

The joint subcommittee report was presented to the City Council on December 1, 2020¹. On December 15, 2020, Council directed staff to review the report and return with feedback and responses to the nine recommendations made by the joint subcommittee.

Joint Subcommittee Recommendations and Staff Response

Recommendation 1: Determine why racial disparities in arrests, recommended charges, and stops exist in Davis.

Of all of the recommendations in the report, this one is perhaps the most complex, with causal data difficult to isolate and interpret, and appropriate solutions even more perplexing. Looking at, analyzing, and responding to this and similar data will require continuous attention from law enforcement, including the Davis Police Department.

The Police Department began collecting Racial Identify Profiling Act² (RIPA) stop data in 2019, although the Department was not required to collect data until 2022 (reportable in 2023). For purposes of collecting RIPA data, a stop encompasses far more than just traffic stops. A “stop” for purposes of RIPA data collection means (1) any detention, as defined in the RIPA regulations, by a peace officer of a person; or (2) any peace officer interaction with a person in which the officer conducts a search, as defined in the regulations. A detention means a seizure of a person by an officer that results from physical restraint, unequivocal verbal commands, or words or conduct by an officer that would result in a reasonable person believing that he or she is not free to leave or otherwise disregard the officer. In other words, a stop occurs in many investigatory contacts with individuals even if no arrest is made or citation is issued.

The Department is set to transmit the 2020 data to the Department of Justice (DOJ), which collects the RIPA data. Once submitted, the DOJ will analyze the data and incorporate it into the annual RIPA report. Davis data will be compared to statewide and regional data as more agencies are required to collect and submit records (no other Yolo County agencies are collecting or submitting data at this time and most of the agencies in this region are not required to collect data until 2022 and report it until 2023).

In their report, the joint subcommittee and/or others reviewed the 2019 data and determined that racial disparity existed based on simple quantitative analysis (numbers) of the 2019 data in comparison to the estimated Davis racial resident population. In order for this data to be most meaningful to policymakers and law enforcement, a qualitative analysis should be included and data should be normalized, and compared to factors in addition to the estimated racial makeup of Davis residents³. Having a more nuanced understanding of the data will more closely define actual disparities and allow for more targeted solutions.

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<http://documents.cityofdavis.org/Media/Default/Documents/PDF/CityCouncil/CouncilMeetings/Agendas/2020/2020-12-01/07-Joint-Subcommittee-SSC-PAC-HRC-Police-Issues.pdf>

² <https://oag.ca.gov/ab953/board>

³ https://policingequity.org/images/pdfs-doc/COPS-Guidebook_Final_Release_Version_2-compressed.pdf

The issue is significantly more complicated than comparing the number of reportable stops or contacts to resident data. First, the idea of proportionality presupposes a few important points. Proportionality assumes that we know the denominator (known as demographic benchmarking⁴). In the case of RIPA data, we do not. The RIPA data does not include place of residence as it relates to the data point (person stopped). Further, it may be illegal/improper in some cases to demand or collect the data. Accordingly, this isn't an area where the data point should be expanded (data should be limited to that which is collected pursuant to RIPA). We do, however, have information about arrest and issued traffic citation statistics. Based off of arrest/citation data, we know that a sizeable percentage of those arrested/cited by the Department are not from Davis.

Felony Arrests	2016	2017	2018	2019	2020
Total	163	179	126	166	196
% Non-Davis Address	54%	57%	53%	50%	50%

Misdemeanor Arrests	2016	2017	2018	2019	2020
Total	496	433	348	331	242
% Non-Davis Address	47%	40%	40%	45%	39%

Adult Citations (2020)

	Davis	Yolo County	Non-Yolo County	Total Cites Issued
Citations Issued	279 (54%)	332 (65%)	180 (35%)	512

Second, proportionality assumes that any arrest disparities must be due to bias alone and not some degree of differential offending. There are, in fact, many studies that address differential offending as a result of disparities in very complex and intervening societal risk factors to include socioeconomics, education, alcohol and drug addiction, mental health, access to medical care, compromised familial situations, exposure to violence, adverse childhood experiences, and other criminogenic factors.

Furthermore, analysis must be done to determine reported offender makeup in comparison to arrest/citation makeup⁵. These inputs, and more, must be considered as part of this conversation. The group tasked to perform research for the subcommittee did raise this very issue in their “social determinants of crime” slides presented to the subcommittee but it was not included in the presentation to the City Council in December. The examination of all these factors requires

⁴ https://www.policeforum.org/assets/docs/Free_Online_Documents/Racially-Biased_Policing/understanding%20race%20data%20from%20vehicle%20stops%20-%20a%20stakeholders%20guide%202005.pdf

⁵ <https://www.bjs.gov/content/pub/pdf/revcoa18.pdf>

an extremely complex analysis of all identifiable data regarding each individual contact (quantitative analysis). In many cases, the data is not collected and/or doesn't exist, which makes it difficult to do an accurate assessment.

The DOJ, California RIPA Board, and the primary research authorities that analyze this type of data look at the expanded benchmarks. Cities/counties, including Sacramento, have spent considerable funds analyzing stop/arrest data and have not reached conclusive findings of bias policing due to the number of variables that must be accounted for prior to declaring that racial bias/profiling is occurring. The RIPA Board has faced similar problems in trying to analyze data, which is why they have focused heavily on providing best practices to reduce bias policing⁶. The Davis Police Department has adopted their recommendations/best practices in a comprehensive policy that prohibits bias policing⁷. Furthermore, all Department members receive at least annual training on the policy and this is a core component of Procedural Justice/Principled Policing⁸ training, which members have also received.

Even with this background, it would be naïve to assert that bias in policing does not occur and that a dialed down quantitative analysis of RIPA data that is benchmarked will not show some disparity. Additionally, the Yolo County District Attorney (DA) will about to launch a transparency portal that has significant data in it (see below) and will likely show arrest disparity. It is well understood that all people, including police officers, are affected by implicit biases and an individual's actions may comport to those biases. This is a normal human trait and why bias is present in nearly all systems – it is systemic. Further, it is indisputable that racial disparity does exist in the criminal justice system; however, what to do about it, or how to correct it, is extremely complex and extends well beyond the city's jurisdiction, although this report does outline many concrete steps that are being taken by the Davis Police Department and the Yolo County agencies.

Reform advocates essentially argue that by reducing, defunding, and/or abolishing the police, people would no longer be arrested/incarcerated, which would reduce or eliminate any kind of disparity in the criminal justice system. While it may seem that defunding the police and diverting money to further fund social services, mental health services and education would whittle away at the criminogenic factors that lead to crime, there are other realities in California that must be considered. Services such as mental health treatment, medical treatment, addiction treatment and education are not forced (an individual may be required to attend, but there is no requirement to successfully complete a course or a certain regimen). Employment is not required, nor is it required for the homeless to be housed, even if housing became available. Further, many drugs have been essentially deregulated in California; there are significant numbers of people who are addicted and are not motivated to get better and there is no requirement they make an effort to get better. In short, social workers may also lack the systemic resources they need to actually be able to help resolve all problems.

