



City of Palo Alto

City Council Staff Report

(ID # 11551)

Report Type: Action Items

Meeting Date: 8/24/2020

Summary Title: Update and Potential Direction on City of Palo Alto's Race and Equity Work

Title: Update and Potential Direction on City of Palo Alto's Race and Equity Work

From: City Manager

Lead Department: Administrative Services

Recommendation

Staff recommends that Council accept an update on the City's Race and Equity efforts and provide possible direction to staff on next steps.

Background

On June 8, 2020, the City Council unanimously passed a resolution affirming that Black Lives Matter and committed the City to addressing systemic racism and bias. This resolution also honored the lives of George Floyd, Breonna Taylor, Ahmaud Arbery, and many others that have fallen victim to violence at the hands of authorities. That resolution can be found online as part of City Manager's Report (CMR) #11414

<https://www.cityofpaloalto.org/civicax/filebank/documents/77100>.

In addition to the resolution, the City Council also unanimously directed staff to:

- a. Return with a framework to review, report on, and improve Palo Alto Police policies and practices focused on accountability and eliminating any potential incidents of racism or discrimination;
- b. Report on possible improvements to police hiring practices; and
- c. Begin a diversity and inclusion initiative throughout the City.

In response to that direction, staff returned to the City Council on June 15, 2020 with a draft framework to inform Palo Alto's focus over the short, medium, and long-term. This racial equity framework was transmitted as Attachment A to CMR #11441, which can be found online here:

<https://www.cityofpaloalto.org/civicax/filebank/documents/77273>.

Through the discussion on June 15, 2020, the City Council provided direction on the proposed initial race and equity work plan and included the following elements in their motion:

- a. Direct the Human Relations Commission to lead the “8 Can’t Wait” campaign and to produce a report on the black and brown history and current community in Palo Alto, within 60 days;
- b. Expand community engagement to include private and public forums, within 30 days;
- c. Start Council Ad-Hoc committees with monthly reports on: policing hiring, data analysis, practices and policies, transparency, and accountability;
- d. Direct the Public Art Commission to explore public art honoring diversity and work with our community to paint “Black Lives Matter” or a similar message near City Hall, as soon as possible; and
- e. Direct Staff to evaluate which current police functions may be served by other public safety models.

Separately on this agenda for August 24, 2020, the City Council will consider the Human Relations Commission recommendations on the “8 Can’t Wait” campaign.

On June 23, 2020, at the final City Council meeting before its July recess, Mayor Adrian Fine announced councilmember assignments to four *ad hoc* committees. The committees were tasked with convening individually and discussing the respective domains to return to the full City Council for potential direction, reform, and improvements.

The *ad hoc* committees and their members are detailed below:

- Police Policy Manual, Data, and Hiring – Vice Mayor Tom DuBois and Councilmembers Alison Cormack and Lydia Kou
- Public Safety Alternative Models – Councilmembers Liz Kniss and Greg Tanaka
- Police Accountability and Transparency – Vice Mayor Tom DuBois and Councilmember Eric Filseth
- Citywide Diversity and Inclusion – Mayor Adrian Fine and Councilmembers Alison Cormack and Liz Kniss

Each of these *ad hoc* committees convened over the summer.

Discussion

Ad hoc Work

Throughout July and August, the *ad hoc* committees have each convened multiple times and discussed items of interest with staff. Communication between staff and the *ad hoc* committees is ongoing. The information transmitted from staff to the City Council was included in CMR #11544 (online at: <https://www.cityofpaloalto.org/civicax/filebank/documents/78019>).

As more information is sent to the *ad hoc* committees, it will be posted online here:

https://www.cityofpaloalto.org/raceandequity/council_ad_hoc_committees.asp.

On August 24, 2020 each *ad hoc* will report out on their work and potential next steps through a powerpoint presentation. Those updates are included as Attachment A to this report.

