CITY OF PALO ALTO

Report Type: Informational Report   **Date: 8/26/2020**

To: CITY COUNCIL   **From: CITY MANAGER'S OFFICE**

Title: Race and Equity *Ad Hoc* Data Transmittal #3

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On August 4, 2020, and August 10, 2020 Staff transmitted research and responses to Councilmember questions raised so far through meetings with the *ad hoc* committees focused on race and equity as part of the documents titled Race and Equity *Ad Hoc* Data Transmittal #1 and #2.

The transmittals can be found on the City's website for Race and Equity work, at the following link:
https://www.cityofpaloalto.org/raceandequity/council_ad_hoc_committees.asp

This third transmittal presents two memos that were detailed as pending items in Transmittal #1 under the Police Policy Manual, Data, and Hiring *ad hoc*. (The item number below corresponds to its placement in the original list of materials to be transmitted to City Council, detailed in Transmittal #1). As discussed in the first transmittal, they are listed by *ad hoc* committee but may relate to multiple *ad hocs*.

As in the first transmittal, the documents listed are green are linked in this packet with their respective page numbers; if you click on them you will be taken to the corresponding page.

Police Policy Manual, Data, and Hiring

5. Calls for Service Summary Memorandum – Page 3
6. Police Data Summary Memorandum – Page 9

Police Accountability and Transparency

NEW ITEM – Analysis of 5 Years of Use of Force Memorandum - Page 12

As detailed and in Item 5. Calls for Service Summary Memorandum, data sets showing calls for service in Calendar Year 2018 and 2019 for the Police Department and the Fire Department have been posted to the City's Open Data Portal. The data sets include priority, call type, and subtype.

Staff will continue to work on transmitting additional materials to the City Council as they become available and will post the transmittals to the Race and Equity website so the public can access them.

Thank you,

Ed Shikada

Ed Shikada
City Manager
City of Palo Alto

DATE: **AUGUST 26, 2020**

**TO:** **CITY MANAGER ED SHIKADA, CHIEF JONSEN, ASST. CHIEF BINDER, CHANTAL GAINES, STEVEN GUAGLIARDO**

FROM: **CAPTAIN APRIL WAGNER**

SUBJECT: **POLICE AND FIRE CALL FOR SERVICE DATA FOR AD HOC COMMITTEE**

Police and Fire Calls for Service Data Jan 2018-Dec 2019

This memorandum is in response to the City Council Ad Hoc Committees to help explain the types of calls for service that both the Police and Fire Departments respond to. The data was obtained from the Police Department's Computer Aided Dispatch (CAD) System. This memo also explains the law-enforcement term "Calls for Service". Below are a chart and graph explaining the total numbers of calls for service for both, the Police and Fire, departments from a period of January 1, 2018, through December 1, 2019.

	2018	2019
Police	55,831	51,417
Fire	9,117	8,875
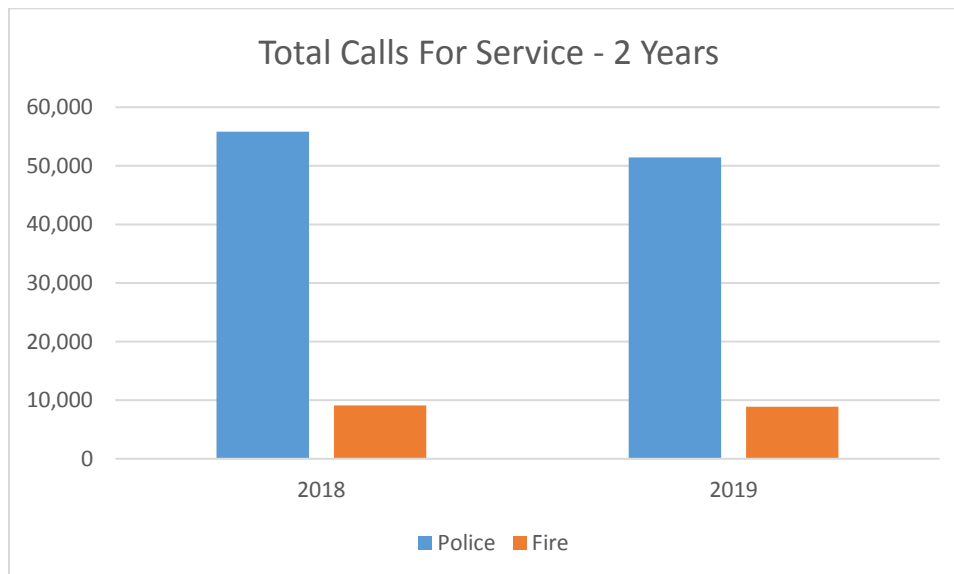
The source files that are summarized in this memo have been posted to the City's open data portal. **Please understand that this reflects the call type as determined by dispatchers at the beginning of the call for service. The circumstances the officers are presented with may change the end call type, which is not reflected in the data.**