⁶ <https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-board-report-2020.pdf>

⁷ <https://www.cityofdavis.org/home/showpublisheddocument?id=15142>

⁸ <https://stanford.app.box.com/s/e3ik3z20be2k9k6p6pluo9o42wdz5cni>

With all this being said, the subcommittee recommendation is to *determine why racial disparities in arrests, recommended charges, and stops exist in Davis.*

Considering the complexities described above, an intricate, quantitative and qualitative analysis of data would need to occur to confirm the extent of any bias. The DA transparency portal will be an extremely valuable resource and will provide information we've never had. Even then, as discovered by most researchers, identifying actual bias will be difficult because of the variable intervening risk factors as discussed above. Nevertheless, Council may want to consider having staff engage independent professional researchers to undertake the analysis. The cost of doing analysis has not yet been determined, but a fair approximation of \$50,000 is reasonable based on other studies that have been done (the costs for other studies has been significantly higher, but Davis is smaller than the cities/counties that have been typically studied).

Alternatively, Council could elect to wait for the DOJ and the RIPA Board to analyze the 2020 and subsequent year RIPA data, and have Measures for Justice, who is analyzing the county-wide prosecution data, which has no associated cost for Davis and which will be done regardless of whether we engage professional researchers. The 2020 data draft report should be completed in late 2021 and the actual report will be released in early 2022 (it should be noted that this timeline is likely similar to Davis hiring its own researchers). The Measures for Justice data should be available on April 6, 2021. This option will allow comparative analysis with other agencies submitting RIPA data and will also allow comparison of multiple years of data to determine trends. Additionally, the RIPA Board does release a list of "best practices" that should be adopted by law enforcement agencies based on their review of the data and after engaging leading researchers and criminal justice professionals.

Regardless of how we analyze the data, the City Manager Office (CMO) will be making a new funding request for a public safety data analyst who can analyze data across several departments. The analyst would be tasked with doing comprehensive qualitative reviews of RIPA and other data to identify emerging trends in calls for service, responses to call, code enforcement, homeless services, and fire calls. This will serve to increase the transparency and accessibility of what can often be complex data allow for additional "pro-active" reporting as well as additional information to assist the City in policy decisions.

Short term review and training to address individual deficiencies, coupled with longer term and comparative analysis of statewide data, will provide more meaningful data sets to assist the Police Department and policy makers with further refinements or changes to stops and interactions with sworn officers.

Next Steps: Green = in-progress Yellow = can do within next year Gray = further analysis recommended
<ul style="list-style-type: none">• Allow DOJ and RIPA Board to analyze the 2020 RIPA data and reassess once complete AND/OR
<ul style="list-style-type: none">• Engage independent professional researchers to undertake the analysis
<ul style="list-style-type: none">• Consider funding request to for CMO 1.0 FTE Public Safety Analyst, who can work to compile and interpret data locally.

- Use timely qualitative analysis to identify officer deficiencies and to provide increased customized training and/or policy adjustments more promptly.

Recommendation 2: Encourage the DPD to dialogue with the Police Accountability Commission (PAC) on the content of its Use of Force Policy.

California has the most restrictive use of force laws in the country, which are now codified. The Department's comprehensive use of force and de-escalation policy is in compliance with the standards outlined by the California Commission on Peace Officers Standards and Training (POST), with the standards in California law (see California Penal Code Sections 13519.10, 835a and Section 7286 of the Government Code), and the State and federal constitutions. The Department has also incorporated the POST De-escalation Guide into the Department Manual⁹.

The basic academy and advanced officer training requirements from POST include, but are not limited to:

- Duty to intercede.
- The use of objectively reasonable force.
- Supervisory responsibilities.
- Use of force review and analysis.
- Guidelines for the use of deadly force.
- State required reporting.
- De-escalation and interpersonal communication training, including tactical methods that use time, distance, cover, and concealment, to avoid escalating situations that lead to violence.
- Implicit and explicit bias and cultural competency.
- Skills including de-escalation techniques to effectively, safely, and respectfully interact with people with disabilities or behavioral health issues.
- Use of force scenario training including simulations of low-frequency, high-risk situations and calls for service, shoot-or-don't-shoot situations, and real-time force option decision making.
- Alternatives to the use of deadly force and physical force, so that de-escalation tactics and less lethal alternatives are, where reasonably feasible, part of the decision making process leading up to the consideration of deadly force.
- Mental health and policing, including bias and stigma.
- Using public service, including the rendering of first aid, to provide a positive point of contact between law enforcement officers and community members to increase trust and reduce conflicts.

Government Code section 7286 states that each law enforcement agency's policy shall minimally include all of the following:

⁹<https://www.cityofdavis.org/home/showpublisheddocument?id=15425>

- A requirement that officers utilize de-escalation techniques, crisis intervention tactics, and other alternatives to force when feasible.
- A requirement that an officer may only use a level of force that they reasonably believe is proportional to the seriousness of the suspected offense or the reasonably perceived level of actual or threatened resistance.
- A requirement that officers report potential excessive force to a superior officer when present and observing another officer using force that the officer believes to be beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances based upon the totality of information actually known to the officer.
- Clear and specific guidelines regarding situations in which officers may or may not draw a firearm or point a firearm at a person.
- A requirement that officers consider their surroundings and potential risks to bystanders, to the extent reasonable under the circumstances, before discharging a firearm.
- Procedures for disclosing public records.
- Procedures for the filing, investigation, and reporting of citizen complaints regarding use of force incidents.
- A requirement that an officer intercede when present and observing another officer using force that is clearly beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances, taking into account the possibility that other officers may have additional information regarding the threat posed by a subject.
- Comprehensive and specific guidelines regarding approved methods and devices available for the application of force.
- An explicitly stated requirement that officers carry out duties, including use of force, in a manner that is fair and unbiased.
- Comprehensive and specific guidelines for the application of deadly force.
- Comprehensive and detailed requirements for prompt internal reporting and notification regarding a use of force incident, including reporting use of force incidents to the Department of Justice.
- The role of supervisors in the review of use of force applications.
- A requirement that officers promptly provide, if properly trained, or otherwise promptly procure medical assistance for persons injured in a use of force incident, when reasonable and safe to do so.
- Training standards and requirements relating to demonstrated knowledge and understanding of the law enforcement agency's use of force policy by officers, investigators, and supervisors.
- Training and guidelines regarding vulnerable populations, including, but not limited to, children, elderly persons, people who are pregnant, and people with physical, mental, and developmental disabilities.
- Comprehensive and specific guidelines under which the discharge of a firearm at or from a moving vehicle may or may not be permitted.
- Factors for evaluating and reviewing all use of force incidents.
- Minimum training and course titles required to meet the objectives in the use of force policy.
- A requirement for the regular review and updating of the policy to reflect developing practices and procedures.

The Davis Police Department policy is comprehensive¹⁰ and far more expansive than the model policy used by a majority of the agencies in California¹¹. In addition to containing the POST and legislative requirements, it contains specific guidance taken directly from appellate court cases regarding use of force, recommendations from the RIPA Board, and recommendations from the Office of the California Attorney General.

The Department will engage in dialogue with the Police Accountability Commission at their request. The Independent Police Auditor will review best practices and provide feedback to the City Manager, the Police Chief and the PAC on the Department’s Use of Force Policy.