The Next Steps from each of the *ad hoc* committees (as seen in Attachment A) are listed below for consideration by the full City Council):

Police Policy Manual, Data, and Hiring Ad Hoc

- Review best practices and gather thought leader input
 - Explore opportunities for external partnerships for peer review and data analysis, such as affiliations with Stanford University’s SPARQ
 - Consider data analysis with an outside entity
 - Incorporate suggestions from the Human Relations Commission
- Convene, analyze and recommend changes

Public Safety Alternative Models Ad Hoc

- Conclude preliminary evaluation of Public Safety Alternative Models
- Pursue opportunities for “apples to apples” comparisons to other jurisdictions including collaboration with Stanford University

Accountability and Transparency Ad Hoc

- Reviewing the Public Records Request process and information releases from the Police Department as well as examining the potential to remove redactions from the Police policy Manual
- Reviewing Independent Police Auditor policies and turnaround time
- Reviewing the Disciplinary record policy, specifically retention, use for hiring, and transfers
- Examine options for publicly reporting statistical summaries and review the policies for releasing information about individual cases

*As part of this *ad hoc*, a request for a legislative update on police reform was made and is discussed below.

Citywide Diversity and Inclusion Ad Hoc

- Further City Council discussion and possible adoption of Mission Statement
- Establish ongoing City Council updates, including work with professional organizations and other jurisdictions
- Continue engagement with the community and workforce on race and equity efforts

State Legislative Summary Report

Staff has compiled a list of pending state legislative bills pertaining to police reform. In total, there are 12 measures that are under consideration, with a majority specifically addressing ‘use of force’ tactics, policies, and reporting of personnel records. Details about these can be found

in Attachment C and the City's state lobbyist will be available for questions and verbal updates at the August 24th meeting.

Additional Race & Equity Work

In addition to the ongoing work with each of the *ad hoc* committees, the City also engaged with this work through other avenues and approaches.

Per City Council direction, the Human Relations Commission met to discuss 8Can'tWait and discuss how the City of Palo Alto Police Department's current policies align with Campaign Zero's recommendations. That work is more fully discussed in CMR #11516, which is also on the August 24, 2020 agenda for discussion and direction and can be found online here: <https://www.cityofpaloalto.org/civicax/filebank/documents/78000>.

A few highlights of other work are included below. A more detailed timeline and calendar of events is included in Attachment B; some events may be subject to change. The City of Palo Alto's web page for Race and Equity (www.cityofpaloalto.org/raceandequity) will be updated to reflect the most recent times and event dates.

- The Human Relations Commission (HRC) is also soliciting feedback and input from the community with stories about their families in Palo Alto as well as about experiences with racism in Palo Alto as part of the #PaloAltoSpeaks campaign. They held a listening forum on Thursday, August 13, 2020. A few members of the community shared their experience with the HRC and the public. The campaign is ongoing and people can share their experiences through different mediums. More information on the campaign can be found online at https://www.cityofpaloalto.org/raceandequity/share_your_story.asp. Though ongoing, the HRC is asking for all submissions to be shared by September 7, 2020 so the HRC can share the submissions with the City Council as follow up to the task assigned by the City Council in June.
- The Library Department, in partnership with the Stanford University Bill Lane Center for the American West and the Friends of the Palo Alto Library, will be hosting a virtual conversation with Richard Rothstein, the author of "Color of Law: A Forgotten History of How Our Government Segregated America." The book "Color of Law" was selected as the "Palo Alto Reads" book for 2020. More information can be found on this program can be found at: <https://www.cityofpaloalto.org/news/displaynews.asp?NewsID=4961>

Staff has also begun extending this list of upcoming activities related to race and equity that can effectively reinforce continuation and incorporation of equity themes into a calendar for 2021 and beyond. The current City Council discussion can provide additional direction to staff on the particular focus areas for the City's overall Race and Equity strategy so that staff can continue to build the extended work plan for these activities.

Stakeholder Engagement

Engaging the community at large to provide direction for the City's Race and Equity strategy has been a priority throughout this process. The City continues to engage the community through a series of Race and Equity conversations. Updates on the City's efforts can be found on the Race and Equity webpage on the City website (www.cityofpaloalto.org/raceandequity). Attachment B also provides a summary of communications and engagement efforts to date as referenced above.

Resource Impact

There is no fiscal impact to report at this time. Significant staffing resources have been dedicated to this work and future resource impacts are dependent on the actions and direction approved by the City Council.

