COLLABORATIVE REFORM INITIATIVE

An Assessment of the Salinas Police Department

Roberto Santos

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Letter From the Director

Dear colleagues,

There is little doubt that we are at a defining moment in U.S. policing. The national discourse surrounding police reform over the past few years reveals the need for changes in many of our operational policies and practices. For some, this moment is viewed as a crisis. For others, especially progressive law enforcement leaders, the national discourse and defining moment represent a unique opportunity to advance community policing and strengthen police and community relations.

The COPS Office Collaborative Reform Initiative for Technical Assistance (CRI-TA) was developed to support those progressive leaderships that recognize the need for change and organizational transformation.

I applaud Salinas Chief Kelly McMillin for requesting participating in this process. As you can imagine, asking the U.S. Department of Justice to evaluate your police department takes courageous leadership. McMillin knew from the start that our assessment would be comprehensive, independent, and objective. But more important, he knew that it would be candid. In that respect, McMillin knew he had exposed himself and his department to criticism. But McMillin also recognizes that while the truth often hurts, selective ignorance is fatal to an organization.

Our report provides Chief McMillin, his department, and the community they serve hard truths about deficiencies that exist within the police department. More important, it offers Salinas the opportunity and tools to make its' police department a model law enforcement agency, which every resident in Salinas deserves.

I look forward to our continued work with the Salinas Police Department as we implement the recommendations outlined in this report. The future success of the police department will not only benefit the Salinas community but also serve as a guide to police and communities across the country.

On behalf of the U.S. Department of Justice, I again want to thank Chief McMillin and the men and women of the Salinas Police Department for their commitment to achieving excellence in policing.

Sincerely,

Ronald L. Davis
Director
Office of Community Oriented Policing Services

Acknowledgements

The authors express their sincere appreciation to the many organizations and individuals who greatly contributed to this report. At the top of the list is the dedicated team of people at the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS Office) for supporting this project. We especially want to thank COPS Office Director Ronald L. Davis, Deputy Director Robert E. Chapman, Senior Social Science Analyst Jessica Mansourian, and Collaborative Reform Specialist George Fachner for their leadership, guidance, and support. We also received valuable assistance, feedback, and critical support from our colleagues at IIR.

We especially want to acknowledge and thank the Salinas community and the Salinas Police Department and are grateful for the many community groups and community members who participated in the June 30 and July 23 listening sessions. We also sincerely appreciate the many members of the Salinas Police Department for their professionalism, helpfulness, and cooperation during our many conversations about the department and related matters.

Collaborative Reform Initiative Team

Executive Summary

Between March and July of 2014, Salinas (California) Police Department (SPD) officers were involved in four officer-involved shootings (OIS). The OIS incidents resulted in the deaths of all four suspects, all of whom were Hispanic. These incidents led to widespread protests against the SPD. Following the four OIS incidents, community members began protesting, as many believed SPD was engaged in biased policing. There were also allegations of brutality, claims that the department was covering up excessive and inappropriate use of force, and a general lack of trust for the department. The SPD's relationships with many in the Hispanic community, particularly in the East Salinas area, were especially damaged by these shooting incidents.

As a result of these tensions, Salinas Police Chief Kelly McMillin contacted the U.S. Department of Justice (DOJ), Office of Community Oriented Policing Services (COPS Office), seeking assistance through the Collaborative Reform Initiative for Technical Assistance (CRI-TA). The COPS Office agreed to provide the requested assistance, and the SPD voluntarily entered into a CRI-TA agreement. The following project goal and four objectives were identified and agreed upon by the COPS Office and the SPD as the focus areas of the assessment:

The goal of this CRI-TA assessment is to improve the SPD's responsiveness and accountability to the community, taking into account national standards, promising practices, existing research, and community expectations.

The objectives of this assessment are as follows:

1. Examine the agency's use of force policies, practices, training, investigations, and related processes.
2. Examine community trust and engagement, particularly with communities of color, at all levels of the department.
3. Assess communication among command staff, mid-level supervisors, line officers, and external stakeholders.
4. Analyze the responsiveness and use of resources to maximize their impact on police effectiveness and accountability and police-community relations.

Collaborative Reform Initiative

The COPS Office created the CRI-TA in response to requests for assistance by law enforcement agencies to address significant law enforcement issues and to help build trust in their communities. Participation in this initiative is a long-term, voluntary commitment requested by the SPD and the COPS Office.[1]

Methods

Over the course of this assessment, the core assessment team reviewed and analyzed hundreds of documents, SPD policies, training documents, reports, staff meeting minutes, and manuals. The team conducted four site visits that enabled members to meet with SPD staff and community members, observe SPD operations, and collect data. The team conducted two listening sessions with Salinas community members, multiple focus groups, and individual interviews with community members, SPD personnel, and city leaders.

1. For further information on the Collaborative Reform Initiative for Technical Assistance process, see "Collaborative Reform Initiative for Technical Assistance," fact sheet, Office of Community Oriented Policing Services, October 2015, http://cops.usdoj.gov/pdf/technical_assistance.pdf.

Interviews were semiformal with specific questions used to gain maximum information and understanding while also allowing for appropriate topic departure from questions to gain a better insight into the Salinas community and the police department.

This executive summary provides a brief overview of each chapter with the core assessment team's key findings and recommendations.

Key themes

Use of force

The SPD use of force (UOF) assessment conducted by the assessment team provides an analysis and recommendations for its UOF policies, procedures, and practices.

It includes an assessment of the SPD's UOF policies, a descriptive analysis of five years of UOF investigative reports, and an in-depth analysis of a random sample of 47 UOF investigations. This effort allowed the team to provide a comprehensive review of the SPD's UOF and is the basis for the team's findings and recommendations.

The assessment team examined UOF policies and procedures including the investigation aspect of UOF from January 2010 through August 2015. They focused on not only the policy content but also on how policies aligned with best and emerging practices, case law, and internal SPD procedures. Through interviews, observations, and document reviews, the team analyzed how the SPD implemented its UOF policies, overall adherence to policies, and specific accountability mechanisms.

The SPD's internal investigation process and complaint intake and investigation procedures were reviewed. This examination included random selection and analysis of officer-generated use of force reports to determine policy compliance, evaluate the review process, and determine how officers were held accountable for policy violations.

The following are key findings and recommendations from the report for UOF policies, procedures, and training.

Finding: The SPD's policies 300 (Use of Force), 308 (Control Devices and Techniques), and 309 (Conducted Energy Device) are too vague in the description of use of force decision-making guidance, oversight, and accountability. **(1)**

Recommendation: Overall, the SPD should revise policies 300, 308, and 309 to be more specific and more in line with policing best practices. In doing so, the SPD should consider all of the following recommendations for this finding. **(1.1)**

Recommendation: The SPD should update and revise policies 300, 308, and 309 to describe the appropriate level of force to be applied under various circumstances. **(1.4)**

Recommendation: The SPD should include and emphasize the importance of de-escalation in its UOF policies. **(1.5)**

Recommendation: Specific de-escalation training should be administered, at a minimum, annually. **(1.6)**

Recommendation: To maintain transparency with the community after a UOF incident, the UOF policies should clearly state what types of information will be released to the public, when, and in what situation in accordance with applicable state law.[2] **(1.7)**

Finding: The SPD does not follow its own policy and practice for the use of written statements or recording of suspects and witnesses of UOF incidents. **(18)**

Recommendation: When possible, the SPD should include audio recordings of suspects, witnesses, and officers as part of the UOF investigation. **(18.1)**

Finding: The supervisor investigating the UOF incident is not consistently gathering all the facts from officers. **(19)**

Recommendation: SPD supervisors should interview all officers who were involved with or at the scene during a UOF incident or indicate why officers were not interviewed. **(19.1)**

Officer-involved shootings

The team's review and assessment of the SPD's investigations of OISs included three of the last four OISs—all occurring during 2014.[3] The examination included a review of the case reports from the investigations to determine compliance with the department's policies and procedures as well as its application of standard investigatory practices.

The team reviewed not only the investigative process but also the actions of all officers involved in the OIS incidents. The examination into these three OISs included reviews of available audio tapes of witness interviews, including interviews of the officers involved in the incidents. In addition, the team conducted interviews of the investigators who conducted the OIS investigations and gained an understanding of the response and investigation process.

The following are key findings and recommendations for the SPD's OIS investigation process.

Finding: The SPD does not have a practice or policy to require all OISs and in-custody deaths to be investigated by an outside agency**. (24)**

Recommendation: The SPD should adopt the practice of retaining an outside independent agency to investigate all officer-involved shootings and in-custody deaths.[4] **(24.1)**

Finding: The SPD is limited in its ability to use less lethal weapons. **(26)**

Recommendation: The SPD should train and outfit all first-line supervisors (sergeants) with less lethal shotguns. **(26.1)**

Finding: The administrative investigations (i.e., internal affairs investigations) of the OISs were not completed in a timely manner. **(27)**

2. President's Task Force on 21st Century Policing, *Final Report of the President's Task Force on 21st Century Policing* (Washington, DC: Office of Community Oriented Policing Services, 2015), http://www.cops.usdoj.gov/pdf/taskforce/TaskForce_FinalReport.pdf.
3. The fourth OIS was investigated by the Monterey County, California, District Attorney's Office at the request of the SPD and was not available for this assessment.
4. President's Task Force on 21st Century Policing, *Final Report*, 21 (see note 2).

Recommendation: The SPD should establish a 30-day timetable[5] for all administrative reviews (i.e., internal affairs investigations) that are completed after an OIS incident has been reviewed and adjudicated by the Monterey County District Attorney's Office. **(27.1)**

Community collaboration

The state of the SPD's relationship with its community and the community's perception and trust of the SPD were assessed through various interviews, meetings, and observations and data review. As the team drilled down into the relationships and sought to gauge the type of interplay between the Salinas community and the police department, four repeated and distinct topics of concern were identified:

1. The SPD's ineffective philosophy of community engagement
2. Lack of SPD transparency of operations
3. Insufficient proactive efforts to engage the community
4. Problems with respect for, as well as treatment and understanding of, many members of the Hispanic community

The OISs that resulted in the deaths of four Hispanic men further strained the relationship between the SPD and many in the Hispanic community. Compounding the divide was the SPD's lack of an overarching philosophy of community engagement and collaboration. The relationship was also strained due to the SPD's reduced resources and staffing during the economic downturn.

The assessment identified several community groups and business organizations willing and wanting to collaborate with the SPD. The lack of a formal community collaboration strategy has hindered collaboration with these groups and has led to miscommunication, diminished trust, and missed opportunities for creating real and meaningful partnerships.

The lack of a community collaboration strategy has created a perception among some within the Salinas community that the SPD lacks transparency. The lack of formal mechanisms or strategies to share information or engage the community was a prevailing theme voiced by a number of community members.

The SPD frames its community-policing efforts through its policies, yet many members of the department felt as though their policing philosophy was simply to react to crime and crisis. The strong belief held by most SPD members the team interviewed was that the department needed to improve its community engagement by tapping into the skills of the many dedicated and willing SPD employees. The lack of participation in community engagement by all ranks and both civilian and sworn employees appears to limit the SPD's ability to build partnerships and gain community support and trust.

The following are key findings and recommendations for community collaboration.

Finding: The SPD lacks a unified, overarching community-collaborative policing philosophy and strategy. **(30)**

Recommendation: The SPD should develop a community-collaborative policing strategy. **(30.1)**

Finding: The SPD is not training its members regularly on implicit bias, cultural awareness, or procedural justice. **(32)**

5. Chief Beau Thurnauer, *Internal Affairs: A Strategy for Smaller Departments,* Best Practices Guide: Smaller Police Departments Technical Assistance Program (Alexandria, VA: International Association of Chiefs of Police, n.d.), http://www.theiacp.org/portals/0/pdfs/BP-InternalAffairs.pdf.

Recommendation: The SPD should provide training such as the Fair and Impartial Policing training for all members of the department, including civilian staff.[6] **(32.2)**

Internal and external communications

The assessment of the SPD's internal and external communications included direct observations of the SPD's internal operations and communications and interviews with SPD members as well as external stakeholders. The team also examined and analyzed documents and systems being used by the SPD as vehicles for communication and information sharing.

There were three distinct themes that emerged from the assessment and data review:

1. The SPD lacks effective internal communications among ranks and up and down the chain of command.
2. The SPD lacks communication between sworn and civilian staff members.
3. The SPD has no systematic communication process or strategy with external stakeholders.

The following are key findings and recommendations for the SPD's internal and external communications.

Finding: Internal communication is inconsistent and, in some cases, nonexistent. **(40)**

Recommendation: SPD staff meetings should be held monthly and meeting minutes or summaries shared with all SPD members as appropriate. **(40.1)**

Recommendation: The SPD should develop a consistent system to enable communication with department members at all levels of the organization. **(40.4)**

Finding: The SPD does not have a formal process for communicating with various external community groups or organizations. **(44)**

Recommendation: The chief of police should share more information with the Police/Community Advisory Committee (PCAC), which is another outlet for enhanced communications with the community for both positive and negative information. **(44.1)**

Resource allocation

The assessment of the SPD's resource allocation and overall effectiveness focused on how the SPD is configured, crime reduction strategies, and overall effectiveness in police-community relationships. One area of concern discovered during the assessment and noted in the report was the SPD's limitations in producing timely and reliable data and related analysis. The lack of data and any analyses limited the assessment. In addition to data and document reviews, the team interviewed more than 100 SPD members (including civilian staff) and more than 175 community members and participated in 17 ride-alongs with officers/supervisors.

6. The "fair and impartial policing" perspective reflects a new way of thinking about the issue of biased policing. It is based on the science of bias, which tells us that biased policing is not, as some contend, due to widespread racism in policing. In fact, the science tells that even well-intentioned humans (which includes officers) manifest biases that can have an impact on their perceptions and behavior. For more details, see Lorie Fridell, "Fair and Impartial Policing," accessed February 22, 2016, http://www.fairimpartialpolicing.com/.

While it is noted that the SPD has experienced staffing reductions, the assessment also revealed a lack of crime-reduction and community-policing strategies.

The following three broad themes emerged:

1. The SPD has experienced a significant reduction in both sworn and civilian staffing.
2. The SPD is predominantly a reactive department that is primarily focused on responding to calls for service.
3. The SPD lacks crime and data analysis capabilities.

The following are key findings and recommendations regarding the assessment of the SPD's resource allocation and effectiveness in police-community relations.

Finding: The SPD does not have an adequate crime analysis capability. **(47)**

Recommendation: The SPD should hire at least one experienced full-time crime analyst. **(47.1)**

Finding: The SPD has no formal systematic accountability process that focuses on crime prevention and crime reduction, performance evaluation, and resource allocation.[7] **(48)**

Recommendation: The chief of police and his executive staff should conduct regular accountability meetings. **(48.1)**

Finding: The SPD lacks a comprehensive crime reduction approach. **(54)**

Recommendation: The SPD should develop and implement a comprehensive crime reduction approach that includes evidence-based crime reduction strategies, community partnerships, problem solving, and accountability (e.g., Stratified Policing).[8] **(54.1)**

Recommendation: The SPD's crime reduction strategy should include specific and quantifiable performance measures with regular reporting of goal attainment and overall strategy progress. **(54.2)**

Training

The assessment of the SPD training program focused on its in-service and field training programs as well as a review of the curriculum portion of recruit-level law enforcement training. The focus in assessing these training programs related to use of force; however, in examining these programs, the team examined the overall management and function of the SPD training program.

7. *CompStat: Its Origins, Evolution, and Future in Law Enforcement Agencies* (Washington, DC: Police Executive Research Forum, 2013), http://www.policeforum.org/assets/docs/Free_Online_Documents/Compstat/compstat%20-%20its%20origins%20evolution%20and%20future%20in%20law%20enforcement%20agencies%202013.pdf.

8. Roberto Santos and Rachel Santos, "Evidence-Based Policing, 'What Works' and Stratified Policing, 'How to Make It Work,'" *Translational Criminology 2015* (Spring), 20, http://cebcp.org/wp-content/TCmagazine/TC8-Spring2015; Rachel Boba and Roberto Santos, *A Police Organizational Model for Crime Reduction: Institutionalizing Problem Solving, Analysis, and Accountability* (Washington, DC: Office of Community Oriented Policing Services, 2015), http://ric-zai-inc.com/ric.php?page=detail&id=COPS-P208.

The assessment of the SPD's training included interviews with Training unit staff, Field Training Officers (FTO), and trainees. The team reviewed SPD policies, training documents, training outlines, and training assessment reports from the FTO program. They also interviewed recruit training class coordinators and observed recruit training.

Following are key findings and recommendations for the SPD's training program.

Finding: The SPD does not have a consistent process to track or review training lesson plans or individuals who attend training. **(55)**

Recommendation: The SPD should create and establish an accountability process to systematically track and save all training lesson plans and track individuals' attendance. **(55.1)**

Finding: The SPD's Training policy 208 indicates that a training plan will be developed and maintained by the Training unit. **(56)**

Recommendation: The SPD should follow its policy 208 and develop a training plan that—at a minimum—addresses changes to the law, state-mandated training, and critical issues training. In addition, the SPD's training plan should include relevant training for SPD's civilian staff. **(56.1)**

Finding: The SPD's FTO program provides training in the use of force but does not incorporate community-policing training throughout its objectives. **(59)**

Recommendation: The FTO program should infuse the concepts of community policing throughout the training objectives. **(59.1)**

Finding: The SPD does not provide regular training on interactions with persons with mental disabilities and is not adhering to SPD policy 418, "Mental Illness Commitments." **(61)**

Recommendation: The SPD should develop and implement a Peace Officer Standards and Training-approved training curriculum for all SPD sworn personnel and those civilian personnel dealing with the community directly in the response and handling of situations involving persons with mental challenges, those with mental illness, or individuals in crisis and deliver annually. **(61.1)**

Conclusion

In 2014, SPD officers were involved with four separate OIS incidents, resulting in the deaths of four Hispanic men. The incidents exposed and exacerbated a lack of trust and support for the SPD by many in its community. Allegations of police bias and brutality and claims of cover-up of police misconduct followed the OISs, prompting the SPD chief of police to request DOJ's assistance in the form of this CRI-TA assessment. Further, the SPD has experienced significant staffing and fiscal reductions since FY 2009–2010 that have left the department in the position of providing predominantly reactive police services. Recent legislation will increase the SPD's budget and will help the SPD address future staffing requirements and other necessary resources.

However, the lack of comprehensive policing strategies—including crime reduction, community policing, and community collaboration—must be addressed. Improvement to policies and practices relating to use of force, investigations, and internal and external communications enhance the department's capacity to perform. Community collaboration will be essential to the SPD's successful reduction of crime while building partnerships and regaining community trust.

The findings and recommendations found in this report not only provide the SPD with an understanding of gaps and areas in need of improvement but also suggest accepted policies, procedures, and best practices to help the department and the community.

The success of the SPD in addressing these findings and implementing the recommendations is dependent on the SPD leadership team. A focused effort is required to regain the community's trust and support as well as the support of the dedicated members of the SPD.

Introduction

The year 2014 was a difficult one for the city of Salinas, California, and the Salinas Police Department (SPD). Salinas experienced four officer-involved shootings (OIS): those of Angel Ruiz on March 20, Osmar Hernandez on May 9, Carlos Mejia on May 20, and Frank Alvarado, Jr. on July 10. This was an unprecedented number for the department, which typically averages one OIS per year.[9] For the five years prior to this report, the SPD had no OISs in 2011, one in 2012, two in 2013, four in 2014, and none reported in 2015. All four individuals killed in 2014 were Hispanic. In the three cases that were reviewed by the assessment team, two of the men were armed with sharp weapons and one was wielding garden shears at the time of the incident. While officers had no prior knowledge of any of the men suffering from mental illness or living with mental challenges, information gathered from family members and a previous landlord during interviews revealed that two of the men may have had histories of mental illness or challenges.[10] One shooting was captured on video and posted on YouTube, where it went viral.[11] Investigations of all of the shootings have been completed, and all shootings were found to be justified.[12]

Subsequent to the OISs, there were protests from some members of the community alleging police brutality and bias toward the Hispanic community of Salinas, and at times, the protests turned violent. During one of the protests, an officer sustained a head injury from a bottle thrown by an angry protestor. The officer was providing cardiopulmonary resuscitation (CPR) to a shooting victim and had to curtail his rescue efforts because of his injury.[13] With police-community relations very strained, SPD Chief Kelly McMillin reached out to and requested technical assistance from the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS Office).

The SPD voluntarily engaged in a thorough assessment that resulted in this report on the department's responsiveness and deployment of resources; its use of force policies, training, and investigations; internal and external communications; and community trust and engagement, particularly with communities of color. It contains the findings and recommendations made by an independent, interdisciplinary team of researchers, analysts, and subject-matter experts over an eight-month period and is based upon established and promising policing practices, research and analysis, and tailored solutions for the SPD.

The city of Salinas, California

The city of Salinas, California, is often called "America's Salad Bowl" or "Salad Bowl of the World."[14] With its temperate climate, Salinas is ideal for agriculture, which is its major industry. It is home to approximately 156,677 residents.[15] The city is the county seat and the largest municipality in Monterey County. According

9. City of Salinas, CA, "Frequently Asked Questions: Officer Involved Shootings in Salinas," last modified September 5, 2015, http://www.salinaspd.com/frequently-asked-questions-officer-involved-shootings-salinas-page.
10. Case file provided by SPD to IIR for document review.
11. Claudia Melendez Salinas, "Salinas Seethes over Officer-Involved Shooting," *Monterey County Herald*, last modified May 21, 2014, http://www.montereyherald.com/general-news/20140521/salinas-seethes-over-officer-involved-shooting.
12. There is pending litigation against the SPD in each of these cases. City of Salinas, CA, "Frequently Asked Questions" (see note 9).
13. Michael Martinez, "Police Killings of Hispanics Spark Protests in Salinas, California," Cable News Network, last modified May 22, 2014, http://www.cnn.com/2014/05/22/us/california-protest-police-shooting-hispanics/.
14. "Salinas Valley," Wikipedia, accessed February 24, 2016, https://en.wikipedia.org/wiki/Salinas_Valley.
15. "State and County Quick Facts: Salinas (city), California," U.S. Census Bureau, last modified December 2, 2015, http://quickfacts.census.gov/qfd/states/06/0664224.html.

to the United States Census Bureau, the city has a total area of 23.2 square miles.[16] Approximately 72 percent of the population is Hispanic, with 68 percent of residents who speak a language other than English at home.[17]

A significant portion of the population is undocumented.[18] This presents an additional dynamic in a predominantly agricultural community, adding to the complexities faced by SPD.

The Salinas Police Department

The SPD's mission statement reads, "Working in partnership with the people of Salinas to enhance the quality of life through the delivery of professional, superior, and compassionate police services to the community."[19]

The SPD's organizational value statement reads, "The Salinas Police Department exists to serve the community. We do this by protecting life and property, preventing crime, enforcing the law, and by maintaining order for all citizens. We consider service to our community to be our primary responsibility. We will always strive to professionally and enthusiastically respond to the community's needs."[20]

The SPD employs 133 sworn employees and 44 civilian employees, 10 part-time civilian employees, 11 reserve officers, and 2 volunteers.[21]

Salinas has a higher violent crime rate than other California cities of similar size, exacerbated by a multigenerational gang problem. As noted in table 1, Salinas' violent crime was significantly higher than that of comparison cities with similar populations in 2013.

Table 1. Violent crimes* reported to the FBI, 2012–2014

City	Population	2012	2013	2014
Salinas	156,908	1,027	1,001	997
Oxnard	204,159	603	651	884
Santa Maria	102,885	690	490	439
Stockton	299,519	4,630	3,622	3,988

Source: Federal Bureau of Investigation, "California: Offenses Known to Law Enforcement by City," *Crime in the United States, 2014*, Uniform Crime Report (Washington, DC: Federal Bureau of Investigation, 2015), https://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2014/crime-in-the-u.s.-2014/tables/table-8/table-8-by-state/Table_8_Offenses_Known_to_Law_Enforcement_by_California_by_City_2014.xls.

* Definition: Violent crime is composed of four offenses—(1) murder and nonnegligent manslaughter, (2) forcible rape, (3) robbery, and (4) aggravated assault.

16. Ibid.
17. Ibid.
18. IIR interviews.
19. City of Salinas, CA, "About the Salinas Police Department," accessed February 22, 2016, http://www.salinaspd.com/about.
20. Ibid.
21. SPD organizational chart, 2014, provided by SPD to IIR for document review.

COPS Office Collaborative Reform Initiative

In 2011, the COPS Office developed the Collaborative Reform Initiative for Technical Assistance (CRI-TA) to engage with law enforcement agencies on issues such as use of force, community trust, and police legitimacy. The model provides requesting agencies with a comprehensive organizational assessment followed by a series of recommendations and a period of monitoring the implementation of reforms. The COPS Office selected the Institute for Intergovernmental Research (IIR) as the technical assistance provider charged with conducting the assessment and monitoring the implementation of reforms in the SPD.

The COPS Office and the SPD established the project goal as follows:

The goal of this CRI-TA assessment is to improve the responsiveness and accountability to the community within the SPD, taking into account national standards, promising practices, existing research, and community expectations.

To accomplish this goal, the COPS Office and the SPD agreed on the following objectives:

- Examine the agency's use of force policies, practices, training, investigations, and related processes.
- Examine community trust and engagement, particularly with communities of color, at all levels of the department.
- Assess communication among command staff, midlevel supervisors, line officers, and external stakeholders.
- Analyze the responsiveness and use of resources to maximize their impact on police effectiveness and accountability and police - community relations.

Organization of this report

This report is organized into thematic chapters. In the introduction, the core assessment team provided an introduction to the city of Salinas and the series of events that brought about this organizational assessment. There has been a brief explanation of the COPS Office CRI-TA process and the objectives of the project. Chapter 1 describes the in-depth case study approach applied to complete the assessment. Chapter 2 provides an analysis and recommendations for the SPD's use of force (UOF) policies, procedures, and practices. Chapter 3 examines three of the four 2014 OISs to determine compliance with the SPD's policies and procedures as well as application of standard investigatory practices. In chapter 4, the assessment team examines the issues and complexities underlying community trust and engagement with the SPD, particularly engagement with many in the Hispanic community. Chapter 5 examines and evaluates the SPD's internal and external communications efforts. Chapter 6 offers an in-depth analysis of the SPD's resource deployment and staffing practices as they relate to crime reduction efforts. In chapter 7, the team provides an examination of the SPD's UOF training and related training policies, compliance with California Commission on Peace Officer Standards and Training (POST) requirements, POST advanced officer training compliance related to UOF, and other training elements.

Each of those chapters concludes with the team's findings and recommendations for the department. The conclusion of this report describes the next steps to be taken in the Collaborative Reform Initiative with the SPD.

In each chapter, the assessment team presents an overview of the chapter's contents and explains the methodology employed for examining that particular topic area. The key areas of interest, such as policies, practices, or community interactions, are described. These descriptions are intended only to highlight the key themes. They should not be understood to be complete or comprehensive descriptions and should not be construed as approval of the department practice(s) being described. Commentary or judgment statements are reserved for the findings and recommendations section of each chapter.

There are many things that the SPD does well. This report, by its very nature, focuses on areas where the department needs to improve. The assessment team's findings and recommendations reflect that intention.

Chapter 1. Methods

Overview

In order to properly assess the Salinas Police Department (SPD) and community concerns, the core assessment team conducted four site visits in June, July, August, and September 2015 to meet with department personnel and community stakeholders, conduct observations of agency practices, and collect data. The team conducted an in-depth case study approach to effectively gain an operational understanding of the SPD and the community of Salinas.

This multifaceted approach involved drawing on many different sources of information, including document reviews, interviews, direct observation, and data analysis. This approach allowed the team to fully understand the SPD's day-to-day and strategic operations pertaining to resource allocation, use of force procedures and practices, leadership and accountability, training approach and objectives, and the effectiveness of internal and external communications, as well as the Salinas community perspective and concerns about the police department. Thus, based on their knowledge of the SPD and the Salinas community, professional standards, best practices, and research and analysis, team members were able to specifically identify areas needing improvement and develop recommendations that can result in long-term solutions. The following sections describe each mode of inquiry.

Document review

As part of the Collaborative Reform Initiative for Technical Assistance (CRI-TA), upon request, the SPD provided specific documents for the team's review. The team requested and reviewed hundreds of pages of documents, which encompassed SPD policies, manuals, training lesson plans and rosters, meeting agendas and meeting minutes, calls-for-service data, crime data, resource allocation reports, use of force documents and investigations, and open source data relating to the SPD.

Policy review

The policy review encompassed all policies related to use of force and investigation of use of force by the SPD, the internal complaint process and the SPD's investigation into citizen[22] complaints, training policies, handcuffing and restraints, control devices and techniques, conducted-energy devices, officer-involved shootings and deaths, search and seizure, limited English proficiency services, the volunteer program, the patrol function, bias-based profiling, briefing training, the Field Training Officer program, detentions and photographing of detainees, body-worn cameras, crime analysis, and recruitment and selection.

SPD's training review

The team reviewed the entire training curriculum of the SPD for the period 2010–2014and identified numerous courses related to this review, including crisis intervention training, police legitimacy training, vehicle stops, application of force, baton training, defensive tactics, dispute intervention and conflict management, police communications, use of force in law enforcement, police officer basic firearms training, and first aid.

22. This report uses "citizen" to refer to all individuals in a city or town who are not sworn law enforcement officers or government officials. It should not be understood to refer only to U.S. citizens.

Field Training Officer manual review

The assessment team examined the SPD's field training guide, manuals, and officers' Daily Observation Reports. This was done to provide an understanding of what the SPD emphasizes during this most critical period of training for newly hired police officers.

Staff meeting review

The assessment team reviewed the SPD's staff meeting agendas and meeting minutes from 2012 to 2015. This review assisted the team in understanding the SPD's overall purpose of the meetings, direction, and discussion (e.g., crime reduction, quality-of-life issues, internal communications, and community engagement) as well as how SPD personnel are held accountable for the tasks and responsibilities they are assigned. In all, 13 meeting agendas and minutes were reviewed.[23]

Interviews, focus groups, and listening sessions

As part of its qualitative inquiry, the assessment team conducted an extensive number of interviews, focus groups, and meetings with SPD sworn and civilian personnel as well as with community members. The interview sampling methodology consisted of both purposeful and snowball sampling.[24] That is, the team specifically selected certain groups and individuals who could purposely inform the understanding of the issue. Then additional individuals and groups were identified through these interviews and focus groups. Thus, semistructured interviews, focus groups, and meetings were conducted in which participation was encouraged with set questions and a fluid discussion of other topics if necessary. Enough time was allotted to ensure the flexibility to digress to fully understand the depth of the inquiry.

All interviews, focus groups, and sessions were conducted to assist in fully comprehending the four key objectives: (1) analyze the responsiveness and use of resources to maximize their impact on police effectiveness and police-community relations; (2) examine the agency's use of force policies, practices, training, investigations, and related processes; (3) assess communication among command staff, midlevel supervisors, line officers, and external stakeholders; and (4) examine community trust and engagement, particularly with communities of color, at all levels of the department. In all, the assessment team conducted interviews, meetings, and focus groups with 327 participants. All interviews, focus groups, and meetings were confidential and transcribed without attribution. The following is a more detailed description of how each category of individuals was contacted.

SPD personnel

Interviews and focus groups with SPD personnel spanned the agency's civilian and sworn hierarchy. Members at every level in the agency were interviewed from civilian employees to recently hired officers to the chief of police. The team interviewed civilian records clerks, community patrol officers, crime scene technicians, evidence custodians, patrol officers, records supervisors, sergeants, commanders, civilian administrators,

23. The agendas and minutes of 13 meetings were provided by the SPD to IIR for document review: four meetings in 2012, three in 2013, four in 2014, and two in 2015.
24. Ashley Crossman, "Snowball Sample," About Education, last modified December 16, 2014, http://sociology.about.com/od/Types-of-Samples/a/Snowball-Sample.htm.

and deputy chiefs. The interviews also covered specific SPD personnel, such as the training sergeant, the Internal Affairs sergeant, criminal investigations detectives, special investigations detectives, community-based officers, and Salinas Police Officers Association representatives and president. The team conducted more than 100 interviews with SPD personnel (some of whom were interviewed on more than one occasion).

Other Salinas municipal and county employees

Additional persons interviewed were the mayor of Salinas, the Salinas District 1 council member, the city manager of Salinas, and a representative from the Monterey County District Attorney's Office.

Community members

A variety of methods was used to connect with community members both in groups and individually. These included community listening sessions, private settings, and telephone calls.

On June 30, 2015, the core assessment team participated in a public forum at the Sherwood Hall convention center that was hosted by the COPS Office. The SPD was asked not to send any personnel to this or the subsequently scheduled second forum so that community members would feel comfortable sharing their experiences and thoughts. There were more than 100 Salinas community members in attendance, and testimony was heard from 33 individuals. These included representatives from key community groups representing the members of the Hispanic community, including the East Salinas Motivating Individual Leadership for Public Advancement (MILPA), the League of United Latin American Citizens (LULAC), families affected by officer-involved shootings, and individual community members expressing their concerns.

On July 23, 2015, the core assessment team participated in a second community listening session held at the Los Padres Elementary School Auditorium hosted by the COPS Office. At this forum, there were more than 90 Salinas community members in attendance, and testimony was heard from 42 individuals. These included representatives from the MILPA, the National Association for the Advancement of Colored People (NAACP), and LULAC; community members from East Salinas; and individual community members expressing their concerns.

As an outcome of these two forums and through snowball sampling, the assessment team conducted an additional 31 individual interviews with community members who were in attendance and other individuals that were recommended.[25]

Team members interviewed a member of the Police/Community Advisory Committee (PCAC), which is composed of community members selected by elected city officials. This is a district-based community advisory group that meets and discusses a host of issues, such as crime and quality of life, with members of the SPD. Team members also conducted a series of private and small focus group interviews to discuss topics such as the officer-involved shootings, officers' responsiveness to community concerns, the SPD's use of force, police-community relations, and whether participants feel the community is being treated fairly by the SPD. Team members met with 12 representatives from MILPA, a local group of pastors/faith community members, and individual community members within their neighborhoods. In all, 175 interviews were conducted with community members (some of whom were interviewed on more than one occasion).

25. Ibid.

Direct observation

Training observations

SPD in-service training offerings were limited during the site visits, so the team was not able to directly observe any of the SPD's in-service training. The training that was observed was recently scheduled and coordinated by the SPD but was not part of the SPD's normal in-service training. This training was conducted for SPD commanders and sergeants and consisted of eight hours of use of force and liability prevention for supervisors. This class was held at the Monterey County Sheriff's Office.[26]

The course covered various aspects of civil liability, federal and state statutes, case reviews, and administrative action. Also reviewed and discussed were subtopics such as negligent training, elements of failure to train, negligent supervision, failure to intervene, reasonable force (*Graham* v. *Connor*,[27] Fourth Amendment), degree of resistance, agency policy, legal standard for deadly force, supervisor report/memo (detail actions), scene management and report reviewing, and evidence submission.

The team also observed trainees receiving orientation training that included firearms and SPD use of force policies.

Ride-alongs with officers

Team members participated in ride-alongs with 17 officers and supervisors who patrol three areas of the city (i.e., North, South, and East Salinas) during all three shifts. During the ride-alongs, they discussed department policies and practices and community relations with the ride-along officers as well as with several other officers encountered during the ride-alongs. Also discussed was how SPD policies translate to day-to-day practice as part of the officers' normal routines. The assessment team's Spanish-speaking member participated and assisted in communications when necessary.

Data analysis

The assessment team collected, coded, and analyzed various sets of data from the department, including use of force data, reports, and investigative files. The team reviewed data that was collected and analyzed by the Office of Justice Programs (OJP) Diagnostic Center.[28] The OJP Diagnostic Center is also working with SPD at the chief's request to diagnose crime problems, namely gang-related crime in Salinas, by collecting and analyzing data to identify best-fit solutions.

Use of force review

The assessment team randomly selected a sample of use of force investigations from the period 2012 to 2015 and developed a 34-item content analysis instrument to identify quality investigations based on an extensive review of current best practices, professional associations, and the collective experiences of the team. The instrument consisted of 25 "yes/no" items that documented each investigation report's adherence to procedure and nine Likert scale (1–5) items that evaluated the quality of the reports, interviews,

26. "PROELIA Defense & Arrest Tactics," PROELIA, accessed February 22, 2016, http://www.proeliadefense.com/.
27. *Graham* v. *Connor*, 490 U.S. 386 (1989).
28. The SPD requested the assistance of both the COPS Office and the OJP Diagnostics Center to help improve community relations as a result of the series of officer-involved shootings in 2014.

and photos taken. The results were used to identify trends in the SPD's use of force, investigative practices, and the overall quality of the investigations. These trends helped inform the findings and recommendations related to the SPD's use of force and related investigations, both administrative and criminal. In all, 47 out of a total of 271 use of force files were reviewed and scored.

The assessment team mapped out and reviewed five years of the SPD's use of force locations throughout the city of Salinas. In the review, team members looked at the use of force during 2010–2015—more specifically, the different types of force used, which particular beat of the city the force was used in, and the differences in force use from year to year. In addition, they analyzed the demographics of members of the public on which this force was used during the same time period.

A second rating scale that consisted of a collection of "yes/no" and Likert scale (1–5) items was developed to evaluate the officer-involved shootings (OIS) that the SPD investigated during 2014. Although four OISs occurred in 2014, only three of the four OISs were scored, reviewed, and evaluated because one of the four OIS incidents was investigated by the Monterey County District Attorney's Office and the purpose of the collaborative reform process was to review the SPD's OIS investigations.

SPD use of force database

The data provided for use of force was limited in scope; however, the team reviewed what was made available from 2010 to 2015. There were more than 500 incidents, and the data provided included counts, locations of the incidents, and demographics of individuals with whom force was used.

SPD use of force evaluation

These data and the review of use of force incidents allowed the team to create a database to properly conduct use of force analysis. The analysis results directly informed the findings and recommendations related to the overall use of force by the SPD.

Calls-for-service data

The calls-for-service data provided by OJP included both citizen-generated and officer-generated calls for service. The assessment team focused on citizen-generated calls for service, as these represent the demand from the community on police services whereas officer-generated calls for service reflect officers' activity. That is, officer-generated calls ebb and flow depending on the number of citizen calls and the amount of available resources. When there are many citizen-generated calls, there are fewer officer-generated calls because officers have less time to do proactive work.

Crime data

Federal Bureau of Investigation Uniform Crime Reports Part I crime data[29] and specifically created crime maps provided by OJP assisted the team in determining whether resource allocation matched the distribution of high-crime areas and times. A preliminary analysis was conducted that examined Salinas as a whole, as well as comparing different geographic areas within Salinas.

29. Federal Bureau of Investigation, *Crime in the United States, 2014*, Uniform Crime Report (Washington, DC: Federal Bureau of Investigation, 2015), https://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2014/crime-in-the-u.s.-2014.

Resource deployment data

Data from the SPD were obtained on the level of staffing of patrol officers by time of day, day of the week, and area within the city. These data were used in combination with calls for service and Part I crime data to conduct the preliminary analysis on resource allocation by the SPD.

Analysis strategy

For each objective in this report, descriptive analysis of the data provided by the SPD or collected by the team was conducted to provide an overall picture of important facets of each objective. The section in each chapter titled "Key themes" contains these results, which reflect analysis of the quantitative and qualitative data—such as use of force reports, crime, calls for service, and training data—as well as the perceptions of individuals collected in interviews, focus groups, and meetings. In addition, results from observations of SPD practices are also discussed in this section.

Developing findings and recommendations

The core assessment team's analysis relied primarily on an inductive approach—in other words, on data analysis, interviews, observations, document review, and identified gaps and weaknesses in SPD operations. The team sought to explain and address those gaps and weaknesses with an understanding of the SPD's organizational structure and operations and a review of the existing research on the topics of focus: policy, training, investigations, and police accountability.

Throughout the assessment, the assessment team identified recurring themes in its interview notes, findings from data analysis, reviews of policies, and observations of the SPD in practice. When possible, national standards, best and emerging practices, and research were used to inform the team's recommendations. When applicable, these sources are cited throughout the report. At the same time, the team allowed for flexibility and innovations based on its collective experience and expertise. These innovations are tailored to the SPD.

More specifically, the findings and recommendations are conclusions based on the evaluation of results presented in the "Key themes" sections. From each finding, one or more recommendations are formulated based upon best practices to improve the SPD. Importantly, the recommendations take into account the unique characteristics of Salinas, its community, and its police department with the goal of providing realistic objectives that can be achieved over the next 12 to 18 months.

Chapter 2. Use of Force

Overview

This chapter provides analysis and recommendations for the Salinas Police Department's (SPD) use of force (UOF) policies, procedures, and practices. It includes (1) an assessment of SPD's UOF policies, (2) a descriptive analysis of five years of UOF investigation reports, and (3) an in-depth analysis of a random sample of 47 UOF investigations that were selected from 271 total cases. This effort allowed the team to provide a comprehensive review of SPD UOF and is the basis for the findings and our recommendations.

Use of force policies and procedures

The SPD Policy Manual outlines the expectations for officers to follow given certain circumstances that they may face in the line of duty. As the policies pertain to SPD UOF, the team reviewed policies 300, 308, and 309.

Policy 300. Use of Force

This policy provides guidelines to SPD officers on the reasonable UOF. The policy is six pages in length and was last changed in March of 2015.

The following is the outline of the policy. See appendix A on page 125 for the full policy.

- 300.1 Purpose and scope
  - 300.1.1 Definitions
- 300.2 Policy
  - 300.2.1 Duty to intercede
- 300.3 Use of force
  - 300.3.1 Use of force to effect an arrest
  - 300.3.2 Factors used to determine the reasonableness of force
  - 300.3.3 Pain compliance techniques
  - 300.3.4 Carotid control hold
- 300.4 Deadly force applications
  - 300.4.1 Shooting at or from moving vehicles
- 300.5 Reporting the use of force
  - 300.5.1 Notification to supervisors
- 300.6 Medical consideration
- 300.7 Supervisor responsibility
  - 300.7.1 Watch commander responsibility
- 300.8 Training

Policy 308. Control Devices and Techniques

This policy provides guidelines to SPD officers for the use and maintenance of control devices. The policy is seven pages in length and was last adopted in March of 2015.

The following is the outline of the policy. See appendix A on page 125 for the full policy.

- 308.1 Purpose and scope
- 308.2 Policy
- 308.3 Issuing, carrying and using control devices
- 308.4 Responsibilities
  - 308.4.1 Watch commander responsibilities
  - 308.4.2 Rangemaster responsibilities
  - 308.4.3 User responsibilities
- 308.5 Baton guidelines
- 308.6 Tear gas guidelines
- 308.7 Oleoresin capsicum (OC) guidelines
  - 308.7.1 OC spray
  - 308.7.2 Treatment for OC spray exposure
- 308.8 Post-application notice
- 308.9 Kinetic energy projectile guidelines
  - 308.9.1 Deployment and use
  - 308.9.2 Deployment considerations
  - 308.9.3 Safety procedures
- 308.10 Training for control devices
- 308.11 Reporting use of control devices and techniques

Policy 309. Conducted Energy Device

This policy provides guidelines to SPD officers on the issuance and use of electronic control weapons (ECW). The policy is seven pages in length and was last changed in March of 2015.

The following is the outline of the policy. See appendix A on page 125 for the full policy.

- 309.1 Purpose and scope
- 309.2 Policy
- 309.3 Issuance and carrying ECW devices

- 309.4 Verbal and visual warnings
- 309.5 Use of the ECW device
  - 309.5.1 Application of the ECW device
  - 309.5.2 Special deployment considerations
  - 309.5.3 Targeting considerations
  - 309.5.4 Multiple applications of the ECW device
  - 309.5.5 Actions following deployments
  - 309.5.6 Dangerous animals
  - 309.5.7 Off-duty considerations
- 309.6 Documentation
  - 309.6.1 ECW device form
  - 309.6.2 Reports
- 309.7 Medical treatment
  - 309.7.1 Supervisor responsibilities
  - 309.8.1 Training

Key themes

The team obtained UOF investigation report data from the SPD for January 2010 through August 2015 from its records management system. These data contain aggregate information about the investigations, which was used to provide an overview of the frequency and nature of the incidents of UOF, as well as characteristics of individuals involved with the incidents. To evaluate the quality of the SPD's UOF investigations, a subset of the data was selected. The team obtained a paper copy of these reports and their supplements and coded the qualitative data from each report for analysis. The following two sections provide the analysis results of these two types of data separately.

Theme 1. Use of force reports 2010–2015

Figure 1 is a chart showing the monthly and yearly frequency of UOF incidents. It shows that 2014 had the most UOF incidents with 133. March and May of 2014 were particularly high, but the months following that spike were much lower. At the time of this analysis, there were 45 incidents in 2015 as of the end of August.

Figure 1. Salinas Police Department use of force incidents January 2010–August 2015 (n=604)

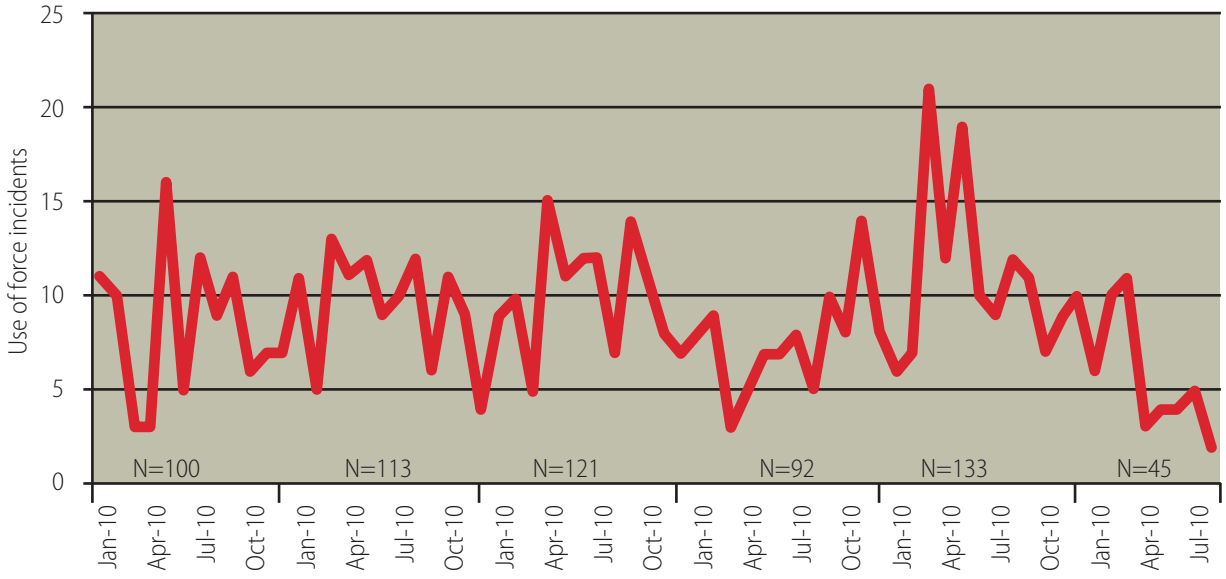


Table 2 shows frequencies for each year of the type of situation in which UOF was used as documented in the report. The figures are sorted in descending order by the Total column and show that the top three types of situations are disturbances (11.26 percent), domestic situations (8.44 percent), and traffic stops (8.44 percent), which together make up 28.15 percent of the incidents.

Table 2. Salinas Police Department use of force incidents by type of situation, January 2010–August 2015

Situation type	2010	2011	2012	2013	2014	2015*	Total	% of total	Cumulative %
Disturbance	6	18	13	7	20	4	68	11.26	11.26
Domestic	5	14	13	5	8	6	51	8.44	19.70
Traffic stop	10	6	13	7	15	0	51	8.44	28.15
Pursuit	3	7	8	3	13	2	36	5.96	34.11
5150 Welfare & Institutions (W&I)	8	4	5	6	4	2	29	4.80	38.91
Suspicious person	5	9	4	1	6	2	27	4.47	43.38
Wanted person	8	5	3	2	4	5	27	4.47	47.85
Drunk in public	7	6	5	1	4	1	24	3.97	51.82
Burglary	3	3	4	7	3	1	21	3.48	55.30
Fight	1	1	7	5	3	3	20	3.31	58.61
Stolen vehicle	2	1	3	2	8	3	19	3.15	61.75
Misdemeanor	7	3	2	0	1	2	15	2.48	64.24
Robbery	2	3	3	2	2	1	13	2.15	66.39

Situation type	2010	2011	2012	2013	2014	2015*	Total	% of total	Cumulative %
Trespassing	3	1	4	3	2	0	13	2.15	68.54
Theft	2	1	7	1	0	1	12	1.99	70.53
Suspicious circumstances	1	2	2	4	1	0	10	1.66	72.19
Accident investigation	0	2	2	1	3	0	8	1.32	73.51
Assault	1	3	0	1	3	0	8	1.32	74.83
Foot pursuit	0	0	0	6	2	0	8	1.32	76.16
Subject arrest	5	2	1	0	0	0	8	1.32	77.48
Under influence methamphetamine	0	0	4	2	2	0	8	1.32	78.81
Felony	2	3	0	0	0	2	7	1.16	79.97
Battery on police officer	3	2	0	1	0	0	6	0.99	80.96
Brandishing a weapon	1	2	1	1	1	0	6	0.99	81.95
Escape	0	2	2	1	1	0	6	0.99	82.95
Vandalism	2	1	0	2	1	0	6	0.99	83.94
Warrant service	0	1	1	2	2	0	6	0.99	84.93
Hit & run	0	0	0	1	3	1	5	0.83	85.76
Probation search	3	0	1	0	1	0	5	0.83	86.59
5050 W&I / Under influence	0	0	1	0	2	1	4	0.66	87.25
Arrest warrant	2	0	0	1	1	0	4	0.66	87.91
Drunk driving	0	0	0	1	2	1	4	0.66	88.58
High-risk traffic stop	0	0	0	3	1	0	4	0.66	89.24
Narcotics search	1	0	0	2	1	0	4	0.66	89.90
Possession handgun	1	1	1	1	0	0	4	0.66	90.56
Restraining order violation	0	0	0	1	1	2	4	0.66	91.23
Traffic stop / felony	1	1	1	0	1	0	4	0.66	91.89
Welfare check	1	3	0	0	0	0	4	0.66	92.55
Armed	0	0	0	1	2	0	3	0.50	93.05
Call: armed person	0	2	1	0	0	0	3	0.50	93.54
Carjacking	0	0	0	2	1	0	3	0.50	94.04
Other situation	1	1	0	0	1	0	3	0.50	94.54
Search warrant	0	0	0	0	1	2	3	0.50	95.03
Suicidal subject	1	1	0	1	0	0	3	0.50	95.53
Unruly prisoner	0	1	2	0	0	0	3	0.50	96.03

Situation type	2010	2011	2012	2013	2014	2015*	Total	% of total	Cumulative %
Alarm	1	0	0	0	1	0	2	0.33	96.36
Felony warrant	0	0	0	0	0	2	2	0.33	96.69
Parolee at large	0	0	0	1	1	0	2	0.33	97.02
Prowler	0	0	1	0	1	0	2	0.33	97.35
Search for suspect	1	0	1	0	0	0	2	0.33	97.68
Terrorist threats	0	0	2	0	0	0	2	0.33	98.01
Traffic accident	0	0	1	1	0	0	2	0.33	98.34
Under influence drugs	0	0	0	0	2	0	2	0.33	98.68
Armed robbery	0	0	1	0	0	0	1	0.17	98.84
Medical	0	0	1	0	0	0	1	0.17	99.01
Possession of knife	0	0	0	1	0	0	1	0.17	99.17
Probation arrest	0	0	0	0	1	0	1	0.17	99.34
Shooting	0	0	0	0	0	1	1	0.17	99.50
Shoplifting	0	0	0	1	0	0	1	0.17	99.67
Shot at officer	0	0	0	1	0	0	1	0.17	99.83
Special weapons and tactics (SWAT) assist	0	1	0	0	0	0	1	0.17	100.00
Total	100	113	121	92	133	45	604	100.00	
% of total	16.56	18.71	20.03	15.23	22.02	7.45	100.00		

* 2015 data represent only January–August 2015.

Table 3 illustrates the frequencies by year for the reasons force was used by the officer(s) as noted in the report. The table is sorted in descending order by total over the five years to show that noncompliance of the subject is the most frequent reason (26.32 percent), with the subject fleeing the scene (16.72 percent) and threatening to fight or fighting officers (8.94 percent) next. These three reasons make up 51.98 percent of the cases.

Table 3. Salinas Police Department use of force incidents by reason for force, January 2010–August 2015

Reason type	2010	2011	2012	2013	2014	2015*	Total	% of total	Cumulative %
Noncompliant	0	23	32	29	52	23	159	26.32	26.32
Fled scene	12	24	23	17	24	1	101	16.72	43.04
Threatening to / fighting officers	47	4	1	1	1	0	54	8.94	51.98
Disruptive behavior	4	16	7	8	10	0	45	7.45	59.43
Fighting w/ officers	0	1	7	12	18	4	42	6.95	66.38
Violent	2	16	11	0	2	0	31	5.13	71.51

Reason type	2010	2011	2012	2013	2014	2015*	Total	% of total	Cumulative %
Armed / threatening	5	2	2	9	7	0	25	4.14	75.65
Ran to avoid arrest	6	5	10	3	0	0	24	3.97	79.62
Officer safety	2	10	5	4	2	0	23	3.81	83.43
Combative	0	0	1	1	4	15	21	3.48	86.91
Refusing lawful order	8	4	2	0	0	0	14	2.32	89.23
Intoxicated, fighting w/ officers	1	4	7	0	0	0	12	1.99	91.22
Threatening to / fighting others	9	0	1	0	0	0	10	1.66	92.88
Advancing on officer	0	0	0	3	4	0	7	1.16	94.04
Armed / nonthreatening	0	0	2	2	3	0	7	1.16	95.20
Hiding inside building / unknown if armed	0	1	2	1	2	0	6	0.99	96.19
Possibly armed with a firearm	0	0	3	0	2	1	6	0.99	97.19
High-risk traffic stop	0	3	0	0	1	0	4	0.66	97.85
Welfare check	1	0	2	0	0	0	3	0.50	98.34
Armed hiding in building	0	0	1	0	0	1	2	0.33	98.68
Containment	1	0	0	0	0	0	1	0.17	98.84
Destruction of evidence	0	0	0	1	0	0	1	0.17	99.01
Escaped from custody	0	0	0	0	1	0	1	0.17	99.17
Fired on officer	0	0	1	0	0	0	1	0.17	99.34
Narcotics search	1	0	0	0	0	0	1	0.17	99.50
Reported to be armed	1	0	0	0	0	0	1	0.17	99.67
Search	0	0	1	0	0	0	1	0.17	99.83
Spitting on officers	0	0	0	1	0	0	1	0.17	100.00
Total	100	113	121	92	133	45	604	100.00	
% of total	16.56	18.71	20.03	15.23	22.02	7.45	100.00		

* 2015 data represent only January–August 2015.

Table 4 shows the types of force used in the incidents. In the reports, multiple types were often listed for one incident. The frequencies depict all types listed, so the total (940) does not match the total number of incidents (604). Because these data were not provided by year by the agency, the table includes only the total. Over the five years, the most frequent type of force used was ECW (34.04 percent). Takedowns (30.74 percent) and hands/fists (13.40 percent) were the next most common. All types of physical force—take-down, hand/fists, pushed, knee, and kick—make up 47.55 percent of the types used, and ECW and physical force make up 81.60 percent.

Table 4. Salinas Police Department use of force incidents by type of force used, January 2010–August 2015

Use of force types	Count*	% of total
ECW	320	34.04
Takedown	289	30.74
Hands / fists	126	13.40
RIPP™ Hobble	81	8.62
K-9	33	3.51
Baton	22	2.34
Pushed	16	1.70
Handgun	14	1.49
Knee	10	1.06
Chemical spray	7	0.74
Precision immobilization technique (PIT)	6	0.64
Kick	6	0.64
40mm	4	0.43
Rifle	3	0.32
Shotgun	3	0.32
Total	940	100.00

* Options with fewer than two occurrences are omitted for clarity. Data shown include only completed UOF investigations.

The SPD also provided access to the yearly UOF data through its internal mapping intranet program. Figures 1 and 2 show locations of UOF incidents when physical force was used and when an ECW was used, respectively. Note that there are some incidents where both types of force were used, so these maps do reflect some overlapping data but provide a geographic illustration of each type separately. On the surface, the results show that from 2010 to 2015, both types of UOF occurred throughout the city fairly evenly. However, without population data to determine the density of particular areas, it is difficult to discern whether there are areas of the city that have disproportionate numbers of incidents.

Figure 2. Use of force incidents involving physical force, 2010–2015 (n=447)

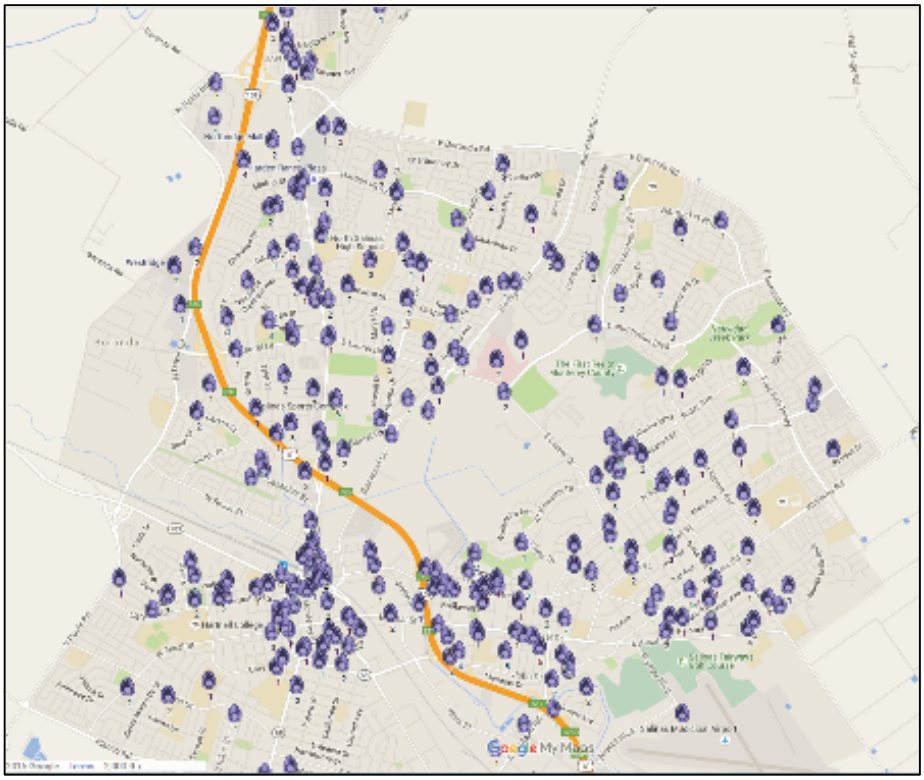


Figure 3. Use of force incidents involving an ECW, 2010–2015 (n=320)

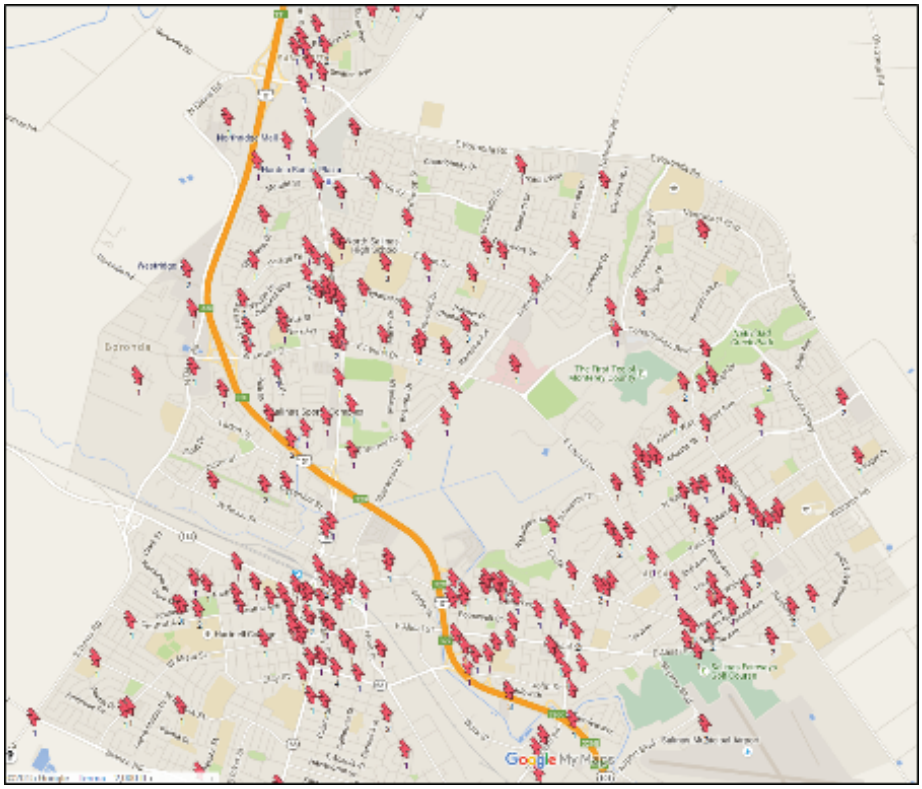
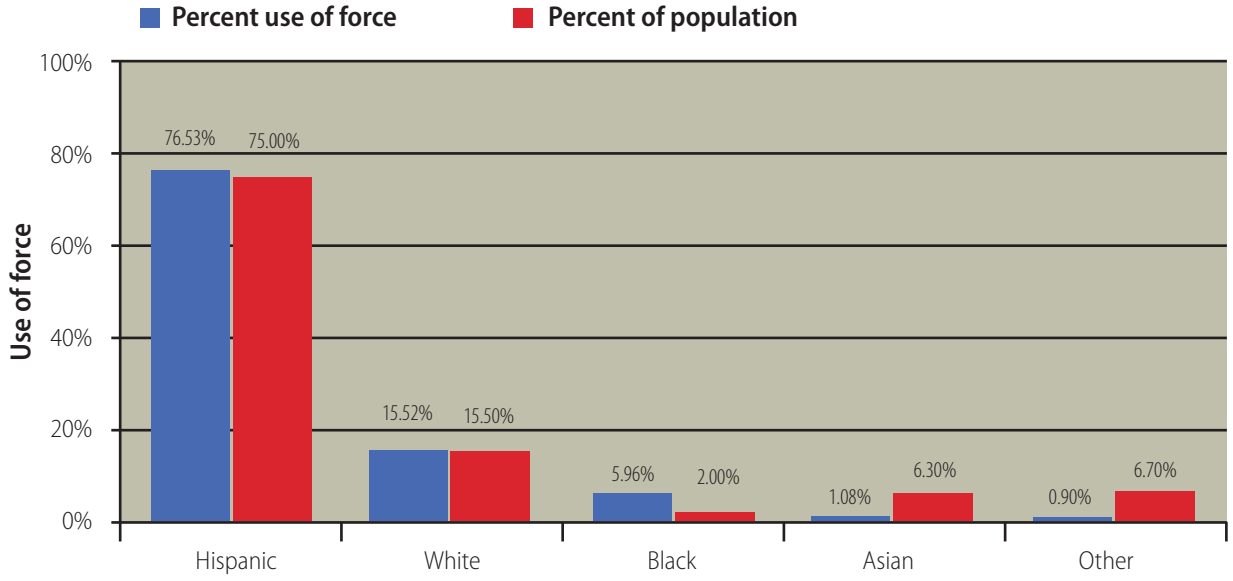


Figure 4 shows the race of the subjects involved in UOF, that is, the individuals who were the focus of the UOF. The race of the officers involved in the UOF was not provided by the agency, as it was not accessible. The data were not available for each year individually, so the chart reflects all five years together. A total of 554 subjects were subject to UOF. The chart reflects the percentage of those incidents where the subject was Hispanic, White, Black, Asian, and Other, along with the corresponding percentage of population. The results show that the percent breakdown of race for subjects closely matches the city's demographics and that no one race is disproportionately involved in use of force.

Figure 4. Race of subjects involved in use of force, 2010–2015 (n=554)



Theme 2. In-depth analysis of use of force investigations

Because the quantitative data provided by the agency did not provide the level of detail necessary to evaluate the components of and quality of the incident reports, the assessment team reviewed a subset of the previous data. Specifically, some case investigations were randomly selected from the larger data set. To focus on more recent reports but also to have several years of comparison, the sample was taken only from 2012–2015.

The assessment team developed a 34-item content analysis instrument based on its extensive review of current and best practices, professional associations, and its collective experiences assessing the quality of investigations. The instrument consisted of 25 "yes/no" items that documented the reports' adherence to procedure and nine Likert scale items with five categories that were used to evaluate the quality of the investigation reports, interviews, and photos taken.

In all, 47 UOF files were randomly selected from 391 use of force incidents. The 47 randomly selected cases were then reviewed and scored. Twelve cases each from 2012, 2013, and 2014 were selected randomly. In addition, 11 cases were randomly selected from the first three months of 2015. Disproportionately more cases were taken from 2015 in order to assess more of the current cases and practices.

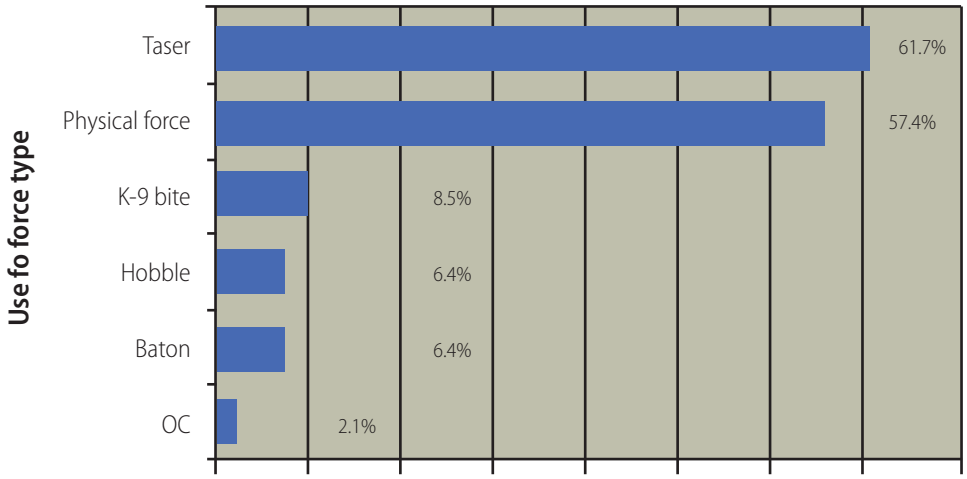
Table 5 shows the breakdown of the combination of force types in the 47 incidents, because multiple types are often used in one incident. The most frequent categories are ECW and physical force by themselves (14 incidents each), followed by the combination of ECW and physical force (10 incidents). These three categories make up 81 percent (n=38) of the 47 cases.

Table 5. Combination of force types used in use of force incidents, random sample January 2012–March 2015 (n=47)

Use of force type—detailed	Single count	% of total
ECW	14	29.79
Physical force	14	29.79
ECW / physical force	10	21.28
ECW / K-9 bite	2	4.26
Physical force / hobble	2	4.26
Hobble	1	2.13
K-9 bite / baton	1	2.13
ECW / K-9 bite / baton	1	2.13
ECW / oleoresin capsicum (OC)	1	2.13
ECW / physical force / baton	1	2.13
Total	47	100.00

Figure 5 shows a breakdown of each type of use of force listed in the reports. A total of 67 types of force were used in the 47 cases, indicating that multiple types of force were used within individual incidents which is similar to the larger data set. An ECW was used in 61.7 percent of incidents (n=29), and physical force was used in 57.4 percent of incidents (n=27).

Figure 5. Salinas Police Department use of force reports by type of force used, random sample January 2012–March 2015 (n=67)

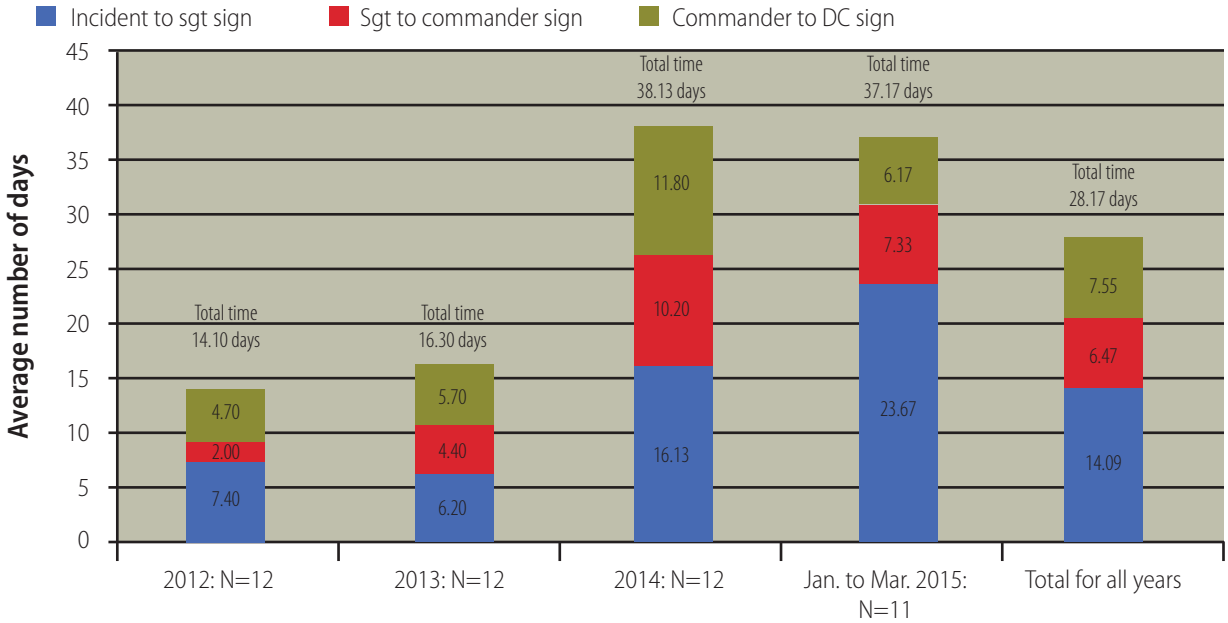


This figure represents 67 types of force used in 47 UOF incidents. Many incidents involved the use of multiple types of force.

The first component of the investigations the team examined was the supervisor approval process and the time it took for the investigations to be completed and approved by each level of the SPD according to its policies. In all the investigations the team examined, the supervisor investigated and completed the report, the supervisor approved all reports and documents, the commander reviewed and approved the report, and the deputy chief reviewed and approved the report, as required by the agency's policy. In 93.6 percent of the cases, the supervisor arrived on scene to investigate the incident. However, in only 34 percent of the cases was it documented by the officer that the supervisor was, in fact, notified; thus, even though the supervisor was there, the officer did not include the supervisor's presence in the report. None of the reports documented whether the command staff was notified of the incident.

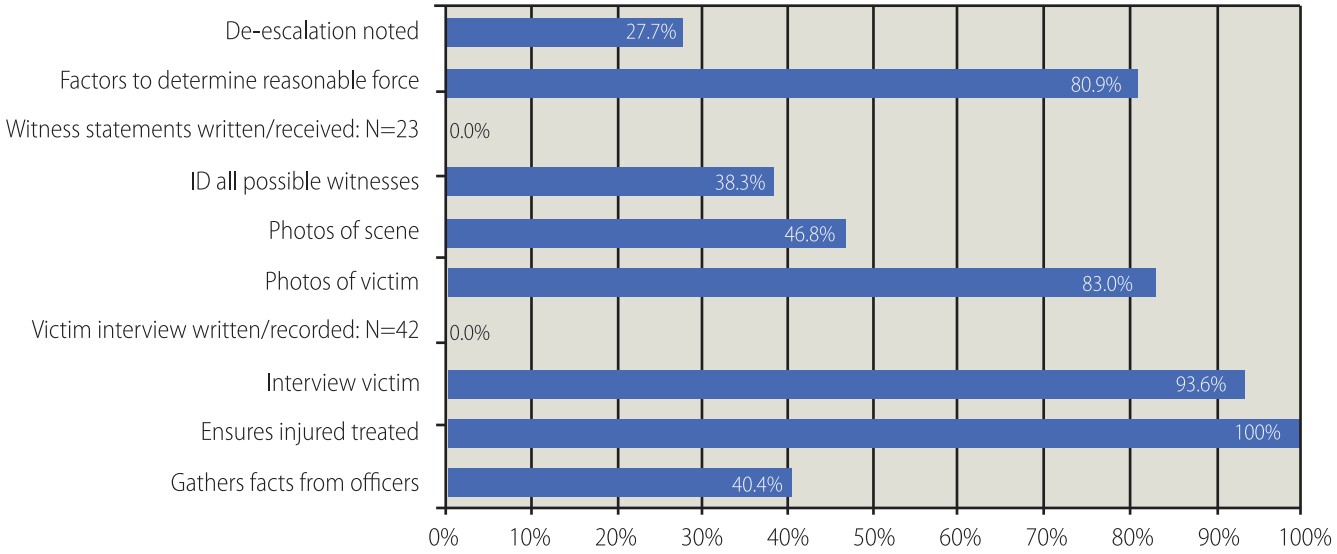
To examine the time it took for the investigation reports to be written and approved, figure 6 shows the average time in days for each step by year and for all years combined. The results show that in 2014 and 2015, investigations took longer to get through the process. It appears that at all steps, the time span was longer in these years, but in particular, the time from the incident to the sergeant's signature on the investigation accounted for much of the increase.

Figure 6. Salinas Police Department use of force reports by dates of approval process, random sample January 2012–March 2015 (n=47)



Analysis of specific components of the investigation report included determining whether the report discussed de-escalation and factors to determine reasonable force, whether witness and victim statements were taken and recorded, and whether photos of the victim and the scene were included. In figure 7, the results indicate that the investigations did not consistently follow policy, as all components should have been included in each investigation when the situation dictated it, which means that each bar should be at 100 percent. In particular, in 23 of the investigations, witnesses were interviewed, and 42 of the investigations, victims were interviewed; but in both subsets, none (0.0 percent) of these interviews was recorded or written. De-escalation was noted in only 27.7 percent of the investigations, and in 40.4 percent supervisors gathered facts from officers at the scene. While photos of the victim were taken in 83.0 percent of the investigations, in only 46.8 percent were photos of the scene taken.

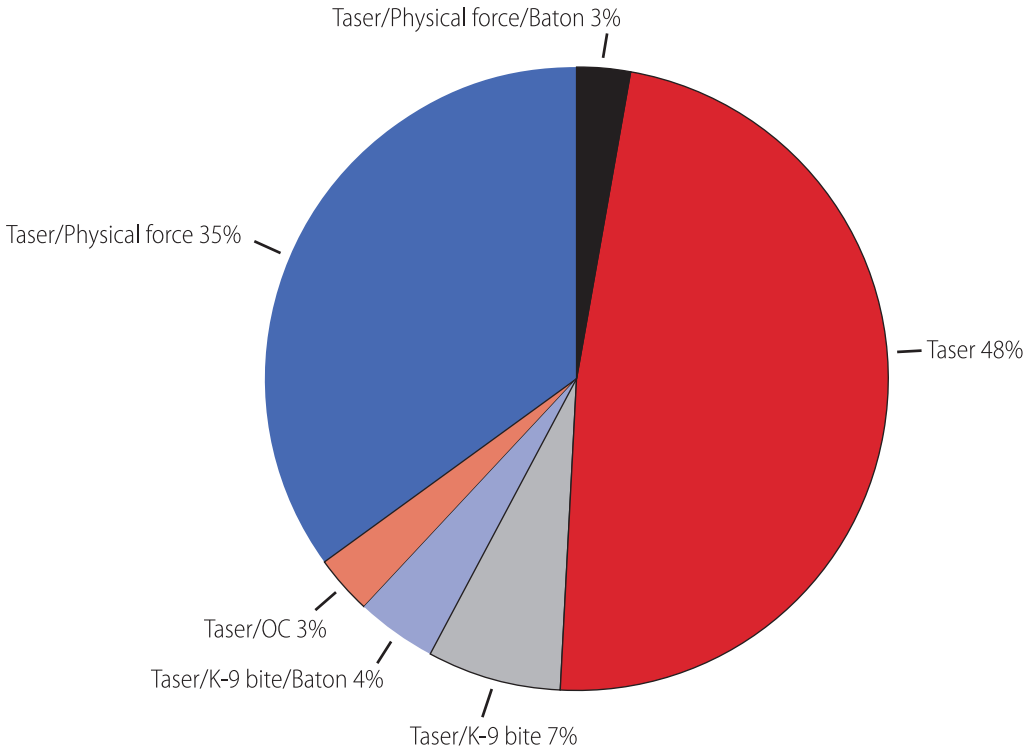
Figure 7. Salinas Police Department use of force reports by adherence to procedure, random sample January 2012–March 2015 (n=47 unless otherwise noted)



In-depth analysis of use of force investigations—ECW only

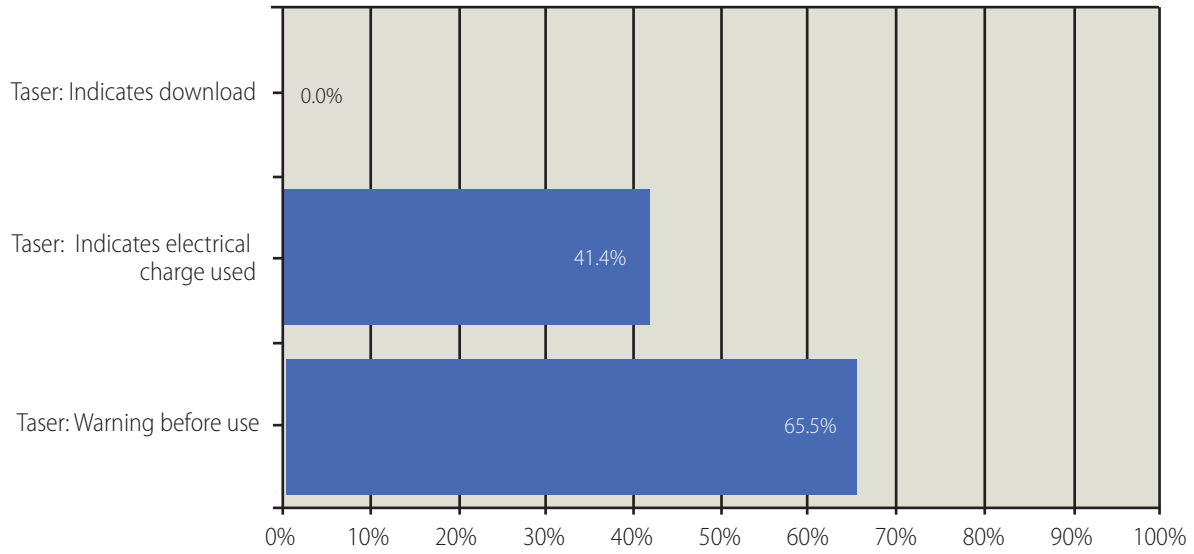
Specific to ECW investigations, in the 47-incident sample, there were 29 incidents in which an ECW (Taser) was used by itself or with another type of force. Figure 8 shows that a majority of these incidents (83 percent) included only an ECW or a combination of ECW and physical force.

Figure 8. Salinas Police Department use of force reports by type of force where Taser was used, random sample January 2012–March 2015 (n=29)



The SPD requires that in all use of force incidents involving an ECW, (1) the officer warn the subject before use, (2) the ECW data be downloaded and be part of the investigation records, and (3) the number of cycles in which the ECW was deployed be noted in the investigation. Figure 9 shows that none of the 29 cases included the ECW data with the investigation, that only 41.4 percent noted the amount of electrical charge (i.e., cycles), and that 65.5 percent mentioned whether the officer warned the subject before the ECW was deployed.

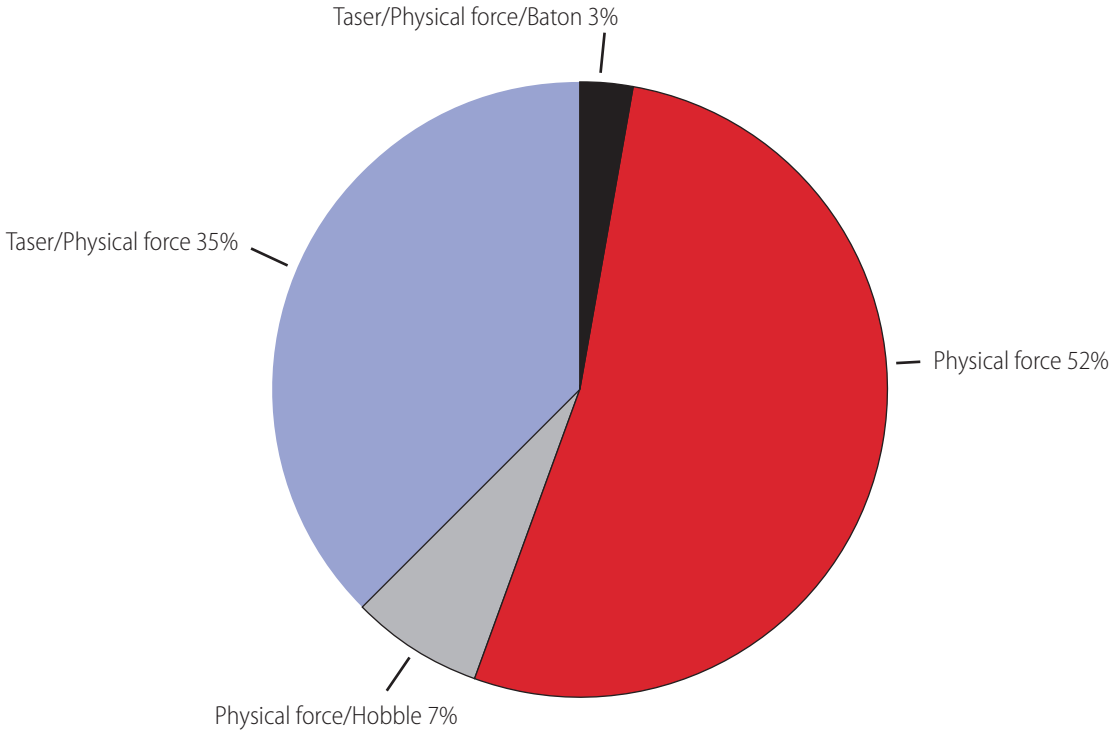
Figure 9. Salinas Police Department use of force reports, by compliance with procedure where Taser was used, random sample January 2012–March 2015 (n=29)



In-depth analysis of use of force investigations—physical force only

Specific to physical force investigations, in the 47-incident sample, there were 27 incidents in which physical force was used by itself or with another type of force. Figure 10 shows that a majority of these incidents (89 percent) included only physical force or a combination of physical force and an ECW.

Figure 10. Salinas Police Department use of force reports by type of force where physical force was used, random sample January 2012–March 2015 (n=27)

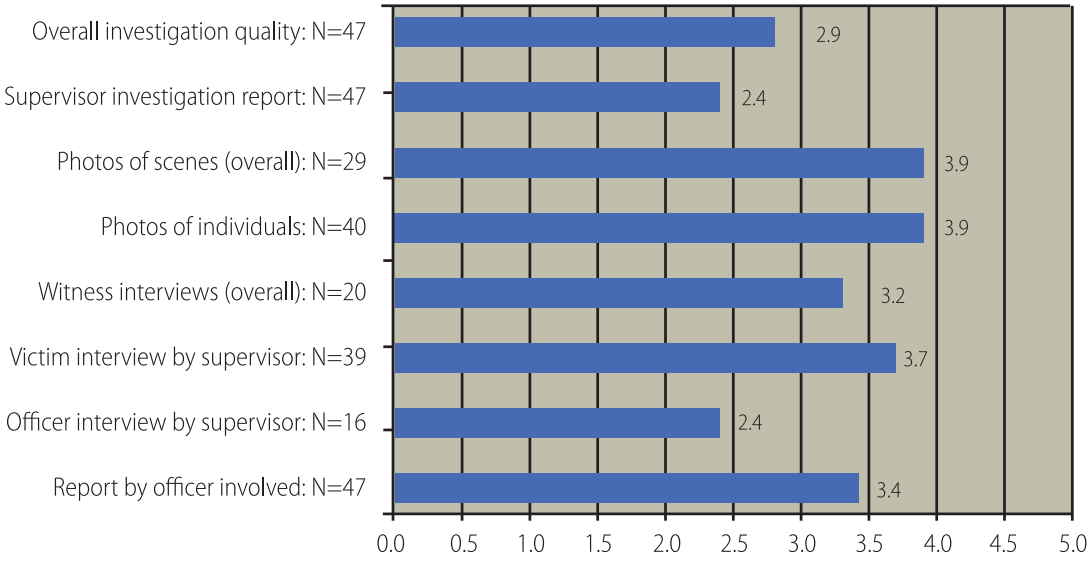


Further examination of the physical force cases revealed that in three cases, officers used a "distraction" technique. The three cases involved an officer striking a subject in the face more than one time with a closed fist. Prior to the officer's use of force, the subject was exhibiting active defensive resistance toward the officer. In the three incidents, the officers noted that they used "distraction stuns" or "distraction blows" several times to the subject's face in order to gain control.

Quality of the investigation

Finally, the quality of components of the investigation as well as the overall investigations were evaluated using a five-point Likert scale with 5 being excellent and 1 being very poor. Figure 11 shows the averages for the 47 investigations, with the number of cases varying based on whether that component was present in the investigation report. When a component was not present in the investigation report, it was marked as "missing" instead of being evaluated as poor and is reflected in the N listed next to the component in the figure. Thus, these averages reflect only the quality of the components that were completed in the investigations. However, when rating the overall quality of the investigation, if components were missing, these deficiencies were reflected in the "overall investigation quality" score.

Figure 11. Salinas Police Department use of force reports by quality of investigation, random sample January 2012–March 2015 (n=47)



The results show that the average of officers' reports, the victim and witness interviews, and the photos of the scenes and individuals were all rated between fair and good. However, the officers' interview by the supervisors and the supervisors' investigation reports were rated between poor and fair. Last, the overall investigation report for all 47 incidents was rated between poor and fair.

Findings and recommendations

The following findings and recommendations have been developed based on the results of analysis presented in the chapter, the expertise of the assessment team, the other Collaborative Reform Initiative results, and best practices. They are meant to serve as the basis for the SPD to improve its use of force practices over the coming year.

Finding 1

The SPD's policies 300 (Use of Force), 308 (Control Devices and Techniques), and 309 (Conducted Energy Device) are too vague in the description of use of force decision-making guidance, oversight, and accountability.

The SPD's UOF-related policies discuss some topics by only touching the surface of key issues and protocols and by excluding some topics entirely. In some cases, the policies exclude pertinent information that should be included. In all three policies, there is no discussion of the term "de-escalation."

For example, policy 300 provides the following direction for officers to choose the appropriate UOF:

> Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose. 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.
>
> Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate UOF in each incident.[30]

While this statement is appropriate, it does not explain how these factors should be considered, nor does it adequately define which force is appropriate for the resistance being experienced. Furthermore, officers are left to interpret the following: *"Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law purpose."* The only other guidance given to officers is a list of conditions or factors they should use to determine the reasonableness of force. These two sections within the policy can be problematic and too open to various interpretations by officers.

Recommendation 1.1

Overall, the SPD should revise policies 300, 308, and 309 to be more specific and more in line with policing best practices. In doing so, the SPD should consider all of the following recommendations for this finding.

Policies 308 and 309 have similar weaknesses in their vagueness, in that the policies fail to be specific enough to provide guidance to officers while minimizing the possibility of different interpretations. The SPD needs to revisit all these policies. However, there may be other changes to the use of force investigations based on other findings and recommendations, so while the SPD should incorporate the remaining recommendations, it should consider everything in its new policies.

Recommendation 1.2

The SPD should incorporate a matrix or a decision chart in the UOF policy.

In its present form, the SPD's UOF policy does not include a UOF matrix or a decision chart. By including these, the policy can assist police personnel to more appropriately select the UOF based on the given circumstances. These matrices will be effective tools for use of force training as well. See appendix D for a sample.

Recommendation 1.3

The SPD should train officers to clearly and accurately articulate their reasons for any UOF in writing following an encounter.

The policies should provide a more detailed narrative explaining proper UOF. This description must include definitions for all terms used to distinguish between the types of threat and response. This narrative must make a clear distinction between the permissible officer responses to the various offender threats. The definitions should be followed by a description of the types of force or control measures that officers are

30. SPD training policy manual provided by SPD to IIR for document review.

permitted to use in addressing each type of offender resistance. Because all officer force should be predicated on the level of resistance presented by the offender, the UOF decision chart should be presented in such a manner that each level includes both the level of offender resistance and the permitted level of officer force or control method that corresponds to the resistance.

Recommendation 1.4

The SPD should update and revise policies 300, 308, and 309 to describe the appropriate level of force to be applied under various circumstances.

In particular, policy 300 should be amended to include an explanation that subjects may be physically or mentally incapable of responding to police commands because of a variety of circumstances, including permanent or temporary mental impairment, physical limitations, or language or cultural barriers. This discussion should be elevated to a bullet point in the policy section at the beginning of the directive, and there should be a cross reference to any crisis intervention policies and training guides from which officers, supervisors, and trainers can obtain more information on the topic of de-escalation.[31]

Recommendation 1.5

The SPD should include and emphasize the importance of de-escalation in its UOF policies.

De-escalation and the tactics that are appropriate in de-escalating situations should be emphasized within the applicable UOF policies, as should the importance of consistently moving down the use of force continuum when reasonable.

Recommendation 1.6

Specific de-escalation training should be administered, at a minimum, annually.

The team found no evidence that the SPD administers specific de-escalation training to officers; thus, with an updated policy, this aspect of UOF should be included. However, because of its importance, it should be conducted separately so enough time can be taken to cover the issues and situations can be presented.

Recommendation 1.7

To maintain transparency with the community after a UOF incident, the UOF policies should clearly state what types of information will be released to the public, when, and in what situation in accordance with applicable state law.[32]

UOF policies should include specific procedures on the release of a summary statement to the public regarding the circumstances of the incident by the department as soon as possible and within 24 hours. The intent of this directive should be to share as much information as possible with the public without compromising the integrity of the investigation or anyone's rights.

31. See, e.g., George Fachner and Steven Carter, *An Assessment of Deadly Force in the Philadelphia Police Department*, Collaborative Reform Initiative (Washington, DC: Office of Community Oriented Policing Services, 2015), http://ric-zai-inc.com/Publications/cops-w0753-pub.pdf.
32. President's Task Force on 21st Century Policing, *Final Report* (see note 2).

Recommendation 1.8

The SPD should publish all UOF policies online to promote transparency.

A best practice[33] for community-police relations is for agencies not only to publish information about use of force incidents online but also to have their policies available online so members of the public can see what is required and understand the process.

Recommendation 1.9

The SPD should update and approve all UOF-related policies on an annual basis and in accordance with commonly accepted best practices.

The policies should be reviewed at least annually for compliance with changing laws, court precedents, and emerging best practices from the field. The SPD should base its policies on best practices of UOF-related policies that are provided by the Police Executive Research Forum (PERF),[34] through the Office of Community Oriented Policing Services (COPS Office)[35] and through the International Association of Chiefs of Police (IACP).[36]

Finding 2

SPD officers do not receive regular, consistent training on the department's UOF-related policies as directed by the department's policy.

SPD policy 300 states, "Officers will receive periodic training on this policy and demonstrate their knowledge and understanding." Based on the assessment team's interviews and focus groups with the SPD, sworn officers indicated that they were not receiving periodic training on the department's UOF policies. In addition, the SPD was unable to provide any lesson plans specific to training in UOF policies or any other related documentation that showed that such training took place.

Recommendation 2.1

The SPD should develop a training module to include instruction on all UOF-related policies to be delivered on an annual basis.

The SPD should establish training that covers all related UOF policies. As with all training, at a minimum, all officers should receive mandatory annual training on use of force that includes training on each related policy.

33. Fachner and Carter, *An Assessment of Deadly Force in the Philadelphia Police Department* (see note 31).
34. "About PERF," Police Executive Research Forum, accessed February 22, 2016, http://www.policeforum.org/.
35. "Office of Community Oriented Policing Services," U.S. Department of Justice, accessed February 22, 2016, http://www.cops.usdoj.gov.
36. "International Association of Chiefs of Police," International Association of Chiefs of Police, accessed February 22, 2016, http://www.iacp.org/.

Finding 3

While the SPD provides officers with diverse training topics, the content areas related to UOF and de-escalation techniques are not specifically identified in the curricula.

The assessment team found no direct evidence of learning outcomes, objectives, or specific content related to UOF or de-escalation techniques in the training records provided by the SPD.

Recommendation 3.1

The SPD should conduct a curricular review of all lesson plans and determine where content related to UOF and de-escalation techniques can be merged into the current lesson plans.[37]

As policies change, UOF training linked to the UOF policies should be updated. However, the SPD should also research and identify new lesson plans and content related to both new and current training techniques for UOF and de-escalation techniques. Thus, the SPD should develop a systematic process in which rules are set for regular review and updating of use of force policies as well as resources that should be checked for best practices in each review, such as recommendations made by IACP, PERF, and the COPS Office.

Finding 4

Policy 306 (Handcuffing and Restraints) does not address how often training should be conducted.

Policy 306 includes guidelines for the following application of restraints: handcuffs or plastic cuffs, spit hoods/masks/socks, auxiliary restraint devices, and leg restraint devices, which include the RIPP™ Hobble (an appendage restraining device). The SPD does not have language in the policy that dictates the frequency of training for this policy.

Recommendation 4.1

The SPD should include language in policy 306 stating that training on the policy and on proper use of all handcuffing and restraints will be given, at minimum, on an annual basis.

Finding 5

In policy 308 (Control Devices and Techniques), the language about required training, retraining, and remedial training is too vague.

Policy 308 includes guidelines for baton type and use, tear gas, oleoresin capsicum (OC) ("pepper spray"), and kinetic energy projectile. These are all UOF options that officers can use on a daily basis. Policy 308 states, "The training sergeant shall ensure that all personnel who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified as necessary." During interviews, the assessment team learned that there was no systematic means to determine whether or when additional training may be necessary in the use of control devices and techniques. In addition, the SPD was unable to provide any training documentation that officers are given remedial or additional training in this area. Thus, as the policy states, "retrained or recertified as necessary" is too vague and left up to the training sergeant to decide and interpret.

37. Patricia Armstrong, "Bloom's Taxonomy," Center for Teaching, Vanderbilt University, accessed February 22, 2016, https://cft.vanderbilt.edu/guides-sub-pages/blooms-taxonomy/.

Recommendation 5.1

SPD policy should mandate training on the proper use of all control devices on an annual basis.

The SPD should minimize any vagueness pertaining to how often training should be conducted by including specifics of the type of training that will be administered.

Finding 6

The training currently described in policy 309 (Conducted Energy Device) should be mandatory and more comprehensive.

SPD policy 309 states, "Proficiency training for personnel who have been issued ECW devices should occur every year and should include a review of this policy; a review of the UOF Policy; performing weak-hand draws or cross-draws to reduce the possibility of accidentally drawing and firing a firearm; target area considerations, to include techniques or options to reduce the accidental application of probes near the head, neck, chest, and groin; handcuffing a subject during the application of the ECW device and transitioning to other force options; de-escalation techniques; and restraint techniques that do not impair respiration following the application of the ECW device."

Recommendation 6.1

To reflect that the training is mandatory, the SPD should change the word "should" to "shall" as it pertains to when the training is administered.

The word "should" does not emphasize the importance and commitment to ensure that SPD personnel are trained. That is, the policy states that training "should" occur once a year, but this can be easily interpreted as meaning that it would be acceptable that training not occur on a yearly basis. The policy should make it clear that training "shall" occur, at minimum, annually.[38]

Recommendation 6.2

The following areas should be included in the "training" section of the Electronic Control Weapons (ECW) policy: scenario- and judgment-based training, drawbacks on the use of dry stuns, competency and weapon retention, risk of positional asphyxia, and justification of each cycle (five seconds), as well as command and supervisor training as it pertains to investigation of ECW use.

As outlined in the ECW guidelines developed by PERF and the COPS Office, agencies should use scenario- and judgment-based training that recognizes the limitations of ECW application and the need for personnel to be prepared to transition to other force options as needed.[39]

ECW recertification should occur at least annually and should consist of physical competency and weapon retention; agency policy, including any changes; technology changes; and reviews of local and national trends in ECW use. Recertification should also include scenario-based training.

38. Police Executive Research Forum, *2011 Electronic Control Weapon Guidelines* (Washington, DC: Office of Community Oriented Policing Services, 2011), http://ric-zai-inc.com/Publications/cops-p202-pub.pdf.
39. Ibid.

Personnel should be trained to use an ECW for one standard cycle (five seconds) and then evaluate the situation to determine whether subsequent cycles are necessary. In addition, training should emphasize the limitations of ECWs and on how many cycles are acceptable (e.g., three standard cycles) to use on a subject as well as the danger of multiple officers using ECW on a subject. Training protocols should emphasize the risk of positional asphyxia; thus, officers should be trained to use a restraint technique that does not impair the subject's respiration following an ECW application. Command staff, supervisors, and investigators should receive ECW awareness training appropriate to the investigations they conduct and review.

Finding 7

The SPD is not adhering to policy 309 as it pertains to conducting audits of data downloads or providing ECW information and statistics to the public.

SPD policy 309 states, "The Internal Affairs Sergeant or Lead ECW Instructor should also conduct audits of data downloads and reconcile ECW device report forms with recorded activations. ECW device information and statistics, with identifying information removed, should periodically be made available to the public." Based on assessment team interviews, the SPD is not conducting audits of ECW data downloads or releasing this information to the public. Furthermore, the SPD was unable to provide any information that would indicate that audits of ECWs are being completed or information is being released to the public.

Recommendation 7.1

The SPD should adhere to its own policy 309 by conducting ECW deployment audits.

The SPD should begin ECW audits as part of the agency's comprehensive UOF analysis and review of practices and trends.

Recommendation 7.2

The SPD should include specific language in policy 309 about how often ECW audits should take place.

SPD policy states that ECW audits should take place "periodically." This language is too vague and subject to interpretation. The SPD should assign a specific individual, potentially the ECW instructor, to conduct ECW audits on a monthly basis. This will ensure that officers are testing ECWs appropriately as well as providing information to reconcile with officers' UOF incidents.

Recommendation 7.3

The SPD should adhere to its own policy 309 and release ECW UOF information to the public.

SPD policy should add a section to this policy titled "Public Information and Community Relations." This section should describe what information will be released to the public for increased transparency.

Recommendation 7.4

The SPD should include specific language in policy 309 about how often ECW information will be released to the public.

SPD policy 309 states that officer-involved ECW use should "periodically be made available to the public." This language is too vague and needs to be specific regarding how often and where this information will be released. The SPD should release officer ECW UOF information on a quarterly basis.

Finding 8

Policy 309 does not describe how ECWs should be properly tested.

The policy does not include a description of the purpose, importance, and proper way of maintaining the ECW in its peak operating performance.

Recommendation 8.1

The SPD should include the importance, purpose, and requirements of proper ECW testing in policy 309.

Requiring this information and processes will ensure that all police ECWs have the best likelihood of functioning properly when used in the field. The policy should state that personnel who are absent from employment for extended leave or restricted duty are still responsible to complete the required spark test.

Finding 9

The SPD is not adhering to policy 309 and is failing to complete ECW onboard memory downloads.

The in-depth examination of 47 investigation reports revealed weaknesses in the SPD's UOF-related policies and revealed that the SPD is not adhering to all requirements in its current UOF policies. Specifically, 29 (62 percent) involved the use of an ECW. Of those 29 incidents, none of the ECWs' onboard memory data was downloaded as required by the SPD's policy 309 (Conducted Energy Device). Policy 309 states, "A supervisor should review each incident where a person has been exposed to an activation of the ECW device. The device's onboard memory should be downloaded through the data port by the Lead ECW instructor and saved with the related arrest/crime report." Although the 29 cases were reviewed, signed, and approved by the sergeant, commander, and deputy chief, in all of the cases, none of the supervisors in the chain of command pointed out this error for correction, thus violating the SPD's own policy.

Recommendation 9.1

The SPD should adhere to and enforce its own established policy pertaining to downloading an ECW's onboard memory.

The SPD's current practice contradicts its policy. The SPD's current practice does not allow a UOF incident involving the use of an ECW to be properly investigated by the immediate supervisor, nor to be properly evaluated by the commander and deputy chief. The ECW's onboard memory is the only mechanism to verify the period during which electrical impulses are emitted from the ECW following activation (i.e., cycles) during a UOF incident. Without this vital piece of information, supervisors, commanders, and the deputy chief are left with only what the officer has reported in his or her report to determine whether the amount of force was reasonable for the level of resistance. The lack of ECW information will not allow for a complete investigation into the UOF.

Therefore, the information contained within the onboard memory of the ECW is essential to properly complete a thorough investigation into the UOF incident and subsequent evaluation of the UOF. The ECW's onboard memory download should be enforced for all ECW UOF incidents and is considered to be a best practice.[40]

40. Ibid.

Finding 10

SPD officers are not consistently warning subjects of ECW use prior to deployment.

In the in-depth analysis of 29 incidents that used an ECW as part of the officers' UOF, 10 (34 percent) incidents did not include any type of warning to the subject prior to deployment of the ECW. These incidents also did not include an explanation as to why a warning was not possible or appropriate. Policy 309 states, "A verbal warning of the intended use of ECW device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. . . . The fact that a verbal or other warning was given or the reasons it was not given shall be documented by the officer deploying the ECW device in the related report."

Recommendation 10.1

The SPD should adhere to and enforce its own established policy pertaining to warning subjects prior to deploying an ECW.

A warning should be given to a subject prior to activating the ECW unless doing so would place any person at risk. Warnings may be in the form of verbalization, display, laser pointing, arcing, or a combination of these tactics. When feasible, an announcement should be made to other personnel on the scene that an ECW is going to be activated.[41] Details of the warning or if a warning is not feasible should be articulated in the officers' reports.

Finding 11

The SPD officers are not consistently capturing the amount of electrical charge (i.e., cycles) deployed on subjects.

In an analysis of the 29 randomly selected cases that used an ECW as part of the officers' UOF, only 12 (41 percent) of the incidents included a detailed explanation of how much and why a certain amount of electrical charge was administered to the subject.

Recommendation 11.1

SPD officers should report and the supervisor investigating the UOF should confirm how many five-second cycles of electrical charge were administered on subjects.

SPD officers are not consistently capturing the duration of electrical charge being administered on subjects during UOF incidents involving ECWs. Agencies should collect the following information about ECW use: "the number of ECW activations, the duration of each cycle, the duration between activations, and (as best as can be determined) the duration that the subject received applications."[42]

Finding 12

The SPD's UOF-related policies are separated into three separate and independent policies.

At present, the SPD has the following three UOF-related policies: (1) UOF, (2) control devices and techniques, and (3) conducted energy device.

41. Ibid.
42. Ibid.

Recommendation 12.1

The SPD should combine all three policies into one.

For easier reference and training purposes, the SPD should combine the three UOF-related policies into one policy. Agencies should not consider ECWs in isolation. Because ECWs and other force techniques and weapons have their own advantages and disadvantages, agencies should adopt a UOF policy that integrates ECWs with all other available force options to ensure that officers contemplate all possibilities when considering any UOF. The comprehensive UOF policy should recognize that ECWs—as "less lethal" and not "nonlethal" weapons—have the potential to result in a fatal outcome even when used in accordance with policy and training.[43]

Finding 13

The SPD does not conduct UOF analysis to identify trends and patterns.

Based on assessment team interviews, the SPD does not adequately collect UOF data; thus, it is not able to produce UOF analysis. UOF analysis does not seem to be a priority for the SPD to assist in understanding or foreseeing whether there are any potential UOF problems. Although the SPD's policy 309 states, "The Internal Affairs Sergeant should periodically analyze the report forms to identify trends, including deterrence and effectiveness," the SPD was unable to provide a UOF analysis that was produced at regular intervals and used by command or others in the SPD to assist in decision making or to identify or improve any UOF issues. Furthermore, the SPD does not have any type of mechanism or established practices of an early warning/intervention system.

Recommendation 13.1

The SPD should collect, track, and analyze use of force data to identify trends and patterns on a monthly, quarterly, and yearly basis.

A report containing UOF analysis should be produced and distributed at regularly established intervals to command staff and other SPD personnel. This report should contain analysis that will assist in identifying patterns or trends pertaining to the SPD's UOF. The analysis should be formulated so that it provides situational awareness but is also actionable and not merely statistical. Reviewing this data at a varying temporal unit of analysis will allow SPD to properly address issues both tactically and strategically.

Finding 14

The SPD does not have an officer early warning/intervention system.

An early warning/intervention system will provide a means to fill the current void of accountability and to potentially diminish potentially aberrant behavior on a routine basis. It will provide supervisors with important information that can be used to improve officer performance.

43. Ibid.

Recommendation 14.1

The SPD should purchase and use software that will provide a means to conduct analysis and that has an early warning/intervention system that provides UOF alerts.[44]

There are well-established companies that provide software used by many police agencies across the United States that assist them in analyzing UOF data and that provide a UOF alert system. Early warning/intervention systems help identify excesses in an individual officer's UOF, as well as in groups of officers or by precinct, shift, or specialized unit. Analysis of UOF as a percentage of arrests that exhibit a very low number may be a sign of effective policies, but it may also be a sign of underreporting.

Finding 15

The SPD does not have an adequate process to identify UOF training needs, policy needs, and compliance with policy and procedures.

Based on the team's interviews and examination of UOF incidents, the SPD does not have a formal process to identify an emerging pattern or trend of poor UOF tactics or to identify additional training needs. In addition, when a supervisor does make recommendations for improvement based on a UOF incident, this recommendation is not formally carried out.

The SPD currently employs a sergeant who investigates UOF incidents; then the commander and deputy chief review the UOF investigations to determine whether the UOF was appropriate for the amount of resistance, as well as the tactics that were used. An in-depth review of 47 randomly selected UOF cases that the assessment team studied showed that in three incidents, it was noted by a supervisor that a better tactic should have been used and that remedial training should be given to the officer. The SPD was unable to provide the team with any documentation that the officers were given the necessary training to improve and to be held accountable for not making similar force decisions in the future.

Recommendation 15.1

The SPD should establish a formal UOF review board composed of the lead UOF/firearms instructor, a commander, and the training sergeant/coordinator to review all UOF incident investigations.

The SPD should incorporate a UOF review board responsible for the overall review of the agency's UOF incidents to assist in identifying training needs, policy deficiencies, policy and procedure compliance, and lessons learned. Their perspective will be valuable as part of the agency's comprehensive approach in correcting the current deficit in properly identifying the agency's training and policy needs.

44. *Re-Engineering Training on Police Use of Force*, Critical Issues in Policing Series (Washington, DC: Police Executive Research Forum, 2011), http://www.policeforum.org/assets/reengineeringtraining.pdf; Samuel Walker, *Early Intervention Systems for Law Enforcement Agencies: A Planning and Management Guide* (Washington, DC: Office of Community Oriented Policing Services, 2003), http://ric-zai-inc.com/Publications/cops-w0085-pub.pdf.

Recommendation 15.2

The SPD should develop a formal process to ensure that personnel who need remedial UOF training receive it.

The SPD should follow through on its own staff's recommendations of corrective actions pertaining to UOF. Once a supervisor makes a recommendation, the recommendation should be tracked through Internal Affairs to ensure that the training sergeant facilitated the recommended remedial training. When the training is completed, a memorandum from the trainer who conducted the training should be included with the UOF documentation or investigation. The memorandum should include when and what type of remedial training was administered and whether the officer showed improvement and understanding of the training.

Finding 16

Officers are inconsistently using or capturing their attempts to de-escalate situations.

The in-depth analysis showed that only 13 of the 47 incidents (28 percent) acknowledge any clear attempts to de-escalate the situation prior to the UOF. The verbiage of de-escalation is not normally used, but more important, clear, precise, articulable actions taken to de-escalate the situation are not consistently captured in officers' reports or supervisors' investigations into UOF incidents.

Recommendation 16.1

In all UOF incidents, the SPD should review whether steps or actions were taken to de-escalate or why de-escalation was not appropriate or feasible as described in the report.

Sometimes the best tactic for dealing with a minor confrontation is to step back, call for assistance, de-escalate, and perhaps plan a different enforcement action that can be taken more safely later.[45] The SPD should mandate that officers include in their police reports what de-escalation tactics were used during a UOF encounter and, if none were possible, why not. This will provide a mechanism for accountability and transparency regarding UOF incidents. Thus, the training of officers in how to de-escalate situations by using verbal techniques and other techniques to control an incident becomes imperative and should be described in the officer's report.

Finding 17

The SPD uses "distraction stuns/blows" on subjects when it may not be necessary or officers are not accurately documenting their use of force as it pertains to "distraction stuns/blows."

The in-depth analysis of 27 physical force incidents revealed that three (8 percent) involved an officer striking a subject in the face more than one time with a closed fist. Prior to the officer's UOF, the subject was exhibiting "active defensive resistance" toward the officer. In the three incidents, the officers noted that they used "distraction stuns" or "distraction blows" several times to the subject's face in order to gain control.

45. President's Task Force on 21st Century Policing, *Final Report* (see note 2).

Recommendation 17.1

The SPD should limit the practice of officers' use of closed-hand strikes or fists to the subject's face.

The technique of delivering a closed-hand strike or fists—labeled by SPD as a "distraction stun" or "distraction blow"—to gain a subject's compliance can be appropriate based on the level of resistance of the subject. However, because a powerful punch or several punches to the face via a closed fist or hand can possibly cause the same injurious level as an impact weapon, it can result in the level of force not being objectively reasonable. In addition, the verbiage of "distraction blows" has the connotation of being a heavy strike that could reasonably be believed to cause serious physical injury. Because a powerful punch(es) to the face could fall into the level of an impact weapon based on the likelihood of serious physical injury, this level of force should meet the level of resistance of "active aggression."

Furthermore, the level of force used by a closed-hand strike can have varying degrees of injury depending upon the level of force of the projected application (e.g., a short closed-hand strike) and can be objectively reasonable based on the totality of the circumstances. It is preferred that a palm or open-hand strikes go to the torso or other body areas and only in these limited circumstances. Use of a palm or open-hand strike, if objectively reasonable, should be considered versus a closed hand or fist. The exception to this would be if the level of resistance is so substantial that the officer or others can be injured, even if not immediately, but over the time of the attempt to subdue the subject. The facial area could then be included as a target; however, the amount of force must be objectively reasonable.

Recommendation 17.2

The SPD should improve its documentation of officers' use of distraction techniques to the subject's face.

When hand strikes to the subject's face area are deemed necessary and appropriate, officers need to improve their articulation of this level of force. This would include, in detail, the subject's actions leading up to the use of force and why it was necessary to use a distraction technique to the subject's face, as well as the amount of force the officer used during these distraction techniques.

Recommendation 17.3

The SPD should re-emphasize the importance of the appropriate level of force based on level of resistance during UOF training.

UOF training should include situations and scenarios that include defensive resistance and various force application alternatives. This training should include the result of strikes on officer safety. The training should emphasize that the term "distraction blows" used in the investigation report can send an incorrect connotation of the level of force being applied. For example, "distraction stun" might be a term to be used instead. Training should emphasize the importance of the public's perception of the level of force used. At the same time, officer safety should never be compromised, nor should the officer be confused by this training, because defensive resistance can quickly change to aggressive resistance or deadly force.

Finding 18

The SPD does not follow its own policy and practice for the use of written statements or recording of suspects and witnesses of UOF incidents.

The in-depth analysis showed that none of the 47 cases included a suspect or witness statement, either written or audio-recorded. The SPD is not currently adhering to policy 300, subsection 300.7, which states, "When possible, separately obtain a recorded interview with the subject upon whom force was applied."

Recommendation 18.1

When possible, the SPD should include audio recordings of suspects, witnesses, and officers as part of the UOF investigation.

The SPD should include written or audio statements of subjects and witnesses as part of the sergeant's investigation into the officer's UOF. This practice, as with any investigation, will assist in properly reviewing the UOF and ensuring accountability of what took place during the UOF incident. If it was not possible to obtain a written or audio account of what happened, it should be noted in the sergeant's investigation why it was not possible.

Presently, the commander and deputy chief cannot properly evaluate the UOF investigation. Without written or recorded statements, commanders and the deputy chief are left with only what the supervisor chose to include in his or her written investigation to determine whether the amount of force was reasonable for the level of resistance. This lack of information does not allow for a complete evaluation of the UOF.

Finding 19

The supervisor investigating the UOF incident is not consistently gathering all the facts from officers.

In the 47 cases that the team examined, 19 (40 percent) of the supervisors' investigations into the officers' UOF gathered all pertinent information from all officers that were on the scene during the use of force.

Recommendation 19.1

SPD supervisors should interview all officers who were involved with or at the scene during a UOF incident or indicate why officers were not interviewed.

Finding 20

SPD supervisors are not identifying all possible witnesses of a UOF incident for inclusion into their investigation as required by policy.

The in-depth analysis showed that 18 of the 47 supervisor investigations (38 percent) did not include an attempt to interview all witnesses or did not acknowledge whether all possible witnesses were interviewed. The SPD is not currently adhering to policy 300, subsection 300.7, which states, "Identify any witnesses not already included in related reports."

Recommendation 20.1

The SPD should incorporate the use of written or recorded statements of a victim and witnesses as part of the investigation.

Finding 21

The SPD is not consistently photographing UOF subjects.

The analysis showed that in 39 (83 percent) of the 47 cases, supervisors did not take photographs of subjects involved in UOF incidents.

Recommendation 21.1

The SPD should take photographs of all individuals who were UOF subjects or indicate why photographs were not obtained.

As with all investigations, photographs will assist in the overall evaluation of the UOF and its appropriateness.

Finding 22

The SPD is not consistently photographing the scene where the UOF incident took place.

The in-depth analysis showed that only 22 (47 percent) of the 47 investigations included photographs of the scene.

Recommendation 22.1

The SPD should take photographs of all scenes where UOF was used or indicate why photographs were not obtained.

As with all investigations, photographs should be taken whenever possible to assist in the overall evaluation of the UOF and its appropriateness.

Finding 23

Supervisors' investigations into the officers' UOF are inconsistent.

An assessment of the overall quality of each of the 47 UOF investigations conducted by supervisors resulted in an average rating of slightly below "fair" on a scale with the following categories: very poor, poor, fair, good, excellent. In addition, only 19 (40 percent) of these investigations gathered all pertinent information from all officers who were on the scene during the UOF, and only 38 (81 percent) gathered all pertinent factors to determine reasonable force was used.

Recommendation 23.1

All SPD supervisors should receive training on how to thoroughly investigate officers' UOF on an annual basis.

The SPD should provide yearly in-service training to supervisors and commanders in the necessary details required in a UOF investigation, including all necessary information in the investigation and to determine whether the proper UOF was applied by the officer.

Recommendation 23.2

SPD supervisors should be consistent when gathering factors to determine whether reasonable force was applied, using a standardized reporting format and investigative process.

SPD supervisors need to be more consistent during UOF investigations and, in particular, when interviewing officers who were involved in the UOF. The supervisor's questioning needs to be more direct in order to gather all the information and facts needed for the investigation.

Recommendation 23.3

The SPD investigating supervisor should be more precise and direct when interviewing the officer about the UOF.

The in-depth analysis showed that in 19 percent of the UOF investigations, supervisors did not gather all the information required to determine whether the level of force used by the officer was appropriate. The supervisor's investigation into the UOF should be able to stand on its own, as with any other investigation. The SPD supervisors' questioning should be more detailed, and supervisors should articulate the need for the officers' actions during the UOF more precisely as well as describe what the officer was doing leading up to the use of force in detail.

Recommendation 23.4

The SPD investigating supervisor should interview all officers involved in or who witnessed the UOF incident.

The in-depth analysis showed that in 60 percent of the investigations, the supervisors did not interview all officers who were involved in or a witness to the UOF incident. Thus, gathering all the facts from all officers and others should be more consistent.

Recommendation 23.5

The SPD should develop a guide for supervisors to use in the investigation of a use of force.

The guide and its use should be incorporated into new supervisor training and evaluations. In addition, a refresher briefing should be provided annually.

Chapter 3. Officer-Involved Shootings

Overview

In 2014, the Salinas Police Department (SPD) experienced four officer-involved shootings (OIS) within its jurisdiction—a marked increase over its annual average of one OIS.[46] As part of this assessment, three of the four OISs were selected for an in-depth analysis to determine compliance with the department's policies and procedures, as well as application of standard investigatory practices. (One of the OIS incidents was investigated by the Monterey County District Attorney's Office and thus was not included in the assessment.) It was noted in two of the investigations that SPD officers had no prior knowledge of any of the subjects of the OISs suffering from mental illness or living with mental challenges; however, information gathered from family members and a previous landlord during investigation interviews revealed that two of the men may have had histories of mental illness or challenges.[47]

The review is based on the information that was provided by SPD at the time of request, including the SPD's case book, which contains hard copies of all original and follow-up police reports, crime scene logs, sketches of the crime scene, and digital photographs of the crime scene, as well as audio and video recordings of officers, witnesses, and the incident. The results showed that, overall, the involved patrol officers, supervisors, and department personnel demonstrated consistent application of the department's policies and procedures.

However, there were some important findings that the SPD should consider implementing. Of particular concern to the assessment team is that the OIS cases reviewed were not reviewed by the Internal Affairs unit for administrative investigation in a timely manner—a critical best practice for law enforcement agencies.[48] The OIS cases indicated some deficiencies and room for improvement—and the lack of timely Internal Affairs investigations limits the department's ability to learn from these experiences, build community trust, hold themselves accountable, and better serve the people of Salinas.[49]

Methodology

A qualitative analysis of three OIS investigations was conducted to examine the application of the department's use of force (UOF) policies along with the practices and procedures utilized by involved patrol officers and supervisors. Each incident was analyzed using a set of criteria and rating scales for evaluation, using a similar methodology that was used in the COPS Office Collaborative Reform Initiative assessment of the Philadelphia Police Department.[50] The criteria consisted of eight categories that examined multifaceted aspects of the process. The categories are listed below:

1. Incident chronology
    - Arrival of supervisors on scene
    - All radio communications

46. SPD OIS records for 2009–2013 provided by SPD to IIR for document review.
47. Case file provided to IIR for document review.
48. Thurnauer, *Internal Affairs: A Strategy for Smaller Departments* (see note 5).
49. National Internal Affairs Community of Practice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice* (Washington, DC: Office of Community Oriented Policing Services, n.d.), http://ric-zai-inc.com/Publications/cops-p164-pub.pdf.
50. Fachner and Carter, *An Assessment of Deadly Force in the Philadelphia Police Department* (see note 31).

- Arrival of discharging officers on scene
- Initial call for service
- Requests for additional resources
- Arrival of medical personnel
- Arrival of all officers on scene
- Arrival of District Attorney's Office
- Command notification

2. Crime scene investigation and incident reconstruction—photos
   - Photos were taken from appropriate perspectives
   - Photos' perspectives were appropriately labeled
   - Photos' significant items were appropriately labeled
3. Crime scene investigation and incident reconstruction—neighborhood canvass evaluation
   - Documented all addresses unsuccessfully contacted
   - Documented all addresses contacted
   - Documented in a way that made them replicable
   - Video/audio search
   - Public announcement for eyewitnesses to come forward
4. Crime scene investigation and incident reconstruction—crime scene management
   - Setting a perimeter
   - Assigning a log officer
   - Maintaining a crime scene log
   - Integrity of crime scene
5. Crime scene investigation and incident reconstruction—interviews of civilian witness(es)
   - Appropriate use of open- and closed-ended questions
   - Thorough and exhaustive questioning
   - Lack of bias or leading questioning
   - Appropriate follow-up questioning
   - Timeliness of the interview
6. Crime scene investigation and incident reconstruction—interviews of witness officer(s)
   - Appropriate use of open- and closed-ended questions
   - Thorough and exhaustive questioning
   - Lack of bias or leading questioning
   - Appropriate follow-up questioning
   - Timeliness of the interview

7. Crime scene investigation and incident reconstruction—interviews of discharging officer(s)
    - Appropriate use of open- and closed-ended questions
    - Thorough and exhaustive questioning
    - Lack of bias or leading questioning
    - Appropriate follow-up questioning
    - Timeliness of the interview
8. Crime scene investigation and incident reconstruction—incident analysis
    - Verbal commands
    - Departmental policies
    - Crime committed by suspect
    - Officer attire at time of OIS
    - Suspect's criminal history
    - Witness officer actions
    - Laws
    - Probable cause
    - Command and control
    - Equipment
    - Sympathetic/contagious fire
    - Assessment of backdrop
    - De-escalation
    - Proportionality of force
    - Reasonable suspicion
    - Communications with dispatch
    - Coordination amongst officers
    - Supervisor actions
    - Officer safety
    - Use of force continuum
    - Standard tactics
    - Suspect's mental health
    - Less lethal options
    - Availability of cover
    - Officer compliant history
    - Exhaustion of alternatives

- Departmental training
- Officer performance evaluation
- Officer disciplinary history

The rating scale for each category represented a summary of the degree to which each subcategory was applicable and documented in the investigation. The rating scale consisted of the following values: excellent, good, fair, poor, and very poor.

It must be stressed and emphasized that these OISs were not evaluated for the legality of the actions of the involved officers and supervisor but were evaluated for adherence to the department's policies, procedures, and best practices for conducting and documenting the investigation of the OIS incident. The legality of the actions of the involved officers and supervisors was determined by the Monterey County District Attorney' Office.

Policy 310. Officer-Involved Shootings and Deaths

This policy provided guidelines to SPD officers on investigation of an incident in which a person is injured or dies as the result of an officer-involved shooting or dies as a result of other action of an officer. The policy is 11 pages in length and was last changed in March of 2015.

The following is the outline of the policy. See appendix A on page 125 for the full policy.

- 310.1 Purpose and scope
- 310.2 Investigation responsibility
- 310.3 Types of investigations
- 310.4 Investigation process
  - 310.4.1 Duties of initial on-scene supervisor
  - 310.4.2 Watch commander duties
  - 310.4.3 Notifications
  - 310.4.4 Supervisor responsibilities
  - 310.4.5 Involved officers
- 310.5 Shooting incident criminal investigation
  - 310.5.1 Reports by involved SPD officers
  - 310.5.2 Criminal investigation
  - 310.5.3 Reports by involved officers
  - 310.5.4 Witness identification and interviews
  - 310.5.5 Miscellaneous line procedure
- 310.6 Administrative investigation
- 310.7 Audio and video recordings
- 310.8 Media relations

- 310.9 Debriefing
  - 310.9.1 Tactical debriefing
  - 310.9.2 Critical incident/stress debriefing
- 310.10 Civil liability response
- 310.11 Reporting

Synopsis and review of the 2014 officer-involved shooting incidents

Officer-involved shooting incident 1

OIS Case #14-031068 (Angel Francisco Ruiz)[51]

Address/Location: Wingstop Restaurant at 1488 Constitution Boulevard, Salinas, California

Case summary

SPD officers were dispatched to a report of an attempted robbery. The caller had informed dispatch that her son was an employee of Wingstop restaurant and that someone with a gun had attempted to rob him. The attempted robbery took place while the victim was sitting in his car in the parking lot of his workplace taking his break.

SPD officers arrived on the scene and positioned themselves on the east and west side of the Wingstop restaurant. The K-9 officer, with his police dog, also arrived and positioned himself on the west side of the location. While the officers established a perimeter around the area of the Wingstop restaurant, the 911 dispatcher made telephone contact with an employee of the restaurant. The employee advised the 911 dispatcher that the suspect who had committed the attempted robbery in the parking lot was not inside the restaurant. As the suspect exited the Wingstop restaurant, officers on scene verbally challenged and ordered the suspect to stop where he was standing and to show them his hands. The suspect refused to comply with the officers' multiple verbal instructions. Instead, the suspect backed into the doorway of the restaurant. At that moment, the K-9 officer released his police dog, who engaged the suspect by biting a black bag that was in the suspect's left hand. The suspect reacted by pushing the police K-9 dog away from him. At this point, the suspect pulled out what the police officers believed to be a black semiautomatic handgun from the right side of his waistband. What the police officers thought was a semiautomatic handgun was, in fact, a replicated version airsoft gun (i.e., a pellet or BB gun).

The officers positioned east of the restaurant ordered the suspect to drop the gun. When he did not, the police officers shot the suspect. Another officer positioned to the west of the restaurant also fired his shotgun, loaded with slug ammunitions, which struck the suspect. The suspect died at the scene from his injuries. The crime scene was immediately secured by the officers at the scene.

51. Case file provided by SPD to IIR for document review.

Review of OIS incident 1

Table 6. OIS incident 1—incident chronology

Event	Documentation
Arrival of supervisors on scene	X
All radio communications	X
Arrival of discharging officers on scene	X
Initial call for service	X
Requests for additional resources	X
Arrival of medical personnel	X
Arrival of all officers on scene	X
Arrival of District Attorney's Office	
Command notification	X

Synopsis: Review of this case file and computer-aided dispatch (CAD) records showed good documentation of the above-listed categories, with the exception of the notification of the District Attorney's Office.

Table 7. OIS incident 1—crime scene investigation and incident reconstruction—photos

Event	Documentation
Photos were taken from appropriate perspectives	X
Photos' perspectives were appropriately labeled	X
Photos' significant items were appropriately labeled	X

Overall quality on a scale from 1 (very poor) to 5 (excellent): 4 (good)

Synopsis: Case file contained all related photographs taken at the scene and photographs taken of the police officers in uniform involved in the incident along with photographs of their department-issued firearms, ammunition, and other evidentiary items. All collected items were properly labeled and submitted as evidence.

Table 8. OIS incident 1—crime scene investigation and incident reconstruction—neighborhood canvass evaluation

Event	Documentation
Documented all addresses unsuccessfully contacted	X
Documented all addresses contacted	X
Documented in a way that made them replicable	X
Video/audio search	X
Public announcement for eyewitnesses to come forward	

Overall quality on a scale from 1 (very poor) to 5 (excellent): 4 (good)

Synopsis: Case file review showed good documentation of witness statements, contacts, video and audio recordings of witness interviews along with evidentiary videos from businesses in the vicinity.

Table 9. OIS incident 1—crime scene investigation and incident reconstruction—crime scene management

Event	Documentation
Setting a perimeter	X
Assigning a log officer	X
Maintaining a crime scene log	X
Integrity of crime scene	X

Overall quality on a scale from 1 (very poor) to 5 (excellent): 4 (good)

Synopsis: This hard-copy case file showed good documentation of the above-listed categories, including a copy of the crime scene log. The crime scene log was properly maintained by assigned officers.

Table 10. OIS incident 1—crime scene investigation and incident reconstruction—interviews of civilian witness(es)

Event	Never	Rarely	Sometimes	Mostly	Always
Appropriate use of open- and closed-ended questions					X
Thorough and exhaustive questioning					X
Lack of bias or leading questioning					X
Appropriate follow-up questioning					X
Timeliness of the interview					X

Overall quality on a scale from 1 (very poor) to 5 (excellent): 4 (good)

Synopsis: Case file presented good documentation of the above-listed categories. Interviews of witnesses were conducted expeditiously and in a professional manner, with questions focused on the incident and open-ended. Documentation of witness statements by interviewing officers was well-written.

Table 11. OIS incident 1—crime scene investigation and incident reconstruction—interviews of witness officer(s)

Event	Never	Rarely	Sometimes	Mostly	Always
Appropriate use of open- and closed-ended questions					X
Thorough and exhaustive questioning					X
Lack of bias or leading questioning					X
Appropriate follow-up questioning					X
Timeliness of the interview					X

Overall quality on a scale from 1 (very poor) to 5 (excellent): 5 (excellent)

Synopsis: Case file review revealed excellent documentation of video/audio interview of the K-9 officer who deployed his K-9 police dog during the incident. The interview was conducted professionally, and questions were appropriate focused on the incident and were open-ended. Duration of the interview was approximately for one hour.

Table 12. OIS incident 1—crime scene investigation and incident reconstruction—interviews of discharging officer(s)

Event	Never	Rarely	Sometimes	Mostly	Always
Appropriate use of open- and closed-ended questions					X
Thorough and exhaustive questioning					X
Lack of bias or leading questioning					X
Appropriate follow-up questioning					X
Timeliness of the interview					X

Overall quality on a scale from 1 (very poor) to 5 (excellent): 5 (excellent)

Synopsis: Case file review indicated excellent documentation of video/audio interviews of each individual officer who was involved in the incident. Questions were appropriate and focused on the incident and open-ended. Interviews of officers were conducted in the presence of the officer's legal counsel. Duration of the interviews was approximately one hour.

Table 13. OIS incident 1—crime scene investigation and incident reconstruction—incident analysis

Event	Documentation
Verbal commands	X
Departmental policies	
Crime committed by suspect	X
Officer attire at time of OIS	X
Suspect's criminal history	X
Witness officer actions	X
Laws	
Probable cause	X
Command and control	X
Equipment	X
Sympathetic/contagious fire	
Assessment of backdrop	X
De-escalation	X
Proportionality of force	X
Reasonable suspicion	X
Communications with dispatch	X
Coordination amongst officers	X
Supervisor actions	X
Officer safety	X
Use of force continuum	X
Standard tactics	X
Suspect's mental health	
Less lethal options	X
Availability of cover	X

Event	Documentation
Officer compliant history	
Exhaustion of alternatives	X
Departmental training	
Officer performance evaluation	
Officer disciplinary history	

Synopsis: Case file review of these categories showed good documentation of practices by responding officers, supervisors, and the officers involved in the shooting.

Overall quality on a scale from 1 (very poor) to 5 (excellent): 4 (good)

Officer-involved shooting incident 2

OIS Case #14-051008 (Carlos Mejia Gomez)

Address/Location: 707 Elkington Avenue, Salinas, California[52]

Case summary

Two SPD officers were dispatched to a possible burglary in progress in which the suspect was trying to break into the residence occupied by a woman and threatened to kill her dog. The two SPD police officers arrived at the scene and verbally engaged with the suspect. The suspect refused to cooperate or follow the police officers' verbal instructions. The police officers noted that they could see the suspect holding a backpack with two handles sticking out of the backpack. The officers recognized the handles to be very large hedge clippers. The officers noted that they were aware that hedge clippers are normally very sharp and can be used as a lethal weapon.

The officers had their police-issued firearms drawn and pointed toward the suspect while at the same time continued to verbally instruct the suspect to show his hands to the police officers. These instructions were given in Spanish and English to the suspect. The suspect again refused to comply with the officers' instructions, and the suspect started to walk away along a main avenue in the community. The officers followed the suspect, and one of the officers attempted to use his ECW; however, his ECW malfunctioned. A second officer then transitioned from his firearm to his ECW (i.e., placed his firearm back into his holster and unholstered his ECW) and was able to ECW the suspect; however, the ECW had no effect on the suspect. During this process, the suspect started to walk backwards and subsequently fell to the ground. He immediately recovered and got back on his feet.

The suspect then removed the hedge clippers from his backpack and proceeded to threaten both officers by lunging at them with the hedge clippers. The officers instructed the suspect to drop the hedge clippers, but the suspect refused to do so. Meanwhile, the suspect continued to walk towards a busy and crowded commercial area of the community. The officers continued to follow the suspect and gave him verbal instruction, both in Spanish and English, ordering him to drop the hedge clippers. The officers stated that they were concerned about their safety and the safety of the citizens in the community; therefore, they decided that they had to flank the suspect to stop him from walking into an area where citizens were present. At this time, the suspect, with the hedge clippers in hand, lunged at one of the officers. At that point, two officers shot the suspect. The crime scene was immediately secured by officers at the scene. The suspect died of his injuries.

52. Case file provided by SPD to IIR for document review.

Review of OIS incident 2

Table 14. OIS incident 2—incident chronology

Event	Documentation
Arrival of supervisors on scene	X
All radio communications	X
Arrival of discharging officers on scene	X
Initial call for service	X
Requests for additional resources	X
Arrival of medical personnel	X
Arrival of all officers on scene	X
Arrival of District Attorney's Office	Not in file
Command notification	X

Synopsis: Review of this case file and CAD records indicated the above categories were well documented, with the exception of notification to the District Attorney's Office.

Table 15. OIS incident 2—crime scene investigation and incident reconstruction—photos

Event	Documentation
Photos were taken from appropriate perspectives	X
Photos' perspectives were appropriately labeled	X
Photos' significant items were appropriately labeled	X

Overall quality on a scale from 1 (very poor) to 5 (excellent): 4 (good)

Synopsis: Case file review showed good documentation of all photographs taken at the crime scene and photographs taken of the police officers involved in the shooting incident, along with other evidentiary items, such as firearms, serial numbers, ammunition, and dress attire of the officers involved in the incident. All collected items were properly labeled and submitted as evidence.

Table 16. OIS incident 2—crime scene investigation and incident reconstruction—neighborhood canvass evaluation

Event	Documentation
Documented all addresses unsuccessfully contacted	X
Documented all addresses contacted	X
Documented in a way that made them replicable	X
Video/audio search	X
Public announcement for eyewitnesses to come forward	

Overall quality on a scale from 1 (very poor) to 5 (excellent): 4 (good)

Synopsis: Case file review showed these categories were well documented by officers assigned to locate and interview all possible witnesses. In addition, the officers collected all possible evidentiary videos from within the vicinity of the incident, including both residence and commercial structures.

Table 17. OIS incident 2—crime scene investigation and incident reconstruction—crime scene management

Event	Documentation
Setting a perimeter	X
Assigning a log officer	X – CSO assigned
Maintaining a crime scene log	X
Integrity of crime scene	X

Overall quality on a scale from 1 (very poor) to 5 (excellent): 3 (fair)

Synopsis: Case file review from reports written by officers assigned to this incident showed documented evidence for each of these above-listed categories. The category of "Maintaining a crime scene log" was classified as Incomplete by the detective assigned to this case. The detective documented this finding in Supplement 46 of report 14-051008. The detective compared the CAD information to the actual crime scene log. The detective amended the crime scene log and documented corrections.

Table 18. OIS incident 2—crime scene investigation and incident reconstruction—interviews of civilian witness(es)

Event	Never	Rarely	Sometimes	Mostly	Always
Appropriate use of open- and closed-ended questions					X
Thorough and exhaustive questioning					X
Lack of bias or leading questioning					X
Appropriate follow-up questioning					X
Timeliness of the interview					X

Overall quality on a scale from 1 (very poor) to 5 (excellent): 4 (good)

Synopsis: Case file showed well documented interviews of the witnesses with written reports and video and audio recordings. Questions were appropriate, unbiased, and open-ended. All other categories were found to be satisfactory.

Table 19. OIS incident 2—crime scene investigation and incident reconstruction—interviews with witness officer(s)

N/A—no witness officer on scene.

Table 20. OIS incident 2—crime scene investigation and incident reconstruction—interviews of discharging officer(s)

Event	Never	Rarely	Sometimes	Mostly	Always
Appropriate use of open- and closed-ended questions					X
Thorough and exhaustive questioning					X
Lack of bias or leading questioning					X
Appropriate follow-up questioning					X
Timeliness of the interview					X

Overall quality on a scale from 1 (very poor) to 5 (excellent): 5 (excellent)

Synopsis: Review of the case file and video recordings of the voluntary statements given by the officers involved in the shooting were professionally conducted. The audio/video recording was conducted in the presence of the officer's legal counsel. Questions were appropriate for this type of incident and focused on events leading to, during, and after the incident.

Table 21. OIS incident 2—crime scene investigation and incident reconstruction—incident analysis

Event	Documentation
Verbal commands	X
Departmental policies	X
Crime committed by suspect	X
Officer attire at time of OIS	X
Suspect's criminal history	X
Witness officer actions	X
Laws	
Probable cause	X
Command and control	X
Equipment*	X
Sympathetic/contagious fire	
Assessment of backdrop	X
De-escalation	X
Proportionality of force	X
Reasonable suspicion	X
Communications with dispatch	X
Coordination amongst officers	X
Supervisor actions	X
Officer safety	X
Use of force continuum	X
Standard tactics	X
Suspect's mental health	
Less lethal options	X
Availability of cover	

Event	Documentation
Officer compliant history	
Exhaustion of alternatives	X
Departmental training	
Officer performance evaluation	
Officer disciplinary history	

*In the category of **Equipment**, the first ECW deployed at the suspect malfunctioned and did not discharge properly, therefore having no effect on the suspect. The ECW that failed to operate properly (TASERX26 Serial Number X00-583070) is documented in a supplemental report. The officer examined the failed ECW and indicated that the ECW was sent to TASER International, Inc., for a complete forensic examination to determine the cause of the ECW's malfunction. The results of the forensic examination showed that the ECW did not work properly due to "low voltage." That is, the battery of the ECW itself was weak, causing the ECW to not work properly. The discussion about the failed ECW was noted in the police officers' interview and transcribed in a supplemental report.

Synopsis: Case file review of these categories showed good documentation by responding officers, supervisors, and the officers involved in the shooting.

Overall quality on a scale from 1 (very poor) to 5 (excellent): 4 (good)

Officer-involved shooting incident 3

OIS Case #14-050447 (Osmar Hernandez)

Address/Location: 950 East Alisal Street, Salinas, California[53]

Case summary

SPD officers were dispatched to a shopping center in the area of 950 East Alisal Street in reference to a man wielding a knife toward several different people. SPD officers arrived at the shopping center and observed a large crowd in the parking lot. The police officers saw some of the crowd pointing at the suspect, who was now walking away in the parking lot. Officers confronted the suspect and instructed him to stop walking and to remove his hands from his pockets. The police officers gave these instructions both in Spanish and English. The suspect did not comply with the officers' instructions and just stared at the officers.

Although the police officers gave several additional commands for the suspect to remove his hands from his pockets, the suspect continued to walk away. One of the police officers removed his ECW from his holster and pointed it at the suspect. At the same time, the supervisor (sergeant) on scene provided lethal cover with his assigned rifle (AR-15). The police officer deployed his ECW at the suspect; however, only one of the two darts made contact with the suspect (for the ECW to be effective both darts must make contact). Once the police officer realized that the ECW was ineffective, he immediately replaced the used ECW cartridge with a new one and redeployed his ECW. The two darts from the ECW made contact with the suspect, which resulted in the suspect falling to the ground. The suspect remained on the ground lying on his back with his hands behind his head. While lying on his back, the suspect continued not to respond to the officer's instructions for him to roll over onto his stomach.

At this time, additional police officers arrived at the scene, including a K-9 officer and his police dog. The K-9 officer and his police dog were positioned behind the two officers and sergeant who were facing the suspect. The suspect continued not to follow the officer's commands to roll over onto his stomach. The K-9 officer asked the sergeant for permission to release his police dog, at which time the sergeant indicated, with a hand ges-

53. Case file provided by SPD to IIR for document review.

ture, not to deploy the police dog. The suspect started to sit up and reach for his waistband. The officer recycled the ECW, which made the suspect clench again and lie back down on the ground. The effect of the ECW lasted only for approximately one second (not a full cycle of electrical charge) before the ECW stopped being effective. (Note: The case file did not provide any information as to why the ECW stopped being effective.)

The suspect continued to lie on his back and a few seconds later looked over at the K-9 officer, blowing him a kiss, and said "please forgive me" in Spanish. The suspect then reached under his sweatshirt, which revealed to the officers a large handle of a knife sticking out of his waistband. The police officers gave commands to the suspect not to move. However, the suspect grabbed the handle of the knife and started to move as if he was attempting to stand up. The officers stated that this movement caused two of the three officers facing the suspect to shoot the suspect. The suspect died of his injuries at the scene. The crime scene was immediately secured by officers at the scene.

Review of OIS incident 3

Table 22. OIS incident 3—incident chronology

Event	Documentation
Arrival of supervisors on scene	X
All radio communications	X
Arrival of discharging officers on scene	X
Initial call for service	X
Requests for additional resources	X
Arrival of medical personnel	X
Arrival of all officers on scene	X
Arrival of District Attorney's Office	
Command notification	X

Synopsis: Review of this case file and CAD records showed good documentation of the above-listed categories, with the exception of notification of District Attorney's Office.

Table 23. OIS incident 3—crime scene investigation and incident reconstruction—photos

Event	Documentation
Photos were taken from appropriate perspectives	X
Photos' perspectives were appropriately labeled	X
Photos' significant items were appropriately labeled	X

Overall quality on a scale from 1 (very poor) to 5 (excellent): 4 (good)

Synopsis: The case file contained good documentation of the crime scene photographs and photographs taken of officers in uniform involved in the shooting incident, along with photographs of their department-issued firearms, ammunition, and other evidentiary items. All collected items were properly labeled and submitted as evidence.

Table 24. OIS incident 3—crime scene investigation and incident reconstruction—neighborhood canvass evaluation

Event	Documentation
Documented all addresses unsuccessfully contacted	X
Documented all addresses contacted	X
Documented in a way that made them replicable	X
Video/audio search	X
Public announcement for eyewitnesses to come forward	

Overall quality on a scale from 1 (very poor) to 5 (excellent): 4 (good)

Synopsis: Case file review showed good documentation of witness statements, contacts, and video and audio recordings of witness interviews, along with evidentiary videos from surrounding businesses.

Table 25. OIS incident 3—crime scene investigation and incident reconstruction—crime scene management

Event	Documentation
Setting a perimeter	X
Assigning a log officer	X
Maintaining a crime scene log*	X
Integrity of crime scene	X

*The category of "Maintaining a crime scene log," as noted by SPD investigators in Report 14-050447, page 1, supplement 46, was missing several pages and was not filled out correctly. Also, multiple people who signed the crime scene log did not state their purpose for being at the crime scene. SPD investigators retrieved the crime scene log from evidence and documented their corrections to the crime scene log.

Overall quality on a scale from 1 (very poor) to 5 (excellent): 4 (good)

Synopsis: Case file review showed good documentation of the above-listed categories: securing and establishing a perimeter, initiating a crime scene log, and protecting the integrity of the crime scene.

Table 26. OIS incident 3—crime scene investigation and incident reconstruction—interviews of civilian witness(es)

Event	Never	Rarely	Sometimes	Mostly	Always
Appropriate use of open- and closed-ended questions					X
Thorough and exhaustive questioning					X
Lack of bias or leading questioning					X
Appropriate follow-up questioning					X
Timeliness of the interview					X

Overall quality on a scale from 1 (very poor) to 5 (excellent): 4 (good)

Synopsis: Review of case file reports along with witnesses' video interviews showed good documentation of list categories. Interviews of witnesses were conducted professionally, focused on the reported incident, and utilized open-ended questions.

Table 27. OIS incident 3—crime scene investigation and incident reconstruction—interviews of witness officer(s)

Event	Never	Rarely	Sometimes	Mostly	Always
Appropriate use of open- and closed-ended questions					X
Thorough and exhaustive questioning					X
Lack of bias or leading questioning					X
Appropriate follow-up questioning					X
Timeliness of the interview					X

Overall quality on a scale from 1 (very poor) to 5 (excellent): 4 (good)

Synopsis: Review of case file reports and videos of interviews were conducted professionally and focused on the details of the reported incident. Questions were unbiased, open-ended, and followed up with appropriate follow-up questions. Duration of the interviews was approximately one hour.

Table 28. OIS incident 3—crime scene investigation and incident reconstruction—interviews of discharging officer(s)

Event	Never	Rarely	Sometimes	Mostly	Always
Appropriate use of open- and closed-ended questions					X
Thorough and exhaustive questioning					X
Lack of bias or leading questioning					X
Appropriate follow-up questioning					X
Timeliness of the interview					X

Overall quality on a scale from 1 (very poor) to 5 (excellent): 4 (good)

Synopsis: Review of case file reports and video recording of voluntary statements given by the officers involved in the shooting was professionally conducted. The audio/video recording was conducted in the presence of the officer's legal counsel. The questions were appropriate for this type of incident and focused on events leading to, during, and after the incident. The questions were appropriately open-ended. Duration of interviews was approximately one hour.

Table 29. OIS incident 3—crime scene investigation and incident reconstruction—incident analysis

Event	Documentation
Verbal commands	X
Departmental policies	X
Crime committed by suspect	X
Officer attire at time of OIS	X
Suspect's criminal history	X
Witness officer actions	X
Laws	
Probable cause	X
Command and control	X

Event	Documentation
Equipment	X
Sympathetic/contagious fire	
Assessment of backdrop	X
De-escalation	X
Proportionality of force	X
Reasonable suspicion	
Communications with dispatch	X
Coordination amongst officers	X
Supervisor actions	X
Officer safety	X
Use of force continuum	
Standard tactics	X
Suspect's mental health	
Less lethal options	X
Availability of cover	
Officer compliant history	
Exhaustion of alternatives	X
Departmental training	
Officer performance evaluation	
Officer disciplinary history	

Overall quality on a scale from 1 (very poor) to 5 (excellent): 4 (good)

Findings and recommendations

Finding 24

The SPD does not have a practice or policy to require all OISs and in-custody deaths to be investigated by an outside agency.

The SPD does not have an agreement with an outside agency to conduct all OIS and in-custody death investigations. Unlike the SPD, the surrounding agencies allow the Monterey County District Attorney's Office to conduct all OIS and in-custody death investigations. A segment of Salinas's community members have lost trust in the agency and do not have confidence that the SPD will or can conduct an impartial investigation into its own actions. For the sake of transparency, the SPD should exercise the option of allowing all OIS and in-custody deaths to be investigated by an outside agency.

Recommendation 24.1

The SPD should adopt the practice of retaining an outside independent agency to investigate all OISs and in-custody deaths.

The President's Task Force on 21st Century Policing report encourages policies that mandate the use of external and independent investigative authority in cases of police UOF resulting in death, OIS resulting in injury or death, or in-custody deaths.

Strong systems and policies that encourage use of an independent investigative authority for reviewing police UOF and for prosecution in cases of inappropriate deadly force and in-custody death can demonstrate transparency to the public that can lead to mutual trust between the community and law enforcement.[54]

Finding 25

The SPD is currently testing ECWs incorrectly.

In interviews, the SPD was unable to provide any documentation that indicated how an ECW should be tested to maintain its peak operating performance. A review of recently requested ECW downloads indicated that officers are conducting a daily "one-second" test. A review of three OISs showed that in two of them, the ECW was not effective because of "low-voltage or depleted battery." This would not allow the ECW to work properly and in effect would not allow officers to deploy less lethal force effectively.

In the assessment team's review of three of the four fatal officer-involved shootings during 2014, two of the incidents involved officers deploying ECWs that were not effective, one because of "a low-voltage battery" and the other for an unknown reason.

Recommendation 25.1

The SPD should change the current testing of ECWs to more closely align with TASER International recommendations.

There have been many situations across the United States during ECW deployments when the ECW did not function properly because of weak or failing batteries. That is, officers deploying ECWs who found