



City of Palo Alto

City Council Staff Report

(ID # 11516)

Report Type: Action Items

Meeting Date: 8/24/2020

Summary Title: HRC Recommendations on 8 Can't Wait

Title: Recommendation to Accept the Human Relations Commission Report on Their Review of 8 Can't Wait Policies in Relation to Current Palo Alto Police Department (PAPD) Policies, and Direction to the City Manager Regarding Revisions to Police Policies

From: City Manager

Lead Department: Community Services

Recommendation

Staff recommends that City Council:

1. Accept the Human Relations Commission report on their review of 8 Can't Wait policies in relation to current Palo Alto Police Department (PAPD) practices, and
2. Review and accept the Palo Alto Police Department response, and direct the City Manager to revise Use of Force policies to:
 - a. explicitly prohibit the use of chokeholds and strangleholds;
 - b. add more comprehensive use of force language with respect to de-escalation; and
 - c. revise deadly force application to require officers to evaluate each situation in consideration of the circumstances in each case and to use other available resources and techniques when reasonably safe and feasible to do so, including that an officer must reasonably believe the use of deadly force is necessary to justify its use.

Background

In response to the death by police of George Floyd and other such tragedies nationwide, as well as the need for the City as an organization to work more deeply on issues of police reform, racial inequities, and systemic racism, Council recently adopted a resolution expressing support of Black Lives Matter ([June 8, 2020- #11414 BLM Movement](#)) and provided feedback on a framework and workplan to address systemic racism ([June 15, 2020 – Council Meeting Minutes](#)). Council approved the following five areas of focus:

- A. Direct the Human Relations Commission (HRC) 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: police 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.

This staff report details the response by the HRC on the first part of "A" above, a charge to lead the 8 Can't Wait campaign. The report on the Black and Brown history and current community experiences in Palo Alto is currently underway and will be presented to Council when completed, tentatively in September 2020.

Discussion

The HRC reviewed and discussed the referral from Council at two special and one regular commission meeting on the following dates: June 30, July 9 and July 22, 2020 (Draft HRC minutes from [June 30](#), [July 9](#), [July 22](#)). Their work included the following: 1) Review of the 8 Can't Wait policies and comparison against current PAPD policy and the policies of other police departments; 2) Public Forum on Police Reform – 8 Can't Wait – with community input and expert panel; 3) Presentation by Assistant Chief Andrew Binder of the Palo Alto Police Department on PAPD review of 8 Can't Wait (Attachment A); and 4) HRC review and discussion of 8 Can't Wait policies and formulation of recommendations for Council. Councilmembers Lydia Kou and Greg Tanaka were present at all three meetings and participated in the review and discussion.

Below is a summary of the HRC's 8 Can't Wait policy recommendations followed by PAPD staff analysis and response. The HRC also provided a memorandum outlining the Commission's decision making process on 8 Can't Wait policies along with additional remarks on police reform for Council consideration (**Attachment B**).

1. Ban Chokeholds and Strangleholds

HRC Motion: The HRC recommends that the language "Chokeholds, strangleholds, lateral vascular neck restraints, chest compressions, or any other tactics that restrict blood flow to head or neck" be explicitly prohibited and added to PAPD policy.

PAPD Response: Due to the dynamic, violent and unpredictable nature of physical encounters, it is impossible to predict or choreograph how a subject is ultimately taken into custody. During a violent struggle, officers could find themselves on top of a subject and unintentionally compressing their chest or placing pressure on their neck. They might end up in this position not because they are deliberately using a technique intended to restrict air or blood flow, but due to the dynamic nature of being in a physical fight with an actively resisting subject. Officers must have the ability, as allowable by law, to use reasonable force to adapt to the ever-changing unpredictability of violent altercations and take the appropriate actions in carrying out their duties. No policy can realistically predict every possible situation an officer might encounter or account for the unintended consequences of an unpredictable, violent encounter.