- o For Police, it includes any call for service an officer was requested to respond to, any call a dispatcher created for a response, self-initiated calls for service, and cases created by our Records division for online or walk-in desk reports. Note that the calls for service also include officer-initiated traffic contacts.
- o For Fire, it includes any call for service requested from the community for Fire personnel to respond to.

Police Department calls for service in Calendar Year 2018, including priority, event type, and event subtype can be found here: https://data.cityofpaloalto.org/dataviews/256725/calls-for-service-palo-alto-police-department-2018/

Police Department calls for service in Calendar Year 2019, including priority, event type, and event subtype, can be found here: https://data.cityofpaloalto.org/dataviews/256726/calls-for-service-palo-alto-police-department-2019/

Fire Department calls for service in Calendar Year 2018, including priority, event type, and subtype can be found here: https://data.cityofpaloalto.org/dataviews/256724/calls-for-service-palo-alto-fire-department-2018/

Fire Department calls for service in Calendar Year 2019, including priority, event type, and subtype can be found here: https://data.cityofpaloalto.org/dataviews/256723/calls-for-service-palo-alto-fire-department-2019/

Police Department Call Type Explanation

This data reflects the 'event type' assigned by Dispatchers at the time of the initial call. **The outcome of the call may be different from the initial CAD event type** because some circumstances change in the situation between the call for service and the resolution of the interaction once the officer arrives. Some calls may also have more than one situation occurring, but the call only reflects the initial event type.

When a person calls "911" or the non-emergency dispatch phone number, a dispatcher answers the call. The dispatcher listens to the caller, asks clarifying questions depending on the nature of the call, and types up a call for service as necessary. Questions asked by the dispatcher include who, what, when where, why, how, a physical description on the involved persons, and any safety/weapon information. The dispatcher then assigns an "event type" for each call for service that most accurately reflects the information the caller is requesting assistance with. The dispatcher assigns the appropriate person(s) to respond to the call for service. All calls are recorded, as are all typewritten entries into the CAD system, including who responded, time of response, and actions taken at the scene. As noted above, it may occur that the original reason for the call or "event type" does not reflect the outcome of the call.

Many of the "event types" are self-explanatory, however, some are clarified below:

- **911-** event type is most often a 911 call that was placed to Dispatch where the caller hung up without giving information. This may or may not require contact by an officer or dispatcher.

- **Animal** - where an officer was assigned to respond to an animal call.
- **Fire Information**- where the Fire Department is rolling 'code 3' through the City to a fire-type incident. This is information only for patrol awareness.
- **Directed patrol**- Department-ordered officer action, such as school zone monitoring, high visibility for property crimes, traffic hot-spots, etc.
- **Disturbance-** is a large category that covers all types of person-created disturbances, significant noise (not municipal code), fireworks, and other concerning behaviors. It may also cover domestic fights heard by neighbors. These often manifest as hearing/seeing yelling/screaming, etc.
- **Info general**- These are informational only calls for patrol awareness that most often do not require an officer response.
- **Medical Information-** information that Fire is responding on a medical aid through the city. This is generated any time fire responds to a medical call but also includes calls where officers respond to assist in any life-threatening medical type incident or casualty falls that occur in public (requires a police report).
- **Meet citizen**- person calls requesting to speak with an officer, wants advice, etc. follow-up.
- **Parking**- Any parking complaint where an officer is assigned such as vehicle blocking a driveway.
- **Patrol Area Check**- This is a general call type that covers person-requested police response that includes any version of suspicious activity, any activity of unknown criminal intent, or something strange occurring and the caller wants it checked out.
- **Palo Alto**- This is a call type generated by our Records Division for desk reports.
- **Phone call-** Caller wants to speak with an officer about anything, follow-up, general question, etc.
- **Suicide-** This call type reflects attempted, threatened, and actual suicides. This is an example of call types that have many sub-call-types.