Next Steps: Green = in-progress Yellow = can do within next year Gray = further analysis recommended
<ul style="list-style-type: none"> Engage in dialogue with the Police Accountability Commission at their request
<ul style="list-style-type: none"> The Independent Police Auditor is reviewing best practices and provide feedback to the City Manager, the Police Chief, and the PAC on the Department’s Use of Force Policy

Recommendation 3: Evaluate the impact of de-escalation, crisis intervention, procedural justice, and implicit bias trainings.

First, a short review of the training/concepts.

- De-escalation is the process of using strategies and techniques intended to decrease the intensity of a situation. This encompasses the actions taken by an officer meant to stabilize a situation and reduce the immediacy of a potential threat so that a potentially dangerous situation can be resolved with voluntary compliance and without resorting to force or higher amounts of force.

Sworn members receive de-escalation training as a part of any use of force training. This occurs at least bi-annually. Additionally, the Department has a training simulator that is primarily used for de-escalation training.

POST issued the formal De-Escalation Manual late last year. POST is currently in the process of developing a video training program for all California agencies, which will be released anytime now. Additionally, the Department has already prepared all of the paperwork to become a trainer in de-escalation (the Department has several instructors that have been through the trainer instruction and are now able to do POST certified live training). POST is delaying the certification of our live training course until they have completed their entry level video training, which will complement the live training agencies will do.

¹⁰ <https://www.cityofdavis.org/home/showpublisheddocument?id=15637>

¹¹ By way of comparison, an example of the standard (model) policy used by a majority of California agencies, including our surrounding agencies can be found here <https://www.mynevadacounty.com/DocumentCenter/View/36971/300-Use-of-Force>

- Crisis Intervention Team training (CIT)¹² - Modeled after a nationally recognized evidence-based program known as the “CIT Memphis Model,” Crisis Intervention Team training focuses on training local law enforcement and other first responders to recognize the signs of mental illness when responding to someone experiencing a mental health crisis. This course is approved and certified by POST and provides 32-40 hours of training. The course teaches trainees to recognize the signs and symptoms of mental illness, and coaches them on how to respond appropriately and compassionately to individuals and families in crisis.

The Department has the highest level of trained officers out of all the Yolo County agencies. Nearly all of the sworn members and dispatchers have already received this training and the remaining newer members of the Department will receive the training when it is next offered by the Yolo County Health and Human Services Agency (HHSA).

- Procedural Justice/Principled Policing - The objective of the course is to unpack the concept of procedural justice and how it strengthens the relationship of trust between police and communities, and to present the concept of implicit bias. The most important aspects of procedural justice are giving people the opportunity to tell their side of the story, remaining neutral in decision-making and behavior, treating people with respect, and explaining actions in a way that communicates caring for people’s concerns so as to demonstrate trustworthiness.

Procedural Justice is now taught in the basic police academy and is reinforced in the learning domains. Current Department members have taken the POST certified course and many of the sworn supervisors have taken the instructor level course so they can both teach the class and also reinforce the principles in everyday encounters (the remaining supervisors who have not taken the instructor level course are scheduled to receive the training in May). The material is also reinforced in the field training program and staff uses the principles as standards when complaints are received about rude/discourteous conduct or other potential misconduct.

The skills taught in procedural justice are perishable – the Department holds annual training in the concepts and they reinforced in other training components, such as de-escalation and force options.

- Implicit Bias - refers to the attitudes or stereotypes that affect a person’s understanding, actions, and decisions in an unconscious manner. These biases, which encompass both favorable and unfavorable assessments, are activated involuntarily and without an individual’s awareness or intentional control. Implicit biases are different from known biases that individuals may choose to conceal.

Nearly all members have been trained in implicit bias either through a standalone course, taught by a consultant who works with the Department, or in the Procedural Justice

¹² <http://jaapl.org/content/jaapl/early/2019/09/24/JAAPL.003863-19.full.pdf>

course. As soon as we are able to conduct live classroom training the remaining few newer members of the Department will receive the standalone training.

The consultant has also provided implicit bias training to the City of Davis department heads and to many of the managers in all City departments. One of the goals of the Police Accountability Commission (PAC) is to also receive the training (the training will be offered to the PAC when the Department is able to do the next standalone live training).

Just as analyzing stop data is complex, so is analyzing and evaluating the impact of these trainings/concepts. Staff is pleased that the Temporary Joint Subcommittee acknowledged this complexity but also supported the need for the various trainings. Additionally, aligning community expectations with reality is difficult.

Use of Force. For example, the use of force¹³ to arrest/detain a person is slight in comparison to the overall number of arrests, detentions and law enforcement contacts that occur. It is estimated there are over 80 million enforcement related stops in the United States each year. There are between 10-14 million arrests that occur each year (arrests are reported to the DOJ who tracks the actual number). And nationwide there are around 1,000 deadly force incidents each year. The reality is that de-escalation and crisis intervention are widely used and highly effective techniques, which is why force is rarely used. In 2019, the year the subcommittee analyzed stop data, the Davis Police Department had 5,561 reportable RIPA stops, issued 1332 citations and made 704 arrests. In 2019 members used force on 4 occasions and there were two complaints of pain after restraints were used.

There is a misconception that when force is used, it is automatically due to a failure of law enforcement to de-escalate and/or use crisis intervention techniques to resolve the situation. There are incidents where these techniques are not going to be effective. In other words, there is a false expectation that all people, regardless of any other factors such as intoxication, mental health, or a strong desire to do harm, can be reasoned with in dynamic situations alleviating any need for force. Secondly, research focuses on incidents where force was used rather than the vastly greater number of incidents where force was not used.

Nevertheless, the Department does a critical examination of each use of force case to determine the impact of de-escalation and crisis intervention to adjust training. A debriefing of all involved personnel occurs after any use of force. This allows timely training and/or corrections if they are needed. The Independent Police Auditor also reviews use of force cases.

Use of force, de-escalation, and crisis intervention¹⁴ are widely studied by POST, the US Department of Justice, the Police Executive Research Forum (PERF), the International

¹³ Use of Force

1. Any application of a conducted electronic device (Taser) or control device, such as baton, improvised impact weapon, OC spray or chemical agent
2. Any application of a restraint device other than handcuffs, leg cuffs, the WRAP or belly chains (used to restrain hands in the front rather than behind the back)
3. Physical strikes

¹⁴ <http://jaapl.org/content/early/2019/09/24/JAAPL.003863-19>

Association of Police Chiefs (IACP) and criminal justice researchers from universities across the country. There is no shortage of model training programs and theories for what and how training should be conducted, although different researchers have different and competing theories on what is best. Because POST creates and certifies standards for California, often at the direction of the State legislature, the Department uses and complies with their standards. This training is supplemented with complementary training and updated regularly to reflect new standards.

Implicit Bias. The effect of implicit bias training is more difficult to accurately assess. One study concluded that implicit bias training programs have little impact on reducing deadly force encounters against people of color. This is now becoming better understood¹⁵ and importantly, all people – including medical professionals, teachers, and social workers - have biases and react with them, not just police officers. Research is now being done to better understand the effect of learned behavior and genetics combined with speed on decisions to use force. Initial indications are that much more training along with different training methods are needed to overcome the effects of implicit bias on response. The Department has adjusted training to be in line with best practices suggested by the emerging research.