Consistent with 8 Can't Wait, and in the spirit of the HRC's recommendation to Council, the Department recommends revising policy language to explicitly prohibit the use of chokeholds and strangleholds. The Department proactively revised the policy in June 2020 to ban carotid restraints. These explicit prohibitions will restrict officers from using techniques that deliberately restrict blood flow to the head or neck area as well as from using techniques that will restrict air flow to the head while placing pressure on the back or sides of the neck.

2. Require de-escalation

HRC Motion: The HRC recommends the model use of force language with respect to de-escalation “prior to using physical, verbal and/or mental, non-deadly and/or deadly force, all law enforcement officers must use proper de-escalation techniques.” The HRC also recommends elaboration with a clear explanation of de-escalation tactics modeled after San Francisco and Mountain View.

PAPD Response: The Department agrees with the HRC’s recommendation that the use of force language with respect to de-escalation needs to be more comprehensive and proposes adding to existing policy. Recommended revisions below to the Department’s use of force language with respect to de-escalation aligns it with the HRC’s recommendation and brings our policy into compliance with SB 230 prior to its imposed deadline. Proposed changes include language requiring officers to evaluate the totality of circumstances presented at the time of each situation. When feasible, officers shall consider and utilize reasonably available alternative/de-escalation tactics and techniques that may persuade an individual to voluntarily comply or mitigate the need to use force. Additional changes include clear explanations and guidance for officer actions related to de-escalation tactics to improve decision making, reduce situational intensity, and provide opportunities for outcomes with greater voluntary compliance. Such de-escalation tactics should include self-control, effective communication that attempts to identify possible reasons why a subject may be noncompliant or resisting arrest, creating time and distance from a subject, requesting additional resources, and other alternative options that decrease the likelihood of the need to use force during an incident and increase the likelihood of voluntary compliance.

3. Require warning before shooting

HRC Motion: PAPD policy is consistent with 8 Can’t Wait. No change proposed.

4. Requires exhaust all alternatives before shooting

HRC Motion: The HRC recommends that the Council adopt the San Francisco Police Department policy which states that, It is the policy of the department to use deadly force only as a last resort when reasonable alternatives have been exhausted or not feasible to protect the safety of the public and/or police officers.

PAPD Response: Consistent with the requirements of CA Penal Code 835a, the Department proposes revising its deadly force application policy to require officers to evaluate each situation in light of the particular circumstances in each case and to use other available resources and techniques when reasonably safe and feasible to do so. Furthermore, recommended changes will qualify that an officer must reasonably believe the use of

deadly force is necessary to justify its use. While this policy is not the exact verbiage recommended by the HRC, it strikes the balance between requiring officers to use all other available resources and techniques prior to using deadly force when reasonably safe and feasible to do so and only using deadly force when necessary.

5. Duty to Intervene

HRC Motion: PAPD policy is consistent with 8 Can't Wait. No change proposed.

6. Ban shooting at moving vehicles

HRC Motion: The HRC recommends that shooting at moving vehicles be banned unless the person poses a deadly threat.

PAPD Response: **The Department does not recommend a revision to the current policy on shooting at moving vehicles. Department policy allows for shooting at moving vehicles as a last resort and only under two circumstances in which the vehicle and/or occupant(s) could pose a deadly threat to officers or others.** The first circumstance allows for shooting at a moving vehicle if deadly force other than the vehicle is directed at the officer or others and the second circumstance allows for officers to discharge their firearm if the vehicle is being used as a deadly weapon.

7. Require use of force continuum

HRC Motion: The HRC recommends that we refer this matter to the Council's Police Policy Manual, Data, and Hiring Ad Hoc Committee and request that they work with the HRC and PAPD to explore optimizing use of force options.

[City Attorney's note: Under the Charter and Municipal Code, Council should direct the City organization through the City Manager. In addition, Council may choose to refer appropriate tasks to City commissions.]

PAPD Response: **The Department's force option policy is based on California Penal Code 835a and the objective reasonableness standard set forth in *Graham v. Connor* (490 U.S. 386). It is also consistent with contemporary industry best practices.** PAPD's force policies define/limit the types of force and/or weapons that can be used to respond to specific types of resistance and only allows for officers to use that amount of force that is reasonably necessary given the facts and totality of the circumstances known to or perceived by the officer.

