taken to court as validation of gang membership, there is no independent hearing nor trial to decide guilt or innocence with regard to gang membership prior to the expert using this information in court. There is simply an acceptance that in communities of color – where associations can be as spurious as a family member going to the store with a suspected or known gang member – that association alone is sufficient to be classified as part of a "Suspect Class."

This classification, whether true or not, leads to an erosion of trust in law enforcement, and can set the environment for a miscarriage of justice. In these situations, nobody wins. More to the point, as the President's Task Force on 21st Century Policing pointed out, "The public confers legitimacy only on those whom they believe are acting in procedural just ways."

The SEUGMD documentation form is shown in court to confirm gang membership and appears official to juries. The committee recommends that BPD reevaluate the items included on the SEUGMD form according to objective standards established by established social scientists or researchers in the field. The SEUGMD form should also be modified so that those accused for the first time and/or those who are checked off on one or two of the lists' seven classification be presented as "suspected" rather than "documented" gang members.

Evidential Support:

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- *California Penal Code, 186.22*, "Gang Sentencing/Enhancements" https://codes.findlaw.com/ca/penal-code/pen-sect-186-22.html
- *California v. Pride, 2019,* Court of Appeal, Fourth Appellate District, Division One, State of California, Docket #073360, Superior Court No. SCD272182l. (2019) https://law.justia.com/cases/california/court-of-appeal/2019/d073360.html
- **California State Assembly**, Select Committee on the Status of Boys and Men of Color https://scbmc.assembly.ca.gov/
- **Clayton, Abene**, "92% Black or Latino: The California Laws That Keep Minorities in Prison" *The Guardian* (2019) https://www.theguardian.com/us-news/2019/nov/26/california-gang-enhancements-laws-black-latinos
- **Community TRUSTT**, Interviews with Defense Attorneys and Persons (families/friends) Impacted by Gang Enhancement charges (2018-2019)
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https://www.vcstar.com/story/news/local/communities/oxnard/2021/01/12/controversial-oxnard-gang-injunctions-dissolved-judge/6618531002/

- **KGET 17 News**, "Bakersfield College Student Arrested by ICE Tuesday Morning; ICE says He's a Gang Member" (2018) https://www.kget.com/news/bakersfield-college-student-arrested-by-ice-tuesday-morning-ice-says-hes-a-gang-member/

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- **Police Executive Research Forum,** "Inventory of Promising Practices and Programs for Immigrant and Refugee Outreach" (2021) https://www.policeforum.org/immigrantrefugeeoutreach

- **Public Policy Institute of California**, "Just the FACTS: California's Prison Population" (2019) https://www.ppic.org/wp-content/uploads/jtf-prison-population-jtf.pdf

- **Stern, Mark Joseph**, "Bad Liars: ICE Claimed a Dreamer was "Gang-Affiliated" and Tried to Deport Him. A Federal Judge Ruled that ICE was Lying" *Slate* (2018) https://slate.com/news-and-politics/2018/05/federal-judge-accused-ice-of-making-up-evidence-to-prove-that-dreamer-was-gang-affiliated.amp

- **Teasley, Martell Lee, Jerome H. Schide, Charles Adams and Nathern S. Okilwa**, "Trayvon Martin: Racial Profiling, Black Male Stigma and Social Work Practice" *Social Work* (2017) https://www.researchgate.net/publication/320959859_Trayvon_Martin_Racial_Profiling_Black_Male_Stigma_and_Social_Work_Practice

- **The President's Task Force on 21st Century Policing,** "Final Report of President's Task Force on 21st Century Policing" (2015) https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf

- **U.S. Department of Justice**, "Investigation of the Ferguson Police Department: The Practice of Racial Profiling has Resulted in Deep Distrust Between the African American Community and Local Police." Washington, DC: DOJ, Civil Rights Division (2015) https://www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/ferguson_police_department_report.pdf

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- **Yoshio, Erin R**, "California Criminal Gang Enhancement: Lessons from Interviews with Practitioners." *Review of Law and Social Justice* (2008). https://gould.usc.edu/students/journals/rlsj/issues/assets/docs/issue_18/Yoshino_(MACRO2).pdf

Part 3. Appendix Documents

Appendix 1. BPD-CC Subcommittee Charges and Membership

1. **Communications and Community Outreach Committee (Chair, NaTesha Johnson)**

   Charge: To (1) review current BPD social media and outreach/information-sharing practices, (2) develop recommendations for BPD to increase transparency, information-sharing, and engagement with community and (3) to develop and lead specific communication strategies for the BPD-Community Collaborative Project (e.g. helping to publicize the Listening Sessions and other events to the community).