Additionally, the effect of implicit bias is questioned in light of continued racial disparity in stop/arrest data. It was largely assumed that if law enforcement was better trained to understand and limit implicit bias there would be a reduction in racial disparity. However, this concept is in conflict with the criminogenic factors described in recommendation 1. Despite some researchers questioning the positive impacts of implicit bias training, it should continue as a training priority.

There is now a strong recommendation that police officers have a college degree. General education in the liberal arts often correlates to better outcomes in terms of decision-making abilities¹⁶. The Department will be requesting a total of \$30,000 to reinstate education

¹⁵<https://www.lexipol.com/resources/blog/implicit-bias-law-enforcement-reducing-blame-understanding-brain/>

¹⁶ A 2014 study by Jason Rydberg and Dr. William Terrill at Michigan State University provides evidence that a college degree significantly reduces the likelihood that officers will use force as their first option to gain compliance. The study also discovered evidence of educated officers demonstrating greater levels of creativity and problem-solving skills. The researchers concluded that a higher education may positively impact officers' abilities and performance and listed many potential benefits, including:

- Better skilled in independent decision-making and problem-solving
- Fewer on-the-job injuries and assaults
- More proficient in technology
- Less likely to be involved in unethical behavior
- Less likely to use force as the first response
- Less use of sick time (work ethic and seeing the big picture)
- Greater acceptance of minorities (diversity and cultural awareness)
- Decrease in dogmatism, authoritarianism, rigidity and conservatism
- Improved communication skills (oral and written)

reimbursement as a means of encouraging existing personnel to earn such degrees. Additionally, the Department is exploring the impact of imposing college education requirements for new-hires. The Department will also be requiring that all members take Community Relations – Multicultural Issues or a similar college level course regardless of whether they already have a degree or not. Taking the college course will require members to interact with classmates who don't often have a law enforcement background and to explore multi-cultural issues in ways that aren't in typical law enforcement training programs.

Should Council want to have the Department explore opportunities for further analysis, we recommend waiting for any analysis done for recommendation 1, which would drive some of the needs under recommendation 3.

Next Steps: Green = in-progress Yellow = can do within next year Gray = further analysis recommended
<ul style="list-style-type: none"> Continue Implicit Bias training as a priority.
<ul style="list-style-type: none"> Consider Police Department request for \$30,000 (total) in funding specific for education reimbursement for staff.
<ul style="list-style-type: none"> The Department is exploring the impact of imposing college education requirements for new-hires.
<ul style="list-style-type: none"> The Department will require all Department members, regardless of whether or not they already have a degree, to take Community Relations – Multicultural Issues or a similar college level course.
<ul style="list-style-type: none"> Wait for data analysis from Recommendation #1 to help inform Recommendation #3 analysis

Recommendation 4: Shift non-violent service calls to unarmed personnel.

When fully funded, the Department has an authorized sworn staff of 61 members (from chief to officer) and non-sworn staff of 46 members.

For historical context, the estimated Davis Population in 1990 was ~46,000. The Department had an authorized sworn staffing of 57 officers. By 2000 the estimated population was ~60,000 and the Department was authorized 58 sworn officers. By 2007, the estimated population was ~65,000 and the Department was authorized 61 sworn officers and 46 non-sworn staff. The City added 2 sworn officers in 2008, but the positions were frozen during the economic downturn. The Department added the 2 officers back in 2010 and then shortly after removed them again (they were never filled) leaving the Department at 61 sworn officers. The City now has an estimated population of ~69,000 and staffing levels are the same as they were in 2007, and not significantly different than they were 20 years ago.

There is a normal 10% -15% vacancy/unable to work rate for sworn staff. 37 sworn members, minus the vacant positions, are normally assigned to patrol, which is staffed 24/7/365. With vacations, sick leave usage, and required/recommended training requirements, patrol shifts generally run at minimum staffing which is 1 supervisor (sergeant or corporal) and 4 patrol officers. This means typical normal patrol staffing is 5 sworn officers for the entire City of Davis at any given time. During the daytime patrol is often supplemented by detectives and/or the officer assigned to traffic when needed. The Department already uses a significant amount of overtime to meet minimum staffing requirements and to investigate violent crimes. The use of a significant amount of overtime has an impact on employee health and wellness.

In comparison to many law enforcement agencies, Davis has already shifted many of its non-violent calls for service to unarmed, non-sworn personnel, with roughly 43% of the Department as unarmed personnel.

Those wanting to make police reports for crimes that are not in progress are referred to the online crime reporting system (OCR), which has been in place for many years. Now, around 50% of the reports made are handled through the OCR system which is almost entirely managed by non-sworn personnel (sworn officers are not dispatched to calls that are handled by OCR). Additionally, non-priority calls for service pend and are scheduled for appointments for non-sworn personnel rather than having sworn officers respond. This was originally done as a cost-saving service cut – there simply aren't enough officers working at any given time to respond to all cold calls (cold means non-priority or not in-progress).

Non-sworn personnel also do what follow-up they can on reports and only refer cases where it's needed to sworn officers. Sworn personnel are dispatched to in-progress/just occurred crimes and emergency calls for service, crimes where there are suspects, or when a victim tells the dispatcher they want an officer to respond instead of completing an OCR.

Nearly all parking services (enforcement and permits) are handled by non-sworn parking enforcement officers who have been designated by the Police Chief to issue parking citations. This is allowable because parking citations have been de-criminalized in California meaning they are handled through administrative action (parking citation) rather than through criminal enforcement (traffic citation). Sworn officers do occasionally issue parking citations.

Many community members do not call the Department, but instead report issues to the GO Davis response manager¹⁷ or by email. This is a preferred option for anything homeless or code enforcement related that does not involve an in-progress emergency. The use of the system also allows the Department to assign the tasks to non-sworn personnel.

Homeless services/outreach is handled by non-sworn personnel. In 2020 this team directly responded to 266 calls for service. Homeless outreach staff are dispatched to calls where a person is believed to be transient and not showing any signs of violence and/or to calls regarding occupied homeless camps. Additionally, they handle a regular client caseload (navigation

¹⁷ <https://www.cityofdavis.org/how-do-i/make-a-service-request>

services). The Homeless outreach staff also works closely with behavioral health and general social services staff from Yolo County; with staff in the CMO related to grants, affordable housing and the respite center; and with local service providers. The team's goals are to remove individuals from immediate harm, ensure basic needs are met and connect unsheltered individuals with service providers and assistance. During COVID-19 they have handled Project Room-key for the City. As the City has taken on more direct provision of homelessness services, the homeless outreach team's role has increased in significance.

Code enforcement is also handled by non-sworn personnel from various City departments, which is something the public is probably unaware of because in many cases the Police Department simply assigns, tracks and monitors various complaints for other departments. This was done to ensure continuity of services and so that a community member would not be transferred to various City departments in order to address their issue.