Consistent with HRC's recommendation, the City Council is well underway on a comprehensive review of policing practices. The Department is committed to examining

ways to improve the way we articulate and illustrate our existing force options model and reporting back to the HRC and/or Council.

8. Require comprehensive reporting

HRC Motion: The current PAPD policy complies with 8 Can't Wait. No change proposed.

Timeline

The HRC was given a timeline of 60 days to return to Council with their recommendations regarding 8 Can't Wait and a report on the Black and Brown history and current community (community report) in Palo Alto. As mentioned previously, the work on the community report is currently underway and will be agendized when completed, anticipated for Fall 2020.

Implementation of any changes as a result of this report, will be dependent on any process/review that needs to take place by the PAPD, Palo Alto Police Officers Association, City Attorney and/or other entity.

Resource Impact

Resource impacts are dependent on the actions and direction approved by the City Council. Most of the recommendations proposed by the HRC are policy changes. Developing and implementing policy changes would require staff time as would training staff on these changes. It is possible that additional resources may be needed as well, including contract funding for specialized trainers.

Policy Implications

Recommended revisions contained in this report may require consultation with other parties, such as the Palo Alto Police Officers Association and the City Attorney's Office, given the potential involvement of legal and contractual obligations. These policy implications will be investigated after Council consideration on this topic.

Stakeholder Engagement

The HRC discussed 8 Can't Wait at two special and one regular commission meetings on the following dates: June 30, July 9 and July 22, 2020. Staff and commissioners conducted broad outreach through personal contacts, emails, and social media to inform the public of these meetings. Each of these meetings included an extended period for public comment on the 8 Can't Wait policies and police reform which is recorded in the minutes.

The July 9 meeting also included a presentation by the following panelists followed by a time of Q & A with the commissioners and council members present.

- Matthew Clair, Assistant Professor of Sociology, Stanford University

- Robert Jonsen - Chief of Police, Palo Alto
- Kenan Moos - Theblackhub.Org
- David Alan Sklansky - Co-Director of Criminal Justice Center Stanford
- Anand Subramanian – Managing Director at PolicyLink

The meeting minutes linked above in this section provides a summary of this panel discussion and other public conversations that took place in July as part of HRC's implementation of the Council direction to inform and engage the community on these complex topics.

Attachments:

- ATTACHMENT A - PAPD Review - 8can'twait
- ATTACHMENT B - HRC Response to Council on 8 Can't Wait



DATE: JULY 21, 2020

TO: HUMAN RELATIONS COMMISSION

FROM: CHIEF OF POLICE ROBERT JONSEN

SUBJECT: PALO ALTO POLICE DEPARTMENT REVIEW AND #8CANTWAIT

In September 2016, Campaign Zero issued a report which examined the use of force polices of 91 of America's 100 largest cities' police departments. Based on their analysis and findings, Campaign Zero identified 8 main policies that establish restrictions on police use of force. #8cantwait has incorporated Campaign Zero's findings as part of their campaign for police reform. This memorandum incorporates the 8 policies identified by #8cantwait and an initial Palo Alto Police Department (PAPD) review to inform and further the community dialogue on these complex matters.

In consultation with the City Manager, staff proposes that the HRC discuss and provide feedback to staff on current PAPD policies and any recommended revisions. Recommended revisions may require consultation with other parties, such as the Palo Alto Police Officers Association and the City Attorney's Office, given the potential involvement of legal and contractual obligations. Staff will then advance HRC recommendations along with any additional relevant information to the City Council for approval.

#8cantwait - Ban Chokeholds and Strangleholds

PAPD Policy 300.3.5: The use of the carotid control hold is not authorized.

Discussion: The use of the carotid restraint as well as chokeholds and strangleholds are not authorized. This policy was revised on June 9, 2020.