Environmental Impact

This is not a project under Section 21065 for purposes of the California Environmental Quality Act (CEQA).

Attachments:

- Attachment A: Race and Equity Ad Hoc Council Updates
- Attachment B: Race and Equity Community Engagement Efforts
- Attachment C: State Legislative Summary as of August 19, 2020



RACE AND EQUITY UPDATES CITY COUNCIL Ad Hoc Committees

August 24, 2020

www.cityofpaloalto.org/raceandequity



Citywide Diversity and Inclusion Ad Hoc

Members: Mayor Adrian Fine, Councilmember Alison Cormack,
Councilmember Liz Kniss

www.cityofpaloalto.org/raceandequity

CURRENT AD HOC STATUS



- **Purpose:** This ad hoc is exploring opportunities to increase equity and inclusion throughout the City, both as an organization and as a community. Potential areas of focus include training, hiring and internal measures to increase equity and diversity.
- **What has happened so far:**
 - Exploring options for collaborating with neighboring jurisdictions
 - Analyzing resources for diversity and inclusion best practices/lessons learned through professional groups
 - Discussed Diversity and Inclusion elements for potential Citywide
 - Focus of efforts will be both on City initiatives as well as Community engagement
 - Developed draft mission statement for Council consideration, see below:
 - *The City of Palo Alto is committed to creating a respectful, fair, and professional workplace and city. We will identify inequities and prejudices, welcome diverse perspectives, and use a collaborative approach to create an environment that works for everyone.*



ITEMS FOR DISCUSSION & NEXT STEPS

- **For Council Discussion:**
 - Review Draft Mission Statement
 - Discuss timeline and elements of Citywide Diversity and Inclusion focus areas
 - Explore and pursue partnerships with other professional organizations/jurisdictions
 - Discuss approaches to include City Boards, Commissions, and Committees in overall effort
- **Next Steps:**
 - Further City Council discussion and possible adoption of Mission Statement
 - Establish ongoing City Council updates, including work with professional organizations and jurisdictions
 - Continue engagement with the community and workforce on race and equity efforts



Police Policy Manual, Data, and Hiring Ad Hoc

Members: Vice-Mayor Tom DuBois, Councilmember Alison Cormack, Councilmember Lydia Kou

www.cityofpaloalto.org/raceandequity

CURRENT AD HOC STATUS



Purpose: This ad hoc is exploring current Police Department approaches including how the department regularly interacts with the community, and the data collected about these interactions. It is also looking at current Police Department hiring and promotional processes and improvements.

Goals

- Suggest updates to specific policies to eliminate/minimize racial bias and deadly force and to increase de-escalation
- Suggest changes to hiring and transfer policies
- Suggest points to address in upcoming Labor negotiations
- Suggest additional data to track to inform decision making



CURRENT AD HOC STATUS

Workplan:

- Review Memo of Agreement, Police Policy Manual, and other information from Police Department (internal sources)
- Review best practices and gather thought leader input (external sources)
- Convene, analyze, and recommend changes

What has happened so far:

- Review Memo of Agreement, Police Policy Manual, and other information from Police Department
 - Extensively reviewed the Police Policy Manual, learned about current approaches
 - Reviewed labor agreements and State law and other requirements related to discipline process, etc.
 - Received information regarding Police contact data requirements and new state legislation including the Racial and Identity Profiling Act (RIPA)
 - Discussed status of proposed assembly bills, getting lobbyist update at Council

ITEMS FOR DISCUSSION & NEXT STEPS



Next Steps

- Review best practices and gather thought leader input
 - Explore opportunities for external partnerships for peer review and data analysis, such as affiliations with Stanford University SPARQ
 - Consider data analysis with an outside entity
 - Incorporate suggestions from the Human Relations Commission
- Convene, analyze and recommend changes



Police Accountability and Transparency Ad Hoc

Members: Vice-Mayor Tom DuBois, Councilmember Eric Filseth

www.cityofpaloalto.org/raceandequity

CURRENT AD HOC STATUS



Purpose: This ad hoc is focusing on how information is shared with the community and the timeliness of information sharing. It is looking at current approaches to review police incidents and other accountability measures.