For example, the City building inspectors handle code enforcement complaints regarding habitation, zoning, building codes and similar issues. The Fire Inspector handles fire code inspections, occupancy issues, certain weed abatement, or anything fire related. Public works handles complaints regarding water, garbage/recycling service, and objects in the right-of-way such as yard waste. The Police Department handles nuisance violations (noise, visual blight, and abandoned vehicles/bikes¹⁸), graffiti abatement, homeless camps, and those complaints that aren't handled by the professionals in the other City departments. A non-sworn police services specialist works closely with her counterparts in the other City departments to ensure code enforcement issues are resolved as seamlessly as possible. Sworn personnel are dispatched at their request or when there is an associated risk. In rare cases, sworn members may handle inspection warrants which are needed when a person does not consent to an inspection by non-sworn personnel.

Prior to the Police Department handling code enforcement, it was first handled in the Fire Department and then by the Community Development and Sustainability Department. Challenges arose because there was not enough staff assigned to code enforcement, those departments were not as well-versed in the various code enforcement issues, they were not able to determine the background of offenders to do a risk assessment, and enforcement wasn't something they were specially trained for. Additionally, code enforcement personnel assigned to the Police Department have access to law enforcement systems and databases that personnel from any other department aren't permitted to legally access.

When the Police Department began overseeing code enforcement it was agreed that several City departments would have code enforcement responsibilities, but its administration would be centralized to the Police Department so the program would have one point of contact with the community and residents/businesses wouldn't be referred around with no one taking ownership of the reported issue. Now, personnel assigned at the Police Department, when needed, issue many of the administrative citations allowing for consistency across all departments (administration citations are handled directly by the city with civil rather than criminal fines being imposed).

¹⁸ During non-COVID-19 conditions volunteers assigned to the Police Department handle abandoned vehicles and bikes. The Police Department is required to oversee these duties under several State law requirements.

General code enforcement was initially funded for one position. Since then, the Police Department has reassigned an existing police services specialist to code enforcement (removed from patrol services which started using enhanced OCR) and added two part-time community services officers (CSO's) because of the increasing case load (mostly related to homeless camps).

Routine noise complaints (loud people, music and/or animal noises) are handled by non-sworn personnel during the daytime. For more than 15 years non-sworn personnel handled party/noise complaints at nighttime. This practice was stopped after non-sworn personnel were repeatedly assaulted by often-times intoxicated revelers and after hosts learned that non-sworn personnel lack the ability to make arrests for non-cooperation. In other words, party hosts would no longer open their doors to the non-sworn members, do anything to alleviate the noise, and/or refuse to provide their identification or sign citations. Sworn officers can arrest offenders for separate crimes associated with non-cooperation and/or crimes relating to alcohol whereas non-sworn members cannot.

Using non-sworn personnel does have limits under California state law. Non-sworn personnel cannot make criminal arrests, issue lawful orders that a person must comply with, stop or detain a person, use a red light in a patrol car (needed to actually require a person to stop), and/or issue citations for State/federal criminal offenses or traffic offenses. As an example, the call for non-sworn, unarmed personnel to conduct traffic enforcement is not allowable by statute in California and is fraught with risk for an unarmed non-sworn staff person. In all of the police reform legislation being introduced, there has been no movement at the State level to change any of the statutes to allow non-sworn to make arrests and/or issue criminal traffic citations. However, there are significant efforts to increase training, ensure better hiring standards, require professional certification (and removal) and to reduce force options. There is a wide understanding that policing duties are extremely complex and require more training, not less, and that there are significant safety issues in redirecting enforcement services.

There are no criminal consequences (such as arrest or criminal charging) for complete non-cooperation/compliance with non-sworn personnel. For example, when someone calls the police to have a trespasser leave their property, a non-sworn member can only ask the person to leave, but cannot order a person to leave; nor can they enforce criminal trespassing laws. Furthermore, they are offered no special legal protection if they are harmed (enhancement for assault or battery), as a police officer is; nor are they authorized to use force beyond self-defense (they are also not able to carry many of the tools used for self-defense as officers are). If the trespasser realizes this, they have no incentive to vacate or cooperate in any way.

Next Steps: Green = in-progress Yellow = can do within next year Gray = further analysis recommended
<ul style="list-style-type: none">Determine whether City services currently assigned to the Police Department should be assigned to other City departments. See #9 below.

Recommendation 5: Reinvent the police-community conversation. We recommend the City establish an ongoing, confidential public input process centering communities of color, the homeless, and other at-risk groups. We recognize that a trove of information from past public input processes on policing exists. However, these past efforts suffered from two weaknesses. First, they did not adequately provide accessible yet confidential means for marginalized communities to share their views; we believe that a proactive outreach component is essential. Second, they were not rigorously evaluated for their impacts on police-community trust and perceptions of police legitimacy; strong evaluation will better inform the design of input processes and trust-building initiatives more broadly.

Currently, there are multiple existing avenues for people to share their views – even confidentially or anonymously. They include, but are not limited to:

- Police Accountability Commission (essentially created for this purpose)
- Community Advisory Board
- Human Relations Commission
- Social Services Commission
- Police Department (there are several ways to make complaints or express views, including anonymously)
- Casual Outreach Events, such as Coffee with a Cop
- Independent Police Auditor
- Yolo County Grand Jury
- Various State and federal agencies
- City Council
- City Manager’s Office
- Legal Services of Northern California
- ACLU
- Lawsuits

The Department regularly holds community meetings, although it’s been more difficult during COVID-19. The Department has also done significant outreach to youth and marginalized communities through a myriad of activities¹.

Additionally, City staff are interested in engaging with a consultant to conduct a community survey which will have questions regarding public safety, but additional funding will be necessary to do this. Robust communication directly with additional stakeholders, including the school district, business community, neighborhood associations, the Community Advisory Board, neighborhood watch groups, and others is highly recommended to reach a full cross-section of the community. A statistically significant community-wide survey can be used to better inform Council before making important decisions regarding public safety in Davis.

Trust is hard to measure. In the police world, trust is often gauged by the aftermath/backlash following a critical incident. That being said, there are ways to build and maintain trust. The most common and recommended way to build trust is by being transparent. In some cases that is easier said than done. Transparency invites criticism – whether constructive or not. There are also complex laws in California that don’t necessarily allow full transparency, especially relating

to law enforcement matters. Staff desires to have candid, honest, and transparent conversations directly with community members – the community at-large, particularly those who are part of marginalized communities. More recent community meetings have commonly been attended by community members and organizations who may or may not be representative of the community at large or marginalized communities.

In order to “re-invent the police – community conversation,” there must be a willingness on the part of all stakeholders to listen, engage, and work through differences of opinion, together and to understand all perspectives. Unfortunately, much of the current atmosphere in public discourse is to put down or even threaten anyone with a contrary view and not necessarily to first educate and inform and discuss ideas and options and the pros and cons of each. In the past year the police profession has been villainized by some. There are calls to dismantle the Department and create a new department. These calls do not appear to be due to complaints of deficiencies in service offered by non-sworn (parking, code enforcement, homeless services) personnel, but due to association with sworn personnel. Understanding the operations and the benefits of providing a comprehensive, seamless variety of services under a unified vision and service model is crucial to informing the policy and operational implications of dismantling it, or components of it. As discussed below, reducing arrests and having better outcomes requires significant work between all team members, sworn and non-sworn, working cohesively. Department members collectively own challenges and work together as a team to resolve them. This is a main component of community policing, which we should strive to do.