   Members and contact info:

   - NaTesha Johnson, Chair (info@upsideproductions.biz)
   - Steven Watkin (steven.watkin@bakersfieldcollege.edu)
   - Marisa Banks (purposedbanks@yahoo.com)
   - Reyna Olaguez (reyna@adelantestrategy.com)
   - Lilli Parker (lparker530@sbcglobal.net)
   - Emad Meerza (ejhim@icloud.com)
   - Mo Ali (TheeNextStep@Outlook.com)

2. **Officer Training and Education Committee (Chair, Dr. Michael Burroughs)**

   Charge: To (1) review current training and education offerings for BPD personnel, (2) review police training and education offerings nationally (with a specific focus on trainings attending to issues of prejudice, implicit bias, use of force, de-escalation, and community policing), and (3) make recommendations for BPD in developing new or revised training and education offerings for officers.

   Members and contact info:

   - Dr. Michael Burroughs, Chair (mburroughs1@csub.edu)
   - Dr. David Sandels (dsandles@csub.edu)
   - Wendy Garay (wendygaray1@gmail.com)
   - Dr. Krista Hererra (krherrera@kern.org)
   - Cornelio Rodriguez (Corny1957@gmail.com)
   - Dr. Rhonda Dugan (rdugan2@csub.edu)

- Sue Watson (sue@businessinitiatives.com)
- Tamar Anthony (tanthony@csub.edu)

3. **Use of Force Policy and Oversight Committee (Chair, Traco Matthews)**

Charge: To (1) review current BPD policies and practices relating to use of force, de-escalation, and use of non-lethal weapons, (2) review policies and practices (in same areas noted) in other representative police departments and recommendations, and (3) to make recommendations to BPD in these policy and practice areas.

Members and contact info:

- Traco Matthews, Chair (tmatthews@cpak.org)
- Nadine Escalante (lynnross829@gmail.com)
- Reginald Gardner (reginladblmbako@gmail.com)
- Rita Waugh (ritawaugh@hotmail.com)
- Dr. Vincent K Jones (drvkjones@me.com)
- Xochitl Garcia (Xochitl@xmgarcialaw.com)

4. **Building Trust and Legitimacy Committee (Chair, Dr. Mark Martinez)**

Charge: To (1) review current BPD policies and practices relating to Community Policing and outreach efforts and (2) to make recommendations for expansion of current efforts and/or adding additional outreach or oversight efforts to build and maintain trust between BPD and the Bakersfield Community.

Members and contact info:

- Dr. Mark A. Martinez, Chair: (mmartinez@csub.edu)
- Michael Bowers: (bishop24u@gmail.com)
- Nancy Renfro: (nrenfro@buffalo-soldiers.org)
- Raji Brar: (rajijbrar@gmail.com)
- Louis Gill: (lgill@bakhc.org)
- Holly Mitchell: (attholly@aol.com)

Appendix 2. BPD-CC Listening Sessions Advertising Flyer

BPD - Community Collaborative
Listening Sessions

Suggestions?   Recommendations?   Feedback?

WE WANT TO HEAR YOUR VOICE!

The BPD-Community Collaborative is seeking community input on local police reform efforts through a series of "Listening Sessions." These are open forums for you to share your experiences, insights, and ideas.

Listening Sessions will be facilitated by and for community members (not by BPD staff).

COMMUNITY LISTENING SESSION DATES:

Wednesday, October 28 - 7:00 pm
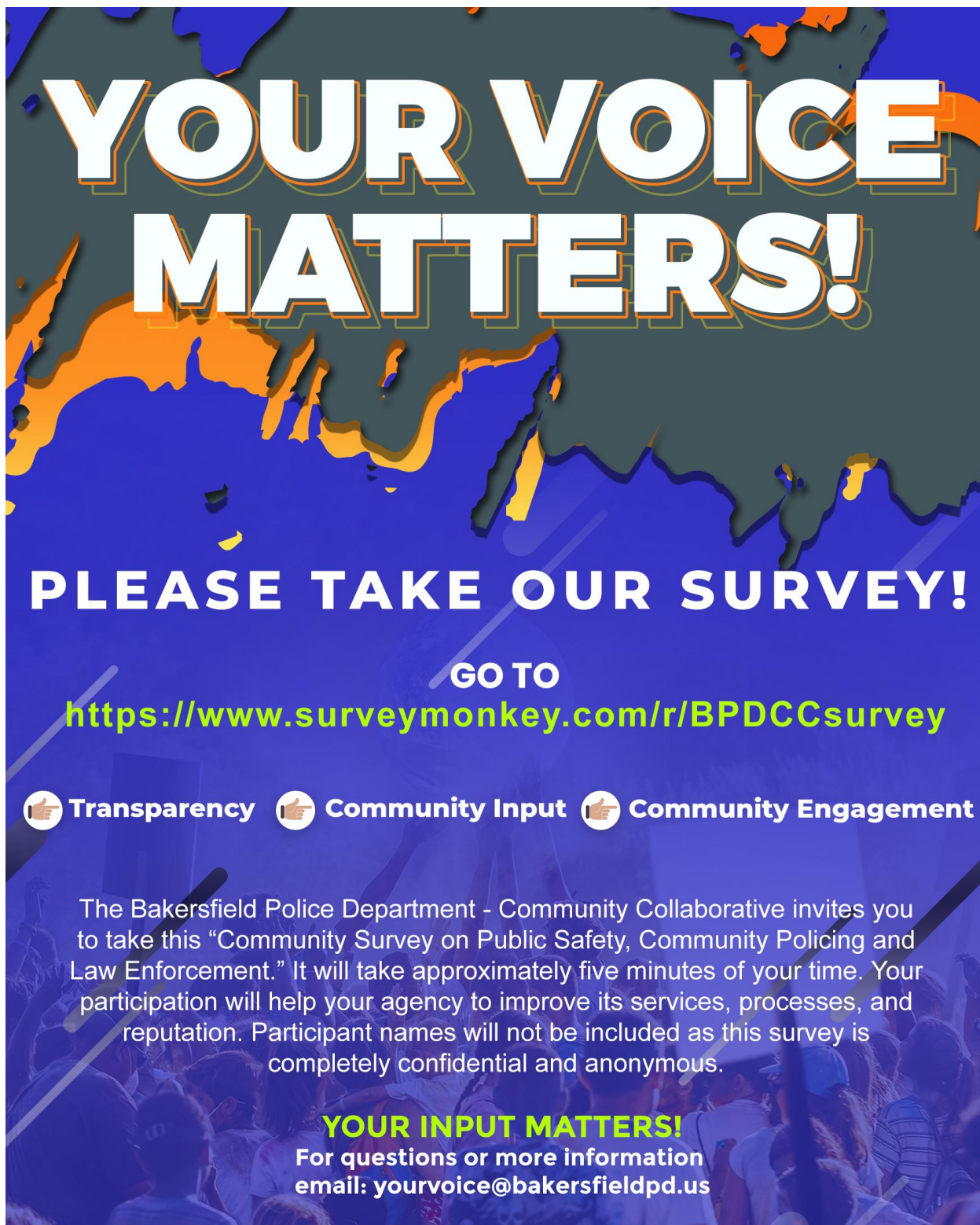
Saturday, November 7 - 12:00 pm

Tuesday, November 10 - 7:00 pm

All sessions will be accessible via Zoom. Please email yourvoice@bakersfieldpd.us to request Zoom links.

For questions on Listening Sessions, please contact the BPD-Community Collaborative at **yourvoice@bakersfieldpd.us**

Appendix 3. Flyer for Community Survey on "Public Safety, Community Policing, and Law Enforcement"

Appendix 4. Data from BPD-CC Community Survey on "Public Safety, Community Policing, and Law Enforcement"

A complete report on survey questions, respondee demographics, and received responses can be accessed [here](#).

Direct Link: https://drive.google.com/drive/folders/1KlwMjC8puW085T-fmA6mou0-VmqUvPUG

Appendix 5. BPD-CC Media Outreach to Bakersfield Community

Note: this document does not include additional and substantial media outreach efforts (e.g. social media posts, individual conversations and meetings hosted by the CWG) completed by BPD, the Kegley Institute of Ethics, and the CWG to reach out to community members, local activists, and others interested in police reform and the BPD-CC initiative.

KBAK Segment on launch of BPD-CC (7.2.20):
https://bakersfieldnow.com/news/local/bpd-partners-with-csub-to-form-group-who-will-review-local-police-practices

Bakersfield Police Department BPD-CC launch press release (issued 7.2.20)

Johnson, Matthews, and Terry on KBAK with Tyrah Majors
Interview (7.9.20): https://bakersfieldnow.com/news/local/bpd-chief-greg-terry-discusses-new-policy-and-reform-partnership-with-csub

Bakersfield Californian Article on launch of BPD-CC (9.3.20):
https://www.bakersfield.com/news/breaking/bpd-community-collaborative-seeks-local-input-as-effort-kicks-off/article_478eef20-ee3a-11ea-9e70-771e192297a6.html

Bakersfield Californian Community Voices Article on BPD-CC (9.10.20):
https://www.bakersfield.com/opinion/community-voices-a-call-to-action-the-bakersfield-police-department-community-collaborative/article_1cbd8a6a-ef00-11ea-beb0-f7694c568d4e.html.