Please advise if you would like additional information on any specific call for service event types.
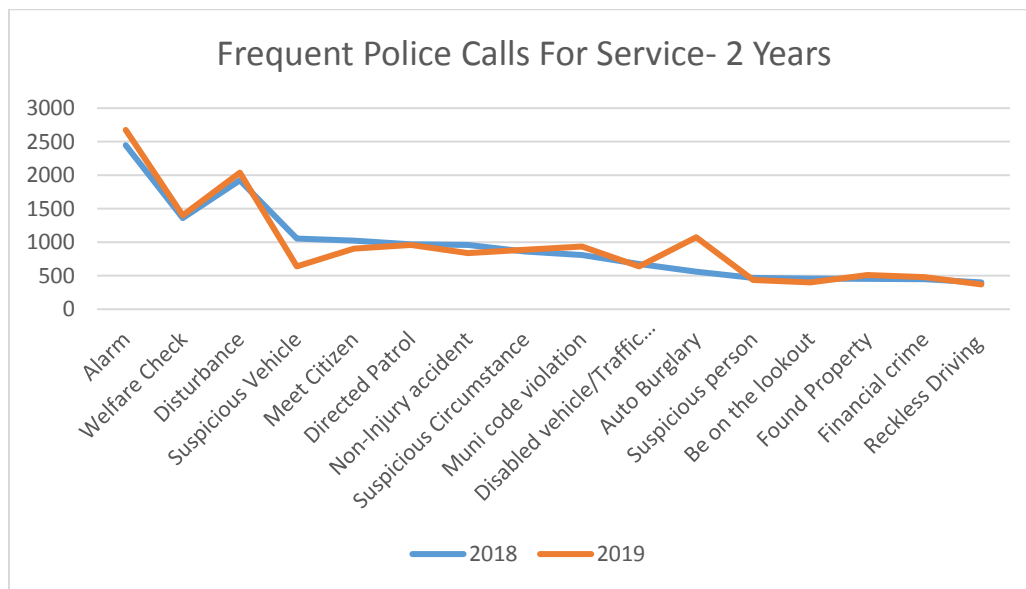

Police Department Calls For Service

"Calls for Service" is a common industry term to refer to the work done in law enforcement. The term applies to literal calls for services through dispatch, as previously explained in this memo, as well as officer-initiated activity (such as a common traffic contact). The information summarized in this memo accounts for both types of activity. The following are data and a graph outlining the most frequent calls for service overall for the Police Department from January 1, 2018, through December 31, 2019. This encompasses any type of call for service, including non-criminal related activities officers respond to or are asked to respond to. It does not include reports generated by the Records Division at the front desk that did not require an officer to respond. These two years were chosen as the most recent complete years with data available. The table below summarizes the total calls for service and indicates how many are officer-initiated (versus calls through dispatch). **Note:** the traffic stop calls are predominantly officer-initiated contacts and not actual "calls" that go through dispatch.

Item #5: Calls for Service Summary Memorandum

Police Call Type Overall	2018 Total	2018 Officer Initiated	2019 Total	2019 Officer Initiated
Traffic stop	12,437	12,434	9,855	9,854
Medical Information	4,293	27	4,477	18
Ped/Bike stop	3,778	3,764	2,553	2,545
911 call	2,997	0	2,507	0
Alarm	2,447	6	2,675	4
Disturbance	1,923	23	2,039	17
Fire Information	1,475	0	1,522	1
Parking Problem	1,375	144	1,314	112
Phone call	2,888	24	2,669	88
Patrol Area Check	1,607	988	1,574	887
Welfare check	1,361	42	1,400	27
Suspicious vehicle	1,055	763	638	403
Directed Patrol	968	810	958	855
Suspicious Circumstance	862	3	888	8