Goals

- Suggest updates to specific policies around data transparency and accountability
- Suggest changes to Union contract to increase accountability
- Suggest additional data to track to inform decision making



CURRENT AD HOC STATUS

Workplan:

- Review existing city policies with appropriate staff:
 - Review of data flow from initial dispatch through the life of a request for support/case
 - Review of IPA process, public records request process, open data
- Review Best Practices / Thought Leaders
- Ad-hoc to write up suggested changes

What has happened so far:

- Flow chart of process and data in Use of Force (UOF) and Internal Affairs (IA)/Citizen Complaints
- Palo Alto Police Department created a *Community Briefing on Accountability and Transparency* (presented by Acting Captain Reifschneider; link: <https://www.youtube.com/watch?v=aLu3Lbx2sVE>)
- Reviewed State legislation that would impact accountability and transparency

ITEMS FOR DISCUSSION & NEXT STEPS



Next Steps:

- Public Records request process
- Policy on default approach to information; removing redactions from policy manual
- IPA policies and turnaround time
- Disciplinary record policy - retention, use for hiring, transfers
- Statistical summary public reporting
- Individual case policy



Public Safety Alternative Models Ad Hoc

Members: Councilmember Greg Tanaka, Councilmember Liz Kniss

www.cityofpaloalto.org/raceandequity

CURRENT AD HOC STATUS



- **Purpose:** This ad hoc will examine alternative service delivery options for public safety, including a Council budget related referral regarding fire services and medical response.
- **What has happened so far:**
 - Ad hoc discussed issues, conducted research and review options.
 - Councilmembers independently met with Sunnyvale Mayor Larry Klein.
 - Engaged with Sunnyvale's Deputy Chief in a 2-hour learning session to understand model.
 - Staff has researched alternative service options detailed in Data Transmittal #1 and available at www.cityofpaloalto.org/raceandequity
 - Councilmembers were provided the opportunity to participate in ride-alongs with both Police and Fire.

ITEMS FOR DISCUSSION & NEXT STEPS



Discussion:

- Unique nature of Palo Alto → Palo Alto has its own medical transport service; one of only a few cities in the state. (Counties are typically responsible for medical transport.)
- Advantages and disadvantages of the Sunnyvale model, including cost considerations.
- Alternative models or services for public safety
 - Opportunities to partner with County or others for models such as Psychological Emergency Response Teams (PERT) or Mobile Crisis Response Team (MCRT)

Next Steps:

- Conclude evaluation of Public Safety Alternative Models
- Pursue opportunities for “apples to apples” comparisons to other jurisdictions including collaboration with Stanford University

STAY INFORMED



Gain Race and Equity Updates at:
CityofPaloAlto.org/raceandequity

Sign Up for City Updates at:
CityofPaloAlto.org/newslettersignup

Connect with Us on Social Media:
www.cityofpaloalto.org/connect

www.cityofpaloalto.org/raceandequity



CITY OF
**PALO
ALTO**





Date: 8/20/2020

Race and Equity Community Engagement Efforts

A list of completed and in process community engagement and communications activities on race and equity can be found below.

Completed

- **Temporary Black Lives Matter Mural Installation:** Sixteen artists were selected to install a Black Lives Mural on Hamilton Avenue. The temporary installation was completed in late June and is anticipated to remain in place through September 30, 2020.
- **Police Community Briefings began on July 1 and are a series of four learning sessions. YouTube comments are open for the public to comment.** [Police Department Introduction: July 1](#), [Use of Force: July 8](#), [Search and Seizure: July 15](#) and [Transparency and Accountability: July 22](#)
- **Q and A session with Kaloma Smith, City Manager Ed Shikada, and Chief Jonsen-completed on July 2 and available [here](#).** The recorded event is available on YouTube and community comments are still being taken.
- **8 Can't Wait Panel Discussion, hosted by the Human Relations Commission – completed on July 9 and available [here](#).**
 - Chief Robert Jonson – Palo Alto Police Department
 - David Alan Sklansky - Co-Director of Criminal Justice Center Stanford <https://law.stanford.edu/directory/david-alan-sklansky/>
 - Kenan Moos - Justice Vanguard Foundation theblackhub.org
 - Matthew Clair – Assistant Professor of Sociology, Stanford University <https://sociology.stanford.edu/people/matthew-clair>
 - Anand Subramanian - Managing Director, Policy Link <https://www.policylink.org/>
- **8 Can't Wait Review with the Human Relations Commission and Public Forum- July 22 at 6 p.m. Meeting video [here](#).** Review by staff and HRC and public forum took place at this meeting. Recommendations and input received will be presented to the City Council during the August 24 study session.
- **Foothills Park Panel Discussion Parks and Recreation Commission (PRC) Meeting– July 28 at 7 p.m. Meeting video [here](#).** Panelists included:
 - Lester Hendrie, retired Foothills Park Supervising Ranger