Burroughs MoneyWise Appearance (10.1.20):
https://player.fm/series/the-moneywise-guys/ep-10120-discussion-with-dr-michael-burroughs-on-how-the-community-and-local-police-working-together-for-a-better-future

Johnson and Matthews MoneyWise Appearance (10.19.20):
https://player.fm/series/the-moneywise-guys/ep-101920-discussion-about-race-with-traco-mathews-and-natesha-t-johnson

Matthews and Martinez Richard Beene Show Appearance (10.21.20):
https://www.kernradio.com/2020/10/21/race-in-kern-county-traco-matthews-and-dr-mark-martinez-speak-to-fears-reality-and-trust/

CSUB Runner Listening Sessions Article (10.24.20):
https://therunneronline.com/28200/news/csub-to-partner-with-bpd-to-host-community-events-discussing-police-reform/

Bakersfield Californian Listening Sessions Article (10.29.20):

https://www.bakersfield.com/news/change-could-be-around-the-corner-for-bpd-after-committee-holds-first-listening-session/article_ea9c23b8-1996-11eb-9b4e-2354f8a3b7a8.html

Burroughs and Matthews KGET Kern County in Depth Interview (11.4.20): https://www.kget.com/kern-county-in-depth/kern-county-in-depth-spike-in-covid-19-cases-could-lead-to-bleak-holiday-season/.

KGET Listening Sessions Segment (11.10.20): https://www.kget.com/news/local-news/bpd-community-collaborative-to-hold-final-listening-session-today/

Appendix 6. BPD Academy Instructor Evaluation Form

**BAKERSFIELD LAW ENFORCEMENT
TRAINING ACADEMY**

Instructor Evaluation

Date: _____

Presenter/Instructor: _____ LD: _____

Please rate the instructor on the five quality items named below. It is necessary in each ca
choose only the level which you believe is most appropriate. The highest rating is made by circl
in each category; the lowest by circling a 1. Please provide any additional positive or neg
comments at the bottom.

1.	Preparation	1	2	3	4
2.	Interest and enthusiasm	1	2	3	4
3.	Organization of presentation	1	2	3	4
4.	Knowledge of subject matter	1	2	3	4
5.	Leads discussions and questions	1	2	3	4

Comments: _____

_____

_____

Appendix 7. Policy Recommendations from 2017 ACLU/US-DOJ Report

BPD policy 300.1.1 Add these definitions
DE-ESCALATION – Taking action or communicating verbally or nonverbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the UOF or with a reduction of the force necessary. De-escalation tactics include, but are not limited to, warnings, verbal persuasion, and tactical repositioning.

CRISIS INTERVENTION TECHNIQUES (CIT) - A collaborative approach to safely and effectively addressing the needs of people with mental illnesses, linking them to appropriate services, and diverting them from the criminal justice system if appropriate. The primary goal of CIT is to improve officer and mental health consumer safety while reducing injuries to officers and consumers during law enforcement contacts. Crisis intervention techniques include using distance, time, verbal tactics, or other tactics to de-escalate a situation.

BPD policy 300.1.1 Add specific langauge
Specify that baton strikes to the head constitute deadly force, and revise the definition of "deadly force" to clarify that it encompasses any force that creates a substantial risk of causing death or serious bodily injury, regardless of whether the officer has a specific intent to kill;

BPD policy 300.3.1 (Use of Force)
- Addition to first sentence: "to overcome '*tangible*' resistance..." which should ensure UOF is not used simply for verbal threats that have not yet materialized.
- Addition after the first sentence: "Force must be proportional to the purpose it is used to serve and should be limited to situations where it is required to effect a lawful arrest or protect an officer or third party from an immediate safety threat." This is designed to reduce the use of excessive force even for legitimate law enforcement objectives (i.e. overcoming tangible resistance of an unarmed suspect).
- Addition after second sentence (added above): "A peace officer may ONLY use deadly UOF when it is *necessary* to defend against a clear threat of imminent and serious bodily injury or death to the officer." This is designed to provide clarity on what an objective use of deadly force means to the community and is recommended in anticipation of California legislation to the same effect.