Frequent Police Call Types Overall- 2 Years
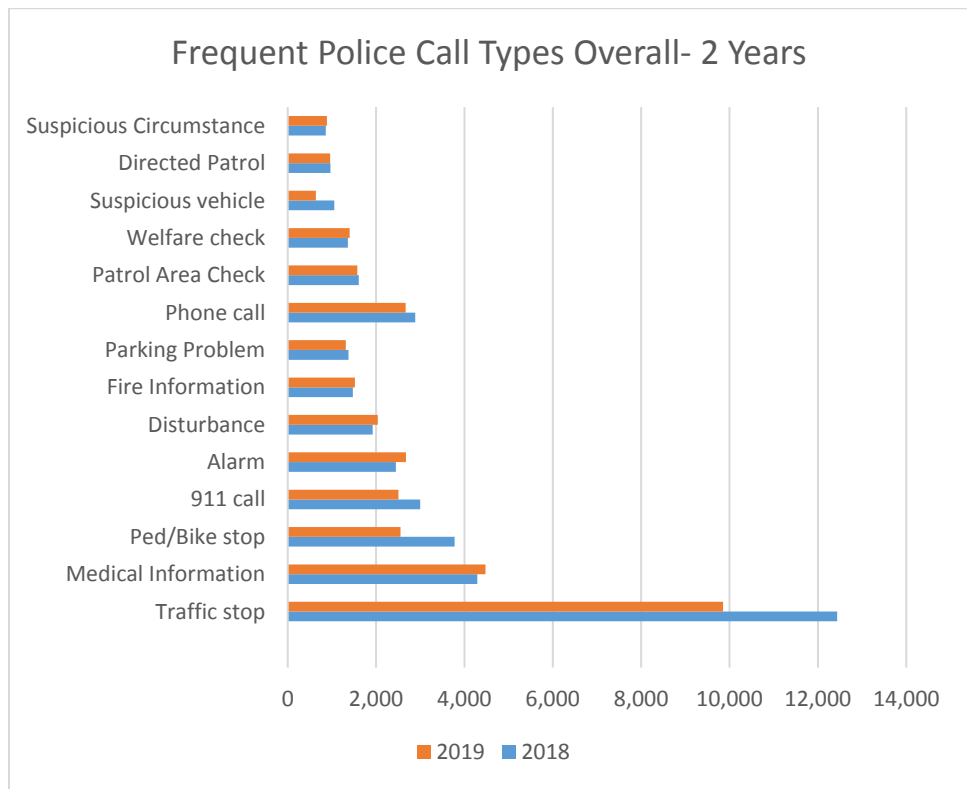
The following data and graph outline the most frequent types of calls for service that officers are dispatched to for the Police Department from January 1, 2018, through December 31, 2019. This encompasses any type of call for service the community requests an officer to respond to. It does not include officer-initiated contacts.

| Frequent Police Calls for Service	2018	2019
Alarm	2,447	2,675
Welfare Check	1,361	1,400
Disturbance	1,923	2,039
Suspicious Vehicle	1,055	638
Meet Citizen	1,023	903
Directed Patrol	968	958
Non-Injury accident	960	838
Suspicious Circumstance	862	888
Muni code violation	808	935
Disabled vehicle/Traffic Hazard	674	639
Auto Burglary	560	1,074
Suspicious person	467	435
Be on the lookout	457	401
Found Property	452	510
Financial crime	449	479
Reckless Driving	400	370

Frequent Police Calls For Service- 2 Years

Fire Department Call For Service Data

The following information is the response of Fire Department personnel to calls for service. The Police Department Communications Center staffs a dispatcher 24/7 to respond to fire and medical emergencies. The dispatcher receives the caller information, will ask clarifying questions to ascertain the nature of the emergency, and dispatch the appropriate fire personnel. The dispatchers are also trained in Emergency Medical Dispatching (EMD) to give lifesaving directions to the caller in the event of a significant medical emergency until emergency responders arrive. Police officers are dispatched to life-threatening medical emergencies alongside Fire personnel.

- **Response to Medical Emergency**- Typical response to a medical emergency is one fire engine (3 persons, including a paramedic) and an ambulance (2 persons, including a paramedic).
- **Response to Alarm**- Typical response to a fire alarm is one engine. If it is a high occupancy building or hazardous materials present, one engine (3 persons) and one truck (3 persons) respond.
- **Response to Service call**- These are non-emergency calls such as a flooded basement, a car lock-out with a child inside, or assisting a disabled person who fell out of bed but is not injured. The response is one engine without a "code 3" response (3 personnel).
- **Response to Accident Call**- If the collision is on a surface road, one engine (3 persons) and an ambulance (2 persons) respond.   For collisions on a highway/freeway two engines (3 persons per), ambulance (2 persons), and a BC (one Battalion Commander) respond.
- **Response to Fire call**- A structure fire involves a response per numerical "alarm." A basic structure (home) would require three engines (3 people per), one truck (3 persons), one ambulance (2 persons), and a BC (1 person). One truck from Mountain View and one BC from Mountain View will also respond to any "confirmed" structure fire. If it is a larger building, we would request additional mutual aid resources.
- **Response to Smoke call**- For a call of smoke outside it is a one engine response, smoke inside requires a "structure" response of three engines (3 people per), one truck (3 persons), one ambulance (2 persons), BC (1 person).

The following data and graph outline the most frequent calls for service Fire personnel are dispatched to for the Fire Department from January 1, 2018, through December 31, 2019. This encompasses any type of call for service the community requests Fire personnel respond to.

Fire Call Type	2018	2019
Medical Emergency	5,555	5,692
Alarm	1,576	1,652
Service	615	678
Accident	463	435
Fire	152	136
Smoke	156	134

Fire Department Top 6 Calls For Service- 2 Years

Last Updated: August 17, 2020
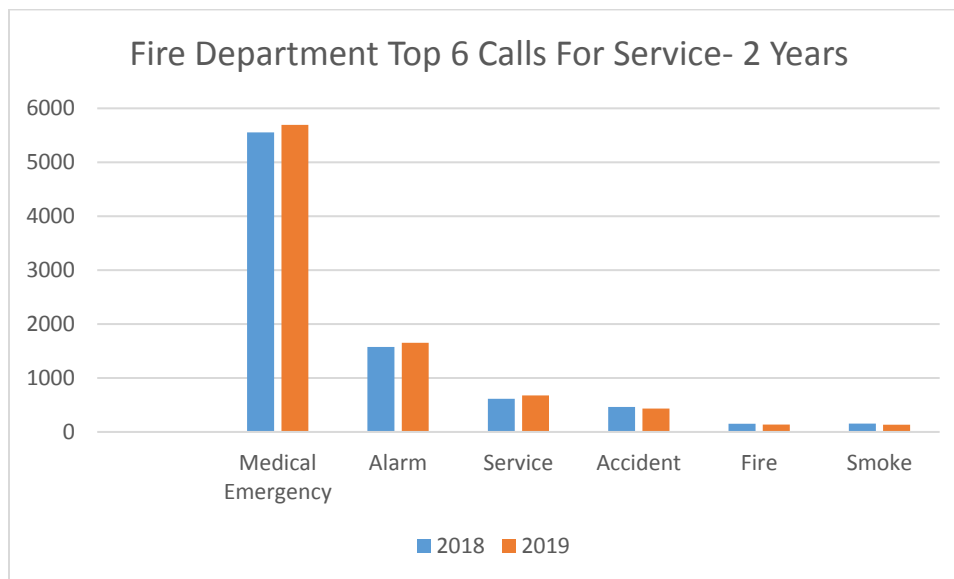
Purpose: To provide an overview of regulations and Palo Alto Police Department practices regarding the gathering and reporting of demographic information.

1) Recent State Law Changes

    a. **Assembly Bill 953**, Racial and Identity Profiling Act (RIPA) of 2015 added Government Code Section 12525.5, and amended Penal Code Sections 13012 and 13519.4 to:

- Create Racial and Identity Profiling Advisory (RIPA) Board, for the purpose of eliminating racial and identity profiling and improving diversity and racial and identity sensitivity in law enforcement.

- Require California law enforcement agencies to begin collecting and reporting data on complaints that allege racial or identity profiling (Information Bulletin and Reporting Form).

- Require all city and county local law enforcement agencies in California to collect perceived demographic and other detailed data regarding pedestrian and traffic stops (Stop Data Regulations and Template). An agency that employs one or more but less than 334 peace officers must issue its first annual report by 4/1/23.

    b. **Assembly Bill 748** amended Government Code Section 6254 to require audio and video recordings of "critical incidents" to be released to the public, effective 7/1/19.

    c. **Senate Bill 1421** amended Penal Code Section 832.7 to require the release of records relating to certain officer use-of-force incidents, sexual assault and acts of dishonesty, effective 1/1/19.

    d. **Assembly Bill 71** added Government Code Section 12525.2 to require law enforcement agencies to report use of force incidents that result in serious bodily injury or death of either the civilian or the officer and all incidents where there is a discharge of a firearm, beginning 1/1/17. The report must include the gender, race, and age of each individual who was shot, injured, or killed.

2) Guidance and Practices by Other Jurisdictions

    a. U.S. Department of Justice Office of Community Oriented Policing Services

- • [How to Correctly Collect and Analyze Racial Profiling Data](#) (2002)

- • [A Suggested Approach to Analyzing Racial Profiling](#) (2002)

   b. [Santa Clara County DA's Office Race and Prosecutions 2018 Update](#)

   c. [San Jose PD Use of Force Data from January 1, 2015 to June 30, 2017](#) (January 2018)

   d. [Sacramento Police Vehicle Stop Data](#)

3) PAPD's Data Collection Policy ([PAPD Policy Manual](#))

   a. Policy 402.7 – The Internal Affairs Unit Manager and the Records Manager or the authorized designee shall ensure that all data required by the Department of Justice (DOJ) regarding complaints of racial bias against officers is collected and reported annually to DOJ (Penal Code § 13012; Penal Code § 13020).

   b. Policy 806.3.2(d) – The responsibilities of the Technical Services Division include maintaining compliance with federal, state, and local regulations regarding reporting requirements of crime statistics. This includes reporting statistical data to the California Department of Justice (DOJ) for:

   - • All officer-involved shootings and incidents involving use of force resulting in serious bodily injury (Government Code § 12525.2).

   - • Suspected hate crimes (Penal Code § 13023).

   - • Complaints of racial bias against officers (Penal Code § 13012; Penal Code §13020).

   - • Civilian complaints made against officers (Penal Code § 832.5; Penal Code §13012).

   - • Stop data required by Government Code § 12525.5 and 11 CCR 999.226.

4) PAPD 2008 Action Plan for Outreach to Diverse Communities

   a. Initiated in December 2008. See [CMR #339:09](#) (8/3/09) for an update.

   b. Had the Independent Police Auditor (OIG Group) review the PAPD's demographic data collection. The OIG Group issued a report [PAPD's Response to Concerns Regarding Bias-Based Policing](#) in February 2010.

5) PAPD's previous demographic data collection and reporting (see [CMR #156:10](#), 3/8/10)

   a. Collected demographic data on "*all self-initiated enforcement vehicle, pedestrian and bicycle stops*" from July 2000 through December 2009 "*to enhance police-community relations and to ensure policing activities are conducted professionally without racial bias.*"

   b. Reported to the Human Relations Commission and City Council, posted the reports and data on PAPD website, and made data publicly available in an electronic format upon request.

    c.   Officers recorded demographic information in the Records Management System (RMS) when it came online in 2009 (used to manually complete a card and forwarded to Technical Services Division for recording).

6) PAPD data (what exists today)

    a.   Call data - Computer-Aided Dispatch (CAD) system

    b.   Case data - RMS

    c.   Citation data (non-parking) - RMS

    d.   Data submitted to Federal/State agencies or other organizations

- FBI Uniform Crime Reporting (UCR) Program
  - Crime Data Explorer (Palo Alto Police Department)
- State Department of Justice OpenJustice
- Police Data Initiative (All traffic collisions, crime reports, traffic citations and written warnings issued from 2016-2019)

    e.   Other data or reports posted on the PAPD website (little to no demographic information)

- Police Incidents (in compliance with SB 1421 and AB 748)
- Crime Statistics
- Monthly Activity Report
- PAPD Annual Report
- Independent Police Auditor's Report
- Application for Release of Information

    f.   Data or reports posted on other City websites (little to no demographic information)

- Performance Report
- City Services Guide and City Services Guide Appendix (December 2019)

CITY OF PALO ALTO

DATE: AUGUST 25, 2020
TO: POLICE POLICY MANUAL, DATA AND HIRING AD HOC COMMITTEE

FROM: CHIEF OF POLICE ROBERT JONSEN

SUBJECT: PALO ALTO POLICE DEPARTMENT – USE OF FORCE ANALYSIS

Use of Force Analysis

Pursuant to PAPD Policy Manual §300.5, all use of force by Department members "shall be documented promptly, completely and accurately in an appropriate report, depending on the nature of the incident." All such reports are required to be reviewed by supervisors and approved in writing.

In certain circumstances as specified in §300.5.2, a "Supervisor's Report on Use of Force" is *also* required as a further measure of review. While the policy enumerates *all* of the circumstances where the supervisor's report is required, most commonly, they are completed when there is a visible or apparent physical injury, the subject complains of pain, or the subject claims they were injured. Department executives have reviewed all use of force incidents between January 1, 2015 and June 1, 2020 where a "Supervisor's Report on Use of Force" was completed pursuant to §300.5.2.

Total Number of Reportable Use of Force Cases

In that span of time (nearly five and a half years), our officers used force requiring a "Supervisor's Report on Use of Force" pursuant to §300.5.2 68 times on a total of 69 criminal suspects. This is an average of about 10 reportable uses of force a year. During that span of time, our officers responded to approximately 297,000 calls for service; this means that our personnel used force on .0002% of dispatched calls. A call for service is generated by a dispatcher in the Computer Aided Dispatch (CAD) system as a result of a community member calling the department for assistance or an officer initiating field activity. Officer initiated field activity can include traffic stops, pedestrian stops and directed patrol. Further analysis can be provided in subsequent discussions about the calls for service associated with the use of force cases summarized in this memo.

Is Force Being Used on Calls for Service, or During Self-Initiated Stops?

Of the 68 uses of force requiring a "Supervisor's Report on Use of Force" pursuant to §300.5.2, 46 of them (68%) occurred after the officer was dispatched to a call from the public, and 22 of them (32%) occurred during officer self-initiated activity. For the 22 incidents occurring during self-initiated activity, the demographic breakdown of the suspects is as follows: 8 White (35%), 7 Hispanic (30%), 6 Black (26%, and 1 Asian (4%).

Demographic Breakdown of Suspects Upon Whom Force Has Been Applied

Of the 69 suspects upon whom our officers used force requiring a "Supervisor's Report on Use of Force" pursuant to §300.5.2, the demographic breakdown is as follows: 28 White (41%), 20 Hispanic

(30%), 15 Black (22%), 3 Asian (4%), and 3 Other (4%). The race of the suspect listed was the perceived race by the officer completing the arrest report.

Type of Force Applied

Of the 68 uses of force requiring a "Supervisor's Report on Use of Force" pursuant to §300.5.2, the majority of time officers used physical strength only (control holds or manual force; no tools). This occurred in 51 of the cases (75%). For the rest of the incidents, officers used a TASER in 13 cases (19%), less lethal munition in 3 cases (4%), and a firearm in 1 case (1%).

Medical Attention

Of the 69 suspects upon whom our officers used force requiring a "Supervisor's Report on Use of Force" pursuant to §300.5.2, officers obtained medical attention for 60 of them (87%). The remaining 9 suspects declined medical attention. Our policy requires officers to obtain medical attention for any visible injury or any complaint of pain, unless the suspect declines.

Firearm-Specific Use of Force

There has been one incident where personnel discharged their firearms at a suspect. That suspect, a white male, died. Officers immediately rendered medical aid at the scene and also summoned paramedics. That incident was a dispatched call for service.

TASER-Specific Use of Force

Of the 13 times an officer used a TASER during the study period, 9 of them (69%) came during a dispatched call for service and 4 of them (31%) occurred during self-initiated activity. The demographic breakdown of the suspects at whom a TASER was used is as follows: 7 White (54%), 3 Hispanic (23%), 2 Black (15%), and 1 Asian (8%). Officers summoned medical aid for each of the 13 criminal suspects.

Summary of Use of Force Analysis

Each of the 68 uses of force requiring a "Supervisor's Report on Use of Force" pursuant to §300.5.2 has undergone an extensive internal review as a required by policy; each review is initially conducted by either a sergeant or lieutenant and is then reviewed up the chain of command to include a final review by the Chief.   Each "Supervisor's Report on Use of Force" includes interviews with involved parties and witnesses, collection of evidence (including body-worn camera footage, MAV in-car camera footage, any surveillance video that may exist), medical records, and so forth.

In each of the 68 use of force incidents requiring a "Supervisor's Report on Use of Force" pursuant to §300.5.2, none of them were deemed out of compliance with policy or law. Note that these 68 cases do not include the Gustavo Alvarez case, as no finding has yet been finalized in that case as the investigation has yet to conclude.

Of the 13 TASER applications, all of those investigations have been sent to the Independent Police Auditor. Of the ones they have reviewed already and published their final public report, the IPA has agreed that all of those cases were within policy.

For the single use of the firearm, that investigation was reviewed by the Independent Police Auditor and found to be within policy. The investigation was also reviewed by the District Attorney's Office, who deemed the shooting to be lawful.

Arrest Analysis

Department executives have reviewed arrest statistics between January 1, 2015 and December 31, 2019. During that five-year span, our officers have made an average of 2,700 arrests per year between an average of over 54,000 calls for service and 19,000 self-initiated contacts annually. During the study period, officers arrest the following racial groups from most frequent to least frequent: White, Hispanic, Black, Other, and Asian.

Demographic Breakdown of Arrests By Year

2015: White (1,226), Hispanic (918), Black (818), Other (365), Asian (173)

2016: White (879), Hispanic (801), Black (589), Other (290), Asian (84)

2017: White (923), Hispanic (696), Black (597), Other (298), Asian (108)

2018: White (896), Hispanic (772), Black (586), Other (231), Asian (111)

2019: White (706), Hispanic (697), Black (488), Other (219), Asian (91)

Again, it is important to note that we do not have a practice of asking a criminal suspect for their race; therefore, the race of the suspect listed is the race perceived by the officer completing the arrest report. The data above includes both felony and misdemeanor arrests, either bookings or criminal citations ("cite-and-release" arrests).

Enforcement Stop Analysis

Department executives have reviewed enforcement stop statistics between January 1, 2020 and June 1, 2020. During that time, officers from the Palo Alto Police Department conducted 1,711 vehicle stops and 371 pedestrian stops for a total of 2,082 enforcement stops. Officers issued 1,018 citations or written warnings across all of those stops.

Demographic Breakdown of Citations and Written Warnings

Of the 1,018 citations or written warnings issued during the enforcement stops, the demographic breakdown is as follows: 412 Other, 254 White, 180 Hispanic, 101 Asian, and 71 Black. The "other" category captures 15 other California Department of Justice-identified reportable ethnicities.

Note that this data only comes from self-initiated enforcement stops; enforcement stops connected to a call for service would not be included. Note also that this data does not include statistics where the outcome of the enforcement stop was an arrest.

Demographic Data Collection: Historical Background

For a period of 10 years beginning in July 2000, the Palo Alto Police Department chose to proactively collect demographic data on all self-initiated enforcement contacts in an effort to enhance relations between the police and the community and to ensure that policing activities were being fairly conducted. The Department prepared an analysis of the data on a quarterly basis and presented informational reports to the HRC and City Council.

At the time, the Palo Alto Police Department was one of only two police agencies in California to provide demographic data to its community on such a frequent basis. The Department ended the collection of demographic data in 2010, when the Crime Analyst position that collated the information was eliminated due to budget reductions. That decision was made knowing it would mean the end of formal demographic data collection, as City leadership was confident with our robust internal review processes and the fact that we had an additional layer of oversight from the Independent Police Auditor.

The data our officers collected on every enforcement stop included the race, age, gender, location of stop, reason for the contact, action taken by the officer (citation, warning, arrest, no action), the city of residence of the person contacted, and whether police conducted a search of the person or vehicle (as well as the underlying legal basis for that search). Officers had to make a reasonable determination of the person's race during the contact in lieu of asking the person. Interpreting demographic data presents a number of challenges, as does extrapolating definitive conclusions from it.

Demographic Data Collection: Future Law Requiring It

Note that AB 953, which was enacted in 2018, requires law enforcement agencies our size (1 to 334 peace officers) to issue their first annual report to the Department of Justice concerning demographic data by April 1, 2023. We are planning for this requirement now as we develop our next-generation Records Management System.