- Professor Nicole M. Ardoin, Sykes Family Director of the Emmet Interdisciplinary Program in Environment and Resources in the School of Earth, Energy, and Environmental Sciences
 - Alex Von Feldt, Executive Director, Grassroots Ecology
 - Roger Smith, Co-Founder and Director of the Friends of the Palo Alto Parks
 - Taylor Peterson, Director of Biological Analysis with MIG, Inc.
- **Human Relations Commission Public Forum on the Current and History of Black and Brown Community Experiences: August 13.** Discussion and public forum sharing experiences. Go [here](#) for the meeting video.
 - **Expanded Communications:** Staff is currently working on a series of communications to engage and inform on race and equity.
 - A new website was developed: www.cityofpaloalto.org/raceandequity.
 - Items have been made available online through both an initial [blog post](#) and [an additional blog post](#) and an email address was created to gain input. The email address is: raceandequity@cityofpaloalto.org

In Progress

- **Palo Alto Speaks:** In June, the City Council directed “*the Human Relations Commission to return with a report on the Black and Brown history and current community in Palo Alto.*” A new engagement effort *Palo Alto Speaks* seeks to engage the community and collect the stories of Black and Brown people in Palo Alto, both past and present. Stories collected will be combined into a report that the Human Relations Commission (HRC) will share with the City Council in September/October. We are encouraging the community to join the City’s race and equity conversation by sharing their story or their family’s story through written messages, photos, or videos; are all welcome. For more, go here: www.cityofpaloalto.org/paloaltospeaks
- **Palo Alto Reads Author Series:** The Library is honored to announce its first virtual Palo Alto Reads event and book selection, [The Color of Law: A Forgotten History of How Our Government Segregated America](#) by Richard Rothstein. Published in 2017, *The Color of Law* tells the history of the design and segregation of American communities along racial lines. Rothstein focuses on many Bay Area communities, including Palo Alto, which thwarted efforts back in 1947 to create integrated and working-classing housing near Stanford University. This historical book provides great context into exploring today’s ongoing inequities in housing, education, income and health. From August 15 to September 15, free copies of *The Color of Law* will be available at Mitchell Park and Rinconada Libraries during [Sidewalk Service](#) hours. We hope that Palo Alto joins in this community read and conversation. We will be offering a series of [events](#) for all ages during this time, including a [virtual conversation with author Richard Rothstein](#) on

Thursday, August 27 at 7 p.m. This author event is sponsored and hosted by [The Bill Lane Center for the American West](#) of Stanford University. Palo Alto Reads is joint partnership with the City of Palo Alto and its [Race & Equity Initiatives](#). Many thanks to the City, Stanford University and the Friends of the Palo Alto Library for their support!