#8cantwait - Require De-escalation

PAPD Policy 300.3.1 Conflict Resolution and De-Escalation: Officers should consider, as time and circumstances reasonably permit, conflict resolution and de-escalation techniques, when responding to all types of calls for service and when engaging in self-initiated activity.

California SB 230 Use of Deadly Force, Training & Policies: Requires officers to utilize de-escalation techniques, crisis intervention tactics, and other alternatives to force when feasible. It also requires all officers to be trained in alternatives to deadly force and de-escalation techniques.

Discussion: PAPD policy requires that officers should consider, as time and circumstances reasonably permit, conflict resolution and de-escalation techniques when responding to all types of calls for service and when engaging in self-initiated activity. California law was recently amended by SB 230 to require officers to utilize de-escalation techniques, crisis intervention tactics, and other alternatives to force when feasible by January 1, 2021. PAPD is currently in the process of revising its policy language so it is consistent with this requirement prior to the law's imposed deadline.

Scantwait - Require Warning Before Shooting

PAPD Policy 300.4 Deadly Force Applications states in part: Where feasible, the officer shall, prior to the use of force, make reasonable efforts to identify themselves as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts.

California AB 392 Deadly Force: Where feasible, a peace officer shall, prior to the use of force, make reasonable efforts to identify themselves as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts.

Discussion: Consistent with AB 392, PAPD policy requires officers, where feasible, to warn that deadly force may be used.

Scantwait - Requires Exhaust All Alternatives Before Shooting

PAPD Policy 300.4 Deadly Force Applications states in part: Officers should evaluate the use of other reasonably available resources and techniques when determining whether to use deadly force.

California Penal Code 835(a)(2) Arrest states in part: In determining whether deadly force is necessary, officers shall evaluate each situation in light of the particular circumstances of each case and shall use other available resources and techniques if reasonably safe and feasible to an objectively reasonable officer.

Discussion: Requiring officers to “exhaust all other reasonable alternatives” is neither safe nor feasible, given the rapid speed with which a force encounter may unfold. The California Penal Code requires, instead, that officers “use other available resources and techniques if reasonably safe and feasible.”

Scantwait - Duty to Intervene

PAPD Policy 300.2.1 Duty to Intercede: Any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force. An officer who observes another employee use force that clearly exceeds the degree of force permitted by law shall promptly report these observations to a supervisor.

California SB 230 Use of Deadly Force, Training & Policies: Requires an officer to intercede when present and observing another officer using force that is clearly beyond that which is necessary.

Discussion: PAPD Policy and SB 230 require officers to intercede to prevent the use of unreasonable and unnecessary force by another officer. This policy was revised on June 17, 2020.

Scantwait - Ban Shooting at Moving Vehicles

PAPD Policy 300.4.1 Shooting At or From Moving Vehicles: Shots fired at or from a moving vehicle are rarely effective. Officers should move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others.

Discussion: PAPD Policy allows for officers to discharge their firearm at a moving vehicle as a last resort if deadly force other than the vehicle is directed at the officer or others. PAPD Policy also allows for officers to discharge their firearm at a moving vehicle if it is being used as a deadly weapon.

Scantwait - Require Use of Force Continuum

PAPD Policy 300.3 Use of Force states in part: Officers shall use only that amount of force that reasonably appears necessary given the facts and totality of the circumstances known to or perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose (Penal Code § 835a).

The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain, and rapidly evolving.

PAPD Policy 300.4 Deadly Force Applications: Sets forth specific circumstances in which deadly force can be used.

PAPD Policy 309 Conducted Energy Weapon (Taser): Sets forth specific circumstances in which a taser can be used. This policy also includes special considerations for characteristics such as age, size, or when position or activity may result in collateral injury.

California SB 230 Use of Deadly Force, Training & Policies states in part: 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.

California AB 392 Deadly Force states in part: A peace officer is justified in using deadly force upon another person only when the officer reasonably believes, based on the totality of the circumstances, that such force is necessary.