In this report there are examples of things the Department has done to evolve policing in Davis – for the better. Some are significant accomplishments and are progressive (also see below for arrest/citation data). The homeless services positions were newly created at the request of the Police Department as a proactive approach to have non-sworn personnel assist our homeless population, produce better outcomes, and reduce the amount of time sworn staff was dealing with community complaints. The City Council was supportive of this approach and funded those additional positions – the only new positions authorized in the last few years in the City. Other communities are struggling to get to the place where Davis is now.

Our evolution is a product of continued and formal strategic planning. The Department is in the process of creating a new 3-year strategic plan with the guidance of a professional consultant from POST. As with the past plans, staff will endeavor to do more and adopt many of the principles that the community desires. However, it takes time to analyze and make positive adjustment. In almost all respects the “Police Department” really is a “Community Safety Department” as it is made up of far more than sworn officers. The members of the Davis Police Department want to do their jobs and do them well and much is asked of them. We have a responsibility to provide staff the tools and the environment to succeed. Re-inventing the police – community conversation is essential to this success.

In order to further this objective staff proposes that we engage with a professional consultant to assist in the creation of a plan to engage with the community at-large and with marginalized communities and to develop a framework to build community trust.

<p>Next Steps: Green = in-progress Yellow = can do within next year Gray = further analysis recommended</p>
<ul style="list-style-type: none"> • Staff, with the assistance of the Council Subcommittee to engage with a professional consultant to create a plan to engage with the community at-large and marginalized communities with the goal of building community dialogue and trust.
<ul style="list-style-type: none"> • Identify funding for the City Manager to hire a consultant to conduct a community survey which will include questions regarding public safety.

Recommendation 6: De-prioritize, decriminalize, and offer restorative remedies for minor, victimless offenses through warm hand-off programs, an expansion of the specialty court system, and other measures.

This recommendation involves many partners outside of the Police Department. The Department is already working with our county criminal justice and health and human services partners to identify ways to reduce the number of people entering the criminal justice system. A few of current efforts include:

- The Department is a strong advocate of adult neighborhood court and juvenile restorative justice (conferencing), being not only the first agency in the region to implement the process but also continuing to be the largest participant in the pre-diversion/pre-arrest processes in the County. Neighborhood court is now used to handle a wide variety of criminal cases including non-violent felonies and offers face-to-face victim/offender conferencing. The Davis Police Department has always been the first to pilot any of the additions to the programs.
- The Yolo County Chief Administrative Officer’s office, at the request of the County Board of Supervisors, has recently tasked the County agencies to work with all of the law enforcement agencies, including Davis, the probation department, the County Health and Human Services Agency (HHS), and the public defender to determine why racial disparity exists in the jail population and to explore ways to reduce this disparity. Those meetings are on-going and the Police Chief is directly involved. Only one meeting has been held so far, but additional meetings have been scheduled over the coming months.
- The District Attorney’s Office is piloting “blind charging” with the Davis Police Department, meaning the charging DA will not have the name, race or identifying information of the defendant when making charging decisions. The Department is facilitating significant report editing so that can happen.
- The Yolo County District Attorney’s Office will be launching a community transparency portal in partnership with Measures For Justice¹⁹ on April 6, 2021. The Department will support these efforts.

¹⁹ <https://measuresforjustice.org/>

The transparency portal will contain a plethora of information (over 30 data points²⁰) regarding criminal prosecutions including demographic information on cases that are filed versus those that are not filed. The Department will use the data to determine whether adjustments need to be made in terms of what crimes are prosecuted versus not, to further drive changes to enforcement/arrest strategies. This will also assist all agencies in reducing the criminogenic factors that lead to crime.

- The Yolo County District Attorney’s Office, in partnership with Yolo County Health and Human Services Agency (HHS), the Davis Police Department, and CommuniCare Health Centers, launched a pilot project in Davis that seeks to treat certain drug-related offenses as public health matters rather than criminal justice matters. The project is the first of its kind in California, allowing for “warm-hand-offs” (person-to-person direct referral/ contact) from Davis Police Officers to clinicians trained in the care and treatment of substance use disorders, in lieu of making an arrest and having the person prosecuted.

The Davis Navigation Center staff accepts law enforcement drop-offs and/or can be dispatched to the field as needed to work with eligible offenders. The Navigation Program, contracted to CommuniCare Health Centers, increases overall access to in-person mental health and substance use care in the City of Davis through extended hours and days of operation. The program has been suspended during COVID-19, but will resume in the coming months as COVID-19 precautionary measures are reduced.

As crisis stabilization facilities come online (discussed below as part of Crisis Now), the Department will fully use the program for arrests involving drugs and alcohol, including active intoxication, instead of taking the offender to jail.

- The Department has been a leader in offering restorative programs for juveniles which has significantly reduced the number of juvenile arrests. The goal of reducing the “school to prison pipeline” has been taken head on. In doing so, juvenile arrests and referrals to the criminal justice system have been vastly reduced. Now, because of a recent change to State law, not making an arrest is now an essential component of being able to continue offering restorative justice or diversion – only now it is pre-arrest restorative justice or diversion instead of post-arrest. In 2020 officers made conscious decisions to not make arrests when in previous years they would have for the same crimes.

Juvenile Arrest Data

2015	2016	2017	2018	2019	2020
79	67	46	20	27	3

²⁰ <https://measuresforjustice.org/portal/measures>

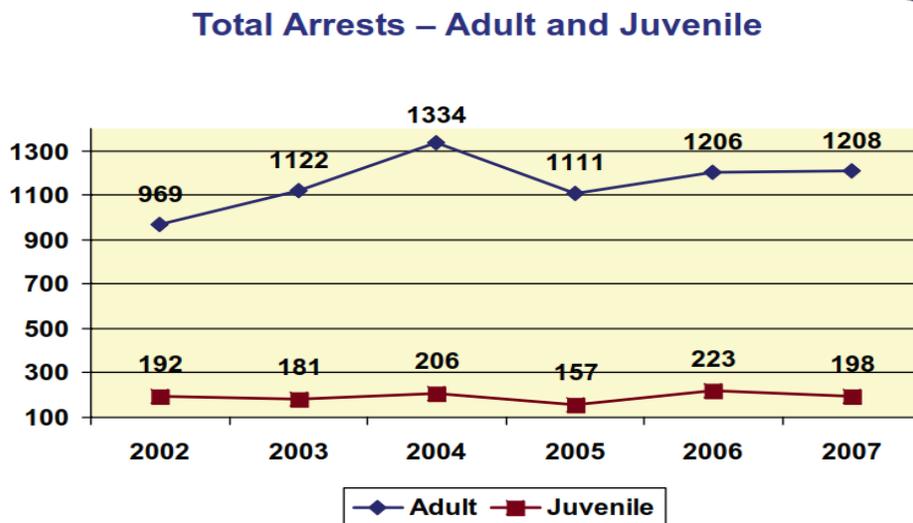
Juvenile Cases Handled by Restorative Justice (RJ) rather than youth diversion or referral to criminal justice system.

2015	2016	2017	2018	2019	2020
0	1	13	20	14	8

In the future it is likely the juvenile arrests numbers will be lower than the number of cases handled by RJ because RJ can be done without making an arrest.