BPD policy 300.3.2 (Use of Force: Factors used to determine reasonable use of force)

Additions and/or changes to the following bullet points:
- (d) "the 'visibly and intelligibly perceived' effects of drugs or alcohol."
- (e) "Subject's 'visibly and intelligibly perceived' mental state or capacity."
- (f) "Subject's 'visibly and intelligibly perceived' specialized knowledge, skills, or abilities."
- (l) "potential for 'serious bodily' injury to officers, suspects, and others."
- (m) "Whether the person 'visibly and intelligibly' appears to be resisting or attacking the officer."
- (n) "'Whether the person is 'visibly and intelligibly' attempting to evade arrest by flight 'and the risk and reasonably foreseeable consequence of escape poses a serious, imminent threat to the public.'"
- (o) "The 'clear and significant' need for immediate control of the subject or a prompt resolution of the situation."
- (r) "Any other exigent circumstances 'that clearly demonstrate serious danger for officers, suspects, or the public.'"

BPD policy 300.3.4 (Use of Force: Carotid control hold)
Completely remove this policy regarding carotid control holds, or add language indicating the carotid control hold has been specifically banned. If the latter option is chosen, the following language is recommended:
- "Carotid control holds have been officially prohibited by the Bakersfield Police Department. The use or attempted use of the carotid control hold must be immediately reported to the acting sergeant, and any officer using the carotid control hold shall be subject to disciplinary measures."

BPD policy 300.3.5 (Use of Force: To seize evidence)
Addition to second sentence: "However, officers 'may not use force solely' to prevent a person from swallowing evidence or contraband, except in cases where swallowing evidence may endanger the life of the suspect."

Policy 302 (Control Devices and Techniques)
Prohibit the use of the baton to the head or neck. (section 302.5)

Policy 303.2 (Tasers) Amend to include the part in bold below:

The TASER® device is intended to control a violent or potentially violent individual, while minimizing the risk of serious injury. **C.E.W.s are potentially deadly. Their use should be restricted to situations where there is a visible and tangible threat of serious bodily harm to officers or the public. Every attempt at de-escalation should be made before a C.E.W is used.** The appropriate use of such a device should result in fewer serious injuries to officers and suspects.

BPD policy 310.2 (Canines)
Additions to the second paragraph:
- Sentence 4: "Use of a canine to attack persons not suspected of a serious crime or who pose no imminent threat of serious bodily harm to officers or the public is unconstitutional and strictly prohibited."
- Add a sentence 5: "For that reason, our canines will primarily be deployed 'to locate suspects at large or in hiding, not to threaten, intimidate, or injure persons already located, being questioned or taken into custody."
- Add a sentence 6: "Use of a canine to apprehend a person must be approved by the handler's supervisor in advance."

BPD policy 310.9 (Canines: Apprehension guidelines)
Additions and/or changes to the following bullet points:
- (a) "There is a 'visible and intelligible' belief the suspect 'is armed and/or' poses an imminent threat of violence or serious 'bodily' harm to the public, any officer or the canine handler."
- Remove *"(b) The suspect is physically resisting or threatening to resist arrest and the use of a canine reasonably appears necessary to overcome such resistance."*
- (c) The suspect is believed to be concealed in an area where entry by other than the canine would pose a 'serious bodily' threat to the safety of officers or the public.
- Add a bullet (d): Canines are prohibited from being used for suspects already in custody or detained, or as retaliation.

Add to the paragraph following the bullets listed above:
- First sentence: "The use of a canine against unarmed people under the influence of drugs and/or alcohol or persons with mental illness is strictly prohibited."
- Last sentence: "Use of a canine to apprehend any suspect requires supervisor approval in advance, and all other detainment methods must be exhausted prior to canine use for unarmed suspects."

BPD policy 310.9.3 (Canines: Directed canine bite)
Additions to the last paragraph:
- Addition after the last sentence: "All canine apprehensions and bites shall be captured and reported for review."
- Following the added sentence above: "A pattern of unusually high bite ratios may result in disciplinary action for the canine and/or handler."

Other BPD policy sections:

The recommendations above do not constitute a comprehensive list of changes. Any additional revisions mandated by the proposed language changes should be identified and implemented by BPD.

Appendix 8. San Diego Police Department Early Identification and Intervention System Categories

1. Officer-involved shootings
2. Use of force
3. Officer activity
4. High-risk crime reports
5. Citizen-initiated complaints
6. Internal investigations
7. Criminal arrests
8. Missed scheduled firearms qualification or missed court
9. Vehicle collisions
10. Elevated use of time off
11. Overtime usage
12. Work-related injuries
13. Public Service Inquiries (PSI) calls/complaints68
14. Industrial (disability)
15. Unsatisfactory performance evaluation*
16. All civil litigation against an officer*
17. Canine bites*
18. Tardiness*
19. Positive indicators*

*Added in 2014 as additional elements.