Discussion: PAPD's force option policy is based on California Penal Code 835a and the objective reasonableness standard set forth in *Graham v. Connor*. It is also consistent with contemporary industry best practices. PAPD's force policies define/limit the types of force and/or weapons that can be used to respond to specific types of resistance. Further, the force continuum model is outdated and has not been taught in Palo Alto in over a decade. One of its major limitations is that it is unable to provide for an entire set of circumstances based on the uniqueness of a given situation. PAPD's policy allows for officers to use only that amount of force that is reasonably necessary given the facts and totality of the circumstances known to or perceived by the officer.

Scantwait - Require Comprehensive Reporting

PAPD Policy 300.5 Reporting the Use of Force: Any use of force by a member of this department shall be documented promptly, completely and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances.

PAPD Policy 309.6 (Taser) Documentation states in part: Unintentional discharges, pointing the device at a person and laser activation will be documented via CAD and additionally noted in any applicable police report.

PAPD Policy 344.2.2 Non-Criminal Activity states in part: The following incidents shall be documented using the appropriate approved report: (a) Anytime an officer points a firearm at any person.

California SB 230 Use of Deadly Force, Training & Policies: Requires comprehensive and detailed requirements for prompt internal reporting and notifications regarding a use of force incident.

Discussion: PAPD Policy and SB 230 require officers to promptly, completely, and accurately document any use of force, including anytime an officer points a taser or a firearm at a person.

ATTACHMENT B

TO: City Council

FROM: Human Relations Commission

RE: Report on 8 Can't Wait and Additional Recommendations

Council referral:

To address police use of force, the City Council, at its June 15th, 2020 meeting 'directed the Human Relations Commission (HRC) to lead the "8 Can't Wait" campaign'.

Objectives:

The HRC in their assignment, sought to confirm codes of behavior, which:

- Comply with the 8 Can't Wait, tailored to Palo Alto and consistent with current California legislation
- Reduce excessive use of force in Palo Alto Police Department (PAPD) operations
- Recognize the challenges for PAPD police officers while protecting the safety of citizens and maintaining law and order
- End the disproportionate and biased outcomes for people of color

Approach:

The HRC sought public comment, interviews, expert comment, and literature review as background for their deliberation.

Public comment was received at City Council June 8 and 15 and at HRC July 9th and July 22nd. Commissioners interviewed PAPD. An expert panel was held July 9th. Panelists were:

- Matthew Clair, Assistant Professor of Sociology, Stanford University
- Robert Jonsen - Chief of Police, Palo Alto
- Kenan Moos - Theblackhub.Org
- David Alan Sklansky - Co-Director of Criminal Justice Center, Stanford University
- Anand Subramanian – Managing Director, PolicyLink

Limitations:

Council expected a report back in 60 days when Council returned from summer break. The short timeline from Council and the social distancing limited an exhaustive collection of input from citizens, experts and police officers.

Commissioners focused on assessing the evidence presented by experienced and expert bodies and recommending direction, which best protects people who live, work, study, worship, or pass through Palo Alto.

Recommendations:

Through hundreds of hours of research and meetings, these are the HRC's recommendations in regards to 8 Can't Wait and additional findings. **One critical point that the Commissioners would like to make is that this is just a beginning step, this is not the final step of the work.** The HRC is willing to be part of the continuing process of examining the very complicated elements that we are dealing with.

8 Can't Wait

1. Ban Chokeholds and Strangleholds

Motion: The HRC recommends that the language "Chokeholds, strangleholds, lateral vascular neck restraints, chest compressions, or any other tactics that restrict blood flow to head or neck" be explicitly prohibited and added to PAPD policy.

The HRC motion matches the language in Campaign Zero's, 8 Can't Wait Model Use of Force. The HRC reasoned that as a model city, Palo Alto should put into its policies the highest possible language. Carotid restraints, which are called out in the model use of force, are not authorized under PAPD policy and therefore not called out in the motion.

2. Require de-escalation

Motion: The HRC recommends the model use of force language with respect to de-escalation "prior to using physical, verbal and/or mental, non-deadly and/or deadly force, all law enforcement officers must use proper de-escalation techniques". The HRC also recommends elaboration with a clear explanation of de-escalation tactics modeled after San Francisco and Mountain View.