The concept of discretion and RJ are not entirely new, but they are becoming more widely used in law enforcement and the criminal justice system. From a historical perspective, the Department relied heavily on making arrests and issuing citations to resolve crime. In the past few years, that philosophy has been replaced with the principal of “policing with a purpose.” In other words, officers are to use discretion when making decisions regarding arresting people or issuing citations and ensure that arrests and citations are issued for a purpose other than to simply do it because someone broke the law.

The following is a historical perspective on arrests.



The following is traffic citations issued (non-parking)

Year	2003	2004	2005	2006	2007
Total (non parking) Citations	6,300	6,775	6,698	4,607	6,053

There have been significant reductions since 2016, as follows:

Adult Arrests

2016	2017	2018	2019	2020
659	612	474	497	438

Traffic Citations

2016	2017	2018	2019	2020
4,439	3,749	2,432	1,322	*512

*Fewer citations were issued during the height of COVID-19, although we are now getting a significant number of complaints about poor/reckless driving in Davis.

The decision to stop, investigate, and/or make arrests/issue citations is complex. Some would propose that the police should not make stops or enforce minor traffic laws such as having lights out or having expired registration. There are certainly safety issues for having lights out, which should not be ignored (there is tendency to ignore mechanical violations until there is an actual requirement to fix them). For registration, often-times registration is not just a matter that the fees weren't paid, but instead it's because the driver has no insurance. These two violations are often associated with each other. Not having insurance may be fine in theory until the person is involved in a traffic collision and there is no insurance for one or more of the involved parties. With this being said, discretion is always key.

There must be a conscious balance when making decisions to stop a person. As previously stated, Davis officers arrest a number of non-Davis residents. Davis has a high property crime rate – criminals come to Davis to victimize our residents. Deterring officers from making stops and doing investigations will likely trigger higher crime rates as it becomes known around the region there is little risk of apprehension in Davis. Staff recommends completion of the RIPA data analysis noted in #1 above, to inform future discussion of local policies and practices around stops and citations.

Next Steps: Green = in-progress Yellow = can do within next year Gray = further analysis recommended
<ul style="list-style-type: none"> Continue to expand the juvenile RJ program.
<ul style="list-style-type: none"> Resume warm hand-off program for certain drug offenders.
<ul style="list-style-type: none"> Facilitate “blind charging” by the District Attorney.
<ul style="list-style-type: none"> Work with Yolo County to seek reasons and remedies for racial disparities in the jail system.
<ul style="list-style-type: none"> Support the District Attorney’s Office in launching a transparency portal in partnership with Measures for Justice.
<ul style="list-style-type: none"> Utilize the conclusions of the RIPA data analysis noted in #1, to inform future discussion of local policies and practices around stops and citations.

Recommendation 7: Work with County partners to build an integrated, “Crisis Now”-type model for behavioral health emergencies.

The City and the Yolo County Health and Human Services Agency (HHSA) have historically had a strong relationship where the County provides mental health services at the City’s request. The Police Department recently began a partnership to have a co-responder model where an

imbedded crisis-clinician will be able to directly respond to calls for service, when appropriate, or respond with an officer when needed. If a person is placed on a mental health hold (§ 5150 commitment) law enforcement is required to determine whether the person has any firearms and take custody of the firearm under California law.

This program is temporary until HHSA implements all of the components of the Crisis Now program, which is discussed below. In June of 2020 the City Council approved local match funds for this position as part of the current year budget. Davis is currently contributing funding for one clinician, who starts on April 12th, however the West Sacramento Police Department has chosen to fund two positions. Davis can discuss adding positions should we want to expand the hours when a clinician is available (a full analysis should be done to determine probable usage especially considering the availability of 24/7 phone assistance as discussed below). The advantage of having an HHSA crisis clinician is they are able to access all of the resources in the mental health field, while a City employee would not.

The following is the protocol contained in Department policy:

Crisis Intervention Program (CIP) – CIP Clinician

The Crisis Intervention Program is a partnership between the participating Yolo County law enforcement agencies and the Yolo County HHSA. The program provides a CIP clinician assigned to Davis Police Department during set hours who, when working, can respond to calls regarding persons suffering from a mental health or emotional crisis. Additionally, the clinician can assist members when they respond to persons suffering from a mental health or emotional crisis. The clinician will assess the person in crisis and provide resources, assistance, and alternative outcomes if a § 5150 commitment is neither desirable nor necessary.

1. The clinician can, at their discretion, respond to initial reports of a person in crisis and can assist individuals with mental health services without law enforcement assistance.
2. In those instances where a dual response would, based on all available information, be a safer alternative, an officer will respond with the clinician. An officer may leave the clinician with a person if they do not meet the criteria for a § 5150 commitment and are assessed by the officer and the clinician to be cooperative and non-violent.
3. Clinicians are authorized by the Yolo County Mental Health Director to evaluate persons who are in mental health crisis and place them on a § 5150 commitment if necessary. Should a clinician place an individual on a § 5150 commitment, officers can assist with the detention, however officers are required to exercise independent judgment before taking any independent action.
4. When the clinician places a person on a § 5150 commitment they shall determine whether the person will be transported to the hospital by ambulance, police car, or other means.
5. Officers assigned a § 5150 call will consider any expertise and advice offered by the clinician when conducting an evaluation.

6. In the event a person is placed on a § 5150 commitment by the clinician with law enforcement assistance, officers shall take a report to document the incident.

The following is the Department's dispatching protocol:

Dispatchers play a vital role determining the initial response to persons suffering from a mental health or emotional crisis. They are the first contact during a crisis and they make critical decisions about the appropriate resource to transfer the call to or to send to the person in crisis. It is the dispatcher's responsibility to listen for signs that a call involves a mental health crisis and ask follow-up questions to gather information about the person's history, the circumstances of the call, and whether the individual poses an imminent threat to themselves or to others. For example, dispatchers are looking for signs such as the following:

1. A person who has communicated intent to harm themselves or others
2. Possession of a weapon
3. Aggression or an active disturbance is occurring
4. Recent history of aggression
5. Self-injury
6. Disoriented person walking in traffic

In most instances, dispatchers determine whether a law enforcement response is needed, and if so, gather mental health information to help prepare the responding officers.

On calls for service involving subjects with mental illness, suicidal subjects, disoriented persons, or any other mental health-related call for service, the dispatcher will determine if an immediate police response is required. If a police response is needed, the dispatcher will follow normal dispatching protocols. If the dispatcher believes, based on the information received and their training and experience, that injury has occurred or is imminent, in addition to a police response, the dispatcher will send medical assistance.

If it is determined that an immediate police response is not required, the dispatcher should:

- Subject to availability, contact the Crisis Intervention Program clinician to determine whether they can call the person, respond in person, or if they can have another mental health professional contact the person without officer involvement, or
- Ask the caller if they are comfortable leaving a message with the clinician for a later call-back when they are working, or
- Initiate a three-way call with the complainant and the Yolo County Mental Health & Access Line (available 24/7/365) to determine if the call can be resolved by mental health providers. The dispatcher will stay on the line until a connection with a crisis counselor has been established and it is determined no police assistance is needed. This line is staffed 24/7 by social workers who can offer crisis counseling, mental health assessments and referrals as well as substance use resource referrals. The Yolo County Mental Health & Access Line number is 888-965-6647.