- **Children’s Theater Collaboration:** This summer, the Children’s Theatre is also collaborating with the Breath Project, an initiative led by local Bay Area Artists, including Children’s Theatre teaching artist Gamal Abdel Chasten, in collaboration with 18 theatres from across the country, to archive works created by artists of color that speak to our current socio/economic/emotional climate. Children’s Theatre Artistic Director, Judge Luckey, will lead a national team of TYA (Theatre for Young Audiences) artists to curate youth submissions to the Breath Project, as well as developing an original digital performance with Children’s Theatre participants, that will be 8-minutes-and-46-seconds in length.
- **Black Lives Matter Mural Artist Panel Discussion:** The Public Art Commission is hosting panel discussion with the Black Lives Matter Mural artists on September 10, 2020 at 6:00 p.m.
- **Public Art Commission Race and Equity Programming and Focus:** The Public Art Commission will dedicate their September meeting to a discussion about race and equity. They are also planning several programmatic works through February.
- **New Public Art Exhibit Early 2021- New Americans Exhibition and Sanctuary Print Project Residency:** This exhibition will feature artists who are new to the United States and whose experiences as new Americans are reflected in their art practice. The exhibition will also feature the Sanctuary Print Project, a participatory mobile printmaking studio which offers printmaking experiences for the public.
- **Art Center and Junior Museum & Zoo Collaboration:** The Art Center and Junior Museum & Zoo continue their Working Together partnership, which works towards diversifying the museum field through a pipeline of engagement for youth diverse in ethnicity and ability levels that include paid teen opportunities, paid undergraduate internships, and paid graduate fellowships.
- **Black Index Public Art Exhibit Summer 2021:** The artists in *The Black Index* build upon the tradition of Black self-representation as an antidote to colonialist images. Their translations of photography challenge the medium’s long-assumed qualities of objectivity, legibility, and identification: the phenomenological premise of the photographic index. Using drawing, sculpture, and digital technology to transform the recorded image, these artists question our reliance on photography as a privileged source for documentary objectivity and historical understanding. The works included in the exhibition offer an alternative practice: a Black index. In the hands of these six artists, the index still serves as a finding aid for information about Black subjects, but it

also challenges viewers' desire for classification and, instead, redirects them toward alternative information.

- **Children's Theater Performances Time TBD:** The Friends of the Palo Alto Children's Theatre (FOPACT) have commissioned local Bay Area artists, representing under-served communities, to create virtual theatrical productions for young audiences. The first of these theatrical productions, THE LAND OF LOST SOCKS, written and performed by Gamal Abdel Chasten, was presented via YouTube Live, with a subsequent posting on YouTube, on Saturday, July 11. In the first weekend, the live production drew more than 1,000 unique viewers, estimated as an audience of 2,000-3,000 audience members. Next Up: The world premiere of a puppet musical, based on the fable THE MOUSE AND THE LION, written by Carlos Aceves, with music and lyrics by Ron Sheffer.
- **The Art of Disability Culture exhibition, Winter 2022:** Thirty years after the passing of the Americans With Disabilities Act (ADA) disability arts organizations, individual artists, and informal groups or artist collectives are challenging expectations and claiming their seats at the table, their slots in the gallery, or their time at the microphone. Every artist or designer featured in this exhibition has one or more visible or invisible disabilities. Far from presenting a single monolithic point of view, they use a wide range of techniques and approaches in personal ways to investigate the complex, nuanced and wide range of experiences and identities that contribute to disability culture.
- **Ongoing Library Programming:** The Library is developing ongoing programming focused on race and equity.

Date: 8/20/2020

From: City Manager's Office

State Legislative Summary Memo

The following page contain a list of 12 legislative bills currently under consideration by the State Legislature. The document notes where the bills are in the process and also provides a summary of each bill as of August 19, 2020.

The City's State lobbyist will be present at the August 24, 2020 City Council meeting to provide additional context around each bill.

Of note: the Senate Public Safety Committee has concluded all its bill hearings for the year, thus the bills that were scheduled to be heard in the Committee, and never received a hearing, most likely will not move forward.

Status Report Wednesday, August 19, 2020

POLICE REFORM

[AB 66](#) (Gonzalez D) Police: use of force.

Current Text: Amended: 7/21/2020 [html](#) [pdf](#)

Last Amended: 7/21/2020

Status: 8/17/2020-In committee: Referred to APPR. suspense file.