The HRC motion begins with the Model Use of Force language. Requiring proper de-escalation techniques adds a higher standard. The HRC added 'Verbal and/or

mental” to make the model use of force language more comprehensive. The HRC saw a need for a robust definition of de-escalation techniques. Including examples from well-regarded manuals gives clear guidance.

3. Require warning before shooting

Motion: PAPD policy is consistent with 8 Can't Wait. No change proposed.

4. Requires exhaust all alternatives before shooting

Motion: The HRC recommends that the Council adopt the San Francisco Police Department policy which states that It is the policy of the department to use deadly force only as a last resort when reasonable alternatives have been exhausted or not feasible to protect the safety of the public and/or police officers.

The HRC opted for the language used in the SFPD Policy Manual over the 8 Can't Wait. The language recommended struck a balance, expecting all reasonable and feasible alternatives and giving officers ability to make decisions.

5. Duty to Intervene

Motion: PAPD policy is consistent with 8 Can't Wait. No change proposed.

Campaign Zero judged that PAPD satisfied this element of 8 Can't Wait. The HRC was told that body cameras have improved accountability. A culture and expectations are in place to protect officers from retaliation.

6. Ban shooting at moving vehicles

Motion: The HRC recommends that shooting at moving vehicles be banned unless the person poses a deadly threat.

The HRC motion is basically the 8 Can't Wait. It is not a categorical ban. This recommendation allows for a driver who poses a deadly threat.

7. Require use of force continuum

Motion: The HRC recommends that we refer this matter to the Council's Policy Manual Ad Hoc Committee and request that they work with the HRC and PAPD to explore optimizing use of force options.

The HRC did not recommend force continuum models as they are decision ladders, which are considered out-dated. The prescriptive models put officers and citizens at

unacceptable risk and are judged ineffective in California State Law, by the California Police Chiefs Association and under a Supreme Court decision. On the other hand, judgement-based policies to limit use of force are shown to be harmful to people of color. Dedicated time is needed to author an alternative model, which manages officers' biases and limits use of force.

8. Require comprehensive reporting

Motion: The current PAPD policy complies with 8 Can't Wait. No change proposed.

PAPD reporting was considered compliant with 8 Can't Wait. Furthermore, given new legislation (AB953), broader and new reporting capabilities are anticipated.

Additional considerations:

Although the HRC was charged only with examining 8 Can't Wait, it is clear to each Commissioner that this is only a first step and it is the strong sentiment of the Commission that there be a commitment to substantial police reform.

Each Commissioner was given an opportunity to add additional remarks. These follow.

Chair Kaloma Smith;

1. Look at policies such as San Francisco's "CAREN" rules.
2. Discuss what responses require a police officer and which do not (i.e. mental health calls, traffic calls)
3. Be the model of transparency of what new policies look like.

Vice Chair Valerie Stinger:

1. Prohibit the hiring or lateral transfer of enforcement and correctional officers with a history of excessive force or misconduct complaints (Police Applicant Disqualification Policy includes statement, June 25, 2020) Remove barriers to accountability for misconduct/Support legislation to create a police misconduct database to certify and decertify officers.
2. Clarify crowd control techniques.
3. Restructure school response officers, traffic control, and emergency response; particularly, alternatives for mental health or behavioral crisis. Ensure response teams are trained and suited to handle the situation. Look at model cities and their programs (Eugene, Oregon Cahoot's; Denver, Colorado STAR).
4. Prepare a metric to measure the progress against objectives. Be prepared to assess and revise strategies for change. Officers should be measured on the

level of force used given the level of threat. A breakdown by race should be shown for each review period, at least annually. The officers and the force should show decreasing disproportionate and biased outcomes for people of color.