The Yolo County Mental Health & Access Line. As indicated above, HHSA opened a 24/7/365 Mental Health and Access line at the beginning of this year. In other words, a crisis counselor is now always available to handle appropriate crisis calls over the phone (this service was not

available to us when the subcommittee made their recommendations). Transferring calls to HHSA will become a normal method to vastly reduce the number of calls requiring a physical response by the police or any mental health worker (as this expands its estimated law enforcement will respond to very few calls). Additional training is being scheduled with HHSA in the very near future to ensure that the public safety dispatchers understand how and when to transfer calls to HHSA so that the officers do not have to respond. Additionally, the access line is publicly accessible meaning those in crisis can bypass calling 911 and speak directly with a crisis counselor. HHSA has expressed an interest in piloting expanded services in Davis as we progress towards the Crisis Now model.

Crisis Now Model. The Yolo County Health and Human Services Agency has already proposed that they, and the law enforcement agencies in Yolo County, adopt the Crisis Now model²¹, which consists of:

- 24/7/365 Crisis Call Hubs. These programs use technology for real-time coordination across a system of care and leverage big data for performance improvement and accountability across systems. At the same time, they provide high-touch support to individuals and families in crisis.
- Community-based mobile crisis teams. Mobile crisis offers outreach and support where people in crisis are located. Programs should include contractually required response times and medical backup. Law enforcement would only respond to cases involving violence, which is estimated to be less than 5% of the total calls that can be handled by mobile crisis teams.
- Crisis stabilization facilities. These programs offer short-term “sub-acute” care for individuals who need support and observation, but not Emergency Department holds or medical inpatient stays, at lower costs and without the overhead of hospital-based acute care. Those who are under the influence of alcohol and/or drugs would be taken to these centers rather than to the jail.
- Essential Principles & Practices. These must include a recovery orientation, trauma-informed care, significant use of peer staff, a commitment to Zero Suicide/Suicide Safer Care, strong commitments to safety for consumers and staff, and collaboration with law enforcement.

Discussions and training are already occurring on this front. The City of Davis will likely be asked to provide some funding for this model in the future, although financial terms have yet been worked out. The Department has already expressed a very strong desire to immediately work towards full adoption of the Crisis Now model. These are all promising models for reducing the police calls for service for those experiencing mental health crisis.

Staff recommends that Council hear directly from Karen Larsen, the Director of Yolo County HHSA, to learn about all of the current mental health/addiction services that are offered and what

²¹ <https://crisisnow.com/>

is being planned for the future. The Police Chief has spoken to Karen Larsen and she looks forward to being able to present information directly to the Council.

Next Steps: Green = in-progress Yellow = can do within next year Gray = further analysis recommended
<ul style="list-style-type: none"> Evaluate the Crisis Intervention Program for a 6-month period and then determine whether Davis should fund additional clinicians.
<ul style="list-style-type: none"> Schedule Karen Larsen, Yolo County Health and Human Services Director, to present to the City Council related to current and future mental health/addiction services. Council could immediately place this on the long-range calendar.
<ul style="list-style-type: none"> Support the County’s Crisis Now model and Davis’ participation in it, acknowledging that is will potentially come with a future funding request.

Recommendation 8: Expand the City’s community navigator workforce.

The Department normally has two specialists assigned to homeless services. A third specialist, normally assigned to parking enforcement, has been temporarily assigned during COVID because of the increased staff responsibility for Project Room-key. This will be changing shortly as parking enforcement is resuming in late April and the specialist will resume his normal duties.

As Crisis Now comes on line, it’s estimated that crisis line model will be able to appropriately handle 90%+ of the non-emergency mental health calls over the phone - diverting a vast majority of these types of 911 calls to mental health services without a needed law enforcement response or any response from any City of Davis employees. It’s estimated a law enforcement co-response would be needed in about 3-5% of cases. In other words, the call to add social workers to the City of Davis may be premature in light of what the County is already doing and planning (see above).

Recommendation 9: Commit to a vision of reimagined public safety.

The City Manager is recommending that homeless services be moved from the Police Department to the City Manager’s Office (CMO) next fiscal year after budget allocations are made (this will be in the proposed budget presented to council in May for implementation in FY 21/22). The CMO will be looking to craft a new management level position and expand services and coordination with the County and all of the various organizations that work with the unhoused to supply/offer housing. There are a significant number of grants, opportunities and new partnerships that would benefit from having a higher level manager involved and to coordinate all of the services. Housing is not something that would normally fall under the Police Department nor has the Department been involved in managing the Respite Center. Importantly, policies will be drafted to ensure that the Police Department still has access to the specialist to maintain street level service. The shift of this function is not being proposed for the sake of change, but is intended to build upon the program, and create a more robust City functional area

of “Housing and Social Services”. Staff envisions that this team would also partner with other City departments, such as Community Development and Parks & Community Services departments, as well as Yolo County, to create programs that can empower and divert at risk youth, for example.

While staff is not recommending at this time a move of code enforcement or parking services out of the Police Department, either could theoretically be transferred to a new organizational structure. The purpose and net benefits of doing so at this time are unclear however, in light of the considerations set forth above. There are also legal considerations and possibly cost implications that could affect service delivery that would need to be thought through carefully.

While we rely on non-sworn personnel to handle a wide-range of services, they are not a versatile responder because the positions lack the legal authority of a sworn police officer and cannot respond to in-progress law enforcement emergencies. In most cases, other than providing dispatching services, there is no legal duty to actually do many of the tasks that non-sworn personnel perform. In other words, they provide valuable service that contributes to the health and vibrancy of Davis, but the services provided aren’t statutorily required. The Department would not hesitate to expand the services provided and would never turn away adding additional non-sworn personnel to further refine responses. The non-sworn positions are a more economical resource for many of the tasks they handle.

The joint subcommittee recommendations largely contemplate the new model as a “go alone” model, meaning Davis should shift resources and/or add resources to further the goals. However, Davis is not the only city reimagining policing. Changes are under discussion and consideration at the County, State and even federal level to look at systemic public safety changes. Davis should leverage partnerships and work in conjunction with all partners to make change where it makes sense to do so and based on local needs and, ideally, evidence-based practices.

The eight prior recommendations and the recommended actions associated with each will certainly inform future City Council discussions of service needs and how best to organize and provide those services to the Davis community. Therefore, we recommend taking the time to implement the staff recommendations within this report, analyze outcomes, and identify any continued gaps in service delivery that may still need to be addressed.

Lastly, staff recommends the Council form a Council subcommittee tasked with assisting staff with implementation of the recommendations in this report and to help formulate more detailed options/alternatives/next steps for those recommendations needing further consideration.

Next Steps: Green = in-progress Yellow = can do within next year Gray = further analysis recommended
<ul style="list-style-type: none"> • Fund a new management level position and expand services and coordination with the County on housing and homelessness and youth diversion programs.
<ul style="list-style-type: none"> • Shift homeless services from the Police Department to the City Manager’s Office.
<ul style="list-style-type: none"> • Utilize the data and outcomes from 1-8 above to inform future policy and organizational directions.