Location: 8/17/2020-S. APPR. SUSPENSE FILE

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

8/20/2020 Upon adjournment of Session - John L. Burton Hearing Room (4203)
SENATE APPROPRIATIONS SUSPENSE, PORTANTINO, Chair

Summary:

Would prohibit the use of kinetic energy projectiles or chemical agents, as defined, by any law enforcement agency to disperse any assembly, protest, demonstration, or other gathering of persons, except in compliance with specified standards set by the bill, and would prohibit their use solely due to a violation of an imposed curfew, verbal threat, or noncompliance with a law enforcement directive. The bill would prohibit the use of chloroacetophenone tear gas or 2-chlorobenzalmalononitrile gas by law enforcement agencies.

[AB 329](#) (Kamlager D) Victim compensation: use of excessive force by law enforcement.

Current Text: Amended: 7/8/2020 [html](#) [pdf](#)

Last Amended: 7/8/2020

Status: 7/8/2020-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on PUB. S.

Location: 7/8/2020-S. PUB. S.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Existing law provides for state compensation of victims and derivative victims of specified types of crimes for specified losses suffered as a result of those crimes. Existing law defines various terms for purposes of these provisions, including "crime." This bill revises the definition of "crime" to include the use of excessive force by a law enforcement officer regardless of whether the law enforcement officer is arrested or charged with commission of a crime or public offense.

[AB 1022](#) (Holden D) Peace officers: use of force.

Current Text: Amended: 7/30/2020 [html](#) [pdf](#)

Last Amended: 7/30/2020

Status: 8/17/2020-In committee: Referred to APPR. suspense file.

Location: 8/17/2020-S. APPR. SUSPENSE FILE

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

8/20/2020 Upon adjournment of Session - John L. Burton Hearing Room (4203)
SENATE APPROPRIATIONS SUSPENSE, PORTANTINO, Chair

Summary:

Mandates law enforcement agency policies require officers immediately report potential excessive force, and to intercede when present and observing an officer using excessive force.

[AB 1196](#) (Gipson D) Peace officers: use of force.

Current Text: Amended: 7/9/2020 [html](#) [pdf](#)

Last Amended: 7/9/2020

Status: 8/17/2020-In committee: Referred to APPR. suspense file.

Location: 8/17/2020-S. APPR. SUSPENSE FILE

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

8/20/2020 Upon adjournment of Session - John L. Burton Hearing Room (4203)

SENATE APPROPRIATIONS SUSPENSE, PORTANTINO, Chair

Summary:

Would prohibit a law enforcement agency from authorizing the use of a carotid restraint or a choke hold, as defined, and techniques or transport methods that involve a substantial risk of positional asphyxia, as defined.

AB 1299 (Salas D) Peace officers: employment.

Current Text: Amended: 8/6/2020 [html](#) [pdf](#)

Last Amended: 8/6/2020

Status: 8/13/2020-In committee: Referred to APPR. suspense file.

Location: 8/13/2020-S. APPR. SUSPENSE FILE

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

8/20/2020 Upon adjournment of Session - John L. Burton Hearing Room (4203)

SENATE APPROPRIATIONS SUSPENSE, PORTANTINO, Chair

Summary:

Requires law enforcement agencies to notify POST if an officer leaves the agency with a complaint, charge, or investigation pending, and requires the department to complete the investigation and notify the commission of its findings

AB 1314 (McCarty D) Law enforcement use of force settlements and judgements: reporting.

Current Text: Amended: 6/26/2020 [html](#) [pdf](#)

Last Amended: 6/26/2020

Status: 8/14/2020-Failed Deadline pursuant to Rule 61(b)(13). (Last location was S. PUB. S. on 7/2/2020)

Location: 8/14/2020-S. DEAD

Desk	Policy	Fiscal	Floor	Desk	Dead	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Requires municipalities to annually post on their websites specified information relating to use of force settlements and judgements, including: Amounts paid, broken down by individual settlement and judgment; premiums paid for insurance against use of force settlements or judgements; and information on municipal bonds used to finance such payments.

AB 1506 (McCarty D) Police use of force.

Current Text: Amended: 8/17/2020 [html](#) [pdf](#)

Last Amended: 8/17/2020

Status: 8/17/2020-Read second time and amended. Re-referred to Com. on APPR.

Location: 8/12/2020-S. APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

8/19/2020 9 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, PORTANTINO, Chair

8/20/2020 Upon adjournment of Session - John L. Burton Hearing Room (4203)

SENATE APPROPRIATIONS SUSPENSE, PORTANTINO, Chair

Summary:

Creates a division within the Department of Justice to, upon the request of a law enforcement agency, review the use-of-force policy of the agency and make recommendations and to conduct an independent investigation of any officer-involved shooting or other use of force that resulted in the death of a civilian. Authorizes the Department of Justice to criminally prosecute any officer that, pursuant to such an investigation, is found to have violated state law.

Attachments:

[League's July support letter](#)

AB 1599 (Cunningham R) Peace officers: investigations of misconduct.

Current Text: Amended: 7/8/2020 [html](#) [pdf](#)

Last Amended: 7/8/2020

Status: 8/13/2020-In committee: Referred to APPR. suspense file.

Location: 8/13/2020-S. APPR. SUSPENSE FILE

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

8/20/2020 Upon adjournment of Session - John L. Burton Hearing Room (4203)

Summary:

Requires law enforcement agencies, or an oversight agency, to complete initiated administrative investigations of officer misconduct related to specified uses of force, sexual assault, and dishonesty regardless of whether an officer leaves the employment of the agency.

AB 1652 (Wicks D) Law enforcement agency policies: use of force: protests.

Current Text: Amended: 6/29/2020 [html](#) [pdf](#)

Last Amended: 6/29/2020

Status: 7/2/2020-Re-referred to Com. on RLS. pursuant to Senate Rule 29.10(c). Re-referred to Com. on PUB. S.

Location: 7/2/2020-S. PUB. S.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Requires each law enforcement agency to expand the agency's use of force policy to include clear and specific guidelines under which officers may use "kettling" or "corralling," and to prohibit officers from failing to wear, or intentionally acting to obscure or conceal information on, a badge while on duty. Also requires each agency's policy to prohibit law enforcement officers from using force on individuals engaged in, or members of the press covering, a lawful assembly or protest, and would further require the policy to require that an officer who is found to have intentionally violated this policy be suspended.

AB 1709 (Weber D) Law enforcement: use of force.

Current Text: Amended: 7/21/2020 [html](#) [pdf](#)

Last Amended: 7/21/2020

Status: 7/21/2020-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on PUB. S.

Location: 7/2/2020-S. PUB. S.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

This bill would remove the specification that a peace officer making an arrest need not desist in their efforts because of resistance or threatened resistance from the person being arrested. The bill would also require a peace officer to attempt to control an incident through deescalation tactics, as defined, in an effort to reduce or avoid the need to use force, to render medical aid immediately or as soon as feasible, and to intervene to stop a violation of law or an excessive use of force by another peace officer.

Attachments:

[League's July opposition letter](#)

SB 731 (Bradford D) Peace Officers: civil rights.

Current Text: Amended: 7/29/2020 [html](#) [pdf](#)

Last Amended: 7/29/2020

Status: 8/3/2020-August 5 hearing postponed by committee. Re-referred to Com. on RLS. pursuant to Assembly Rule 96.

Location: 8/3/2020-A. RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

This bill is probably not moving forward Would provide that a threat, intimidation, or coercion under the Civil Rights Act may be inherent in any interference with a civil right and would describe intentional acts for these purposes as an act in which the person acted with general intent or a conscious objective to engage in particular conduct.

SB 776 (Skinner D) Peace officers: release of records.

Current Text: Amended: 8/10/2020 [html](#) [pdf](#)

Last Amended: 8/10/2020

Status: 8/18/2020-August 18 set for first hearing. Placed on suspense file.

Location: 8/18/2020-A. APPR. SUSPENSE FILE

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

8/20/2020 Upon Call of the Chair - Assembly Floor ASSEMBLY APPROPRIATIONS SUSPENSE, GONZALEZ, Chair

Summary:

Expands categories of police and custodial personnel records subject to disclosure pursuant to the California Public Records Act, including every incident involving use of force.

Attachments:

[League's opposition letter of July 2020](#)

Total Measures: 12

Total Tracking Forms: 12