5. Commit to police reform and authorize responsibility for recommending and monitoring police reform.

Commissioner Steven Lee:

1. The City Council should identify and reassign responsibilities that can be transferred out of the PAPD to non-law enforcement professionals who are better equipped to respond to those specific needs.
2. Reallocate associated PAPD funds and increase more generally funds for community and social services.
3. Expand Office of Human Services.
4. Double HSRAP Funding for mental health, homeless and other human services.
5. Double Human Services Emerging Needs Fund.
6. Housing. Housing. Housing.

Commissioner Patti Regehr:

1. City Council should redirect funds from the police department into behavioral mental health emergency response by property trained professionals who can, if necessary, de escalate a crisis and recommend follow up services.
2. Establish a policy to prosecute officers who engage in excess use of force.
3. Provide disciplinary consequences for failure of an officer to turn on body or vehicle cameras when interacting with citizens.
4. Include mental health, sensitivity and empathy characteristics in hiring, promotion and retainment policies for police personnel.
5. Use unarmed personnel for traffic control.
6. Establish or restore adequate funding for vital services that protect and enhance community health including library, children's theater and other community services and work with these agencies to assure that they are doing all they can to encourage diversity.
7. Include the HRC and other community activists on City Council subcommittees on transparency and accountability as well as diversity.
8. Either establish a police review board or empower the HRC to review complaints against the police department. Reviews should be transparent and conducted outside of the police department.
9. Include HRC and City Council on police personnel review.

10. Require that the Chief of Police participate in HRC meetings on a quarterly basis or when requested by the HRC.
11. Publicly disclose racial, ethnic, gender and sexual orientation statistics for Palo Alto Police and all City employees, council members and commission members.
12. Work with the PAUSD to assure that students from the Tinsley Program are fully integrated into the student community including before and after school events.
13. Police off school campuses as school resource officers.
14. For greater accountability we need to rethink the role of staff when working with the City Council and Commissions. Staff should be there to provide resources, serve the needs of elected and appointed officials and not function as gatekeepers. All staff recommendations based on commission decisions should be approved by that commission before being submitted to City Council or the public.

Commissioner Daryl Savage:

1. Increase police training focused on: implicit bias, mental illness, cultural competency, racism, and responding to age-related individuals. Specifically, implicit bias training should start ASAP and be mandatory for all officers.
2. Enhance the collection of data on vehicle stops.
3. Review the role of school resource officers.
4. Increase community briefings via public meetings, coffee shop hours, etc.

Addendum I

8 Can't Wait

1. Ban chokeholds and strangleholds

Allowing officers to choke or strangle civilians results in the unnecessary death or serious injury of civilians. Both chokeholds and all other neck restraints must be banned in all cases.

Law enforcement officers shall not use chokeholds, strangleholds, Lateral Vascular Neck Restraints, Carotid Restraints, chest compressions, or any other tactics that restrict oxygen or blood flow to the head or neck.

2. Require de-escalation

Require officers to de-escalate situations, where possible, by communicating with subjects, maintaining distance, and otherwise eliminating the need to use force. Prior to using physical, non-deadly and/or deadly force, all law enforcement officers must use proper de-escalation techniques

3. Require warning before shooting

Require officers to give a verbal warning in all situations before using deadly force.

4. Requires exhausting all alternatives before shooting

Require officers to exhaust all other alternatives, including non-force and less lethal force options, prior to resorting to deadly force.

5. Duty to intervene

Require officers to intervene and stop excessive force used by other officers and report these incidents immediately to a supervisor.

6. Ban shooting at moving vehicles

Ban officers from shooting at moving vehicles in all cases, which is regarded as a particularly dangerous and ineffective tactic. While some departments may restrict shooting at vehicles to particular situations, these loopholes allow for police to continue killing in situations that are all too common. 62 people were killed by police last year in these situations. This must be categorically banned.

7. Require use of force continuum

Establish a Force Continuum that restricts the most severe types of force to the most extreme situations and creates clear policy restrictions on the use of each police weapon and tactic.

8. Require comprehensive reporting

Require officers to report each time they use force or threaten to use force against civilians. Comprehensive reporting includes requiring officers to report whenever they point a firearm at someone, in addition to all other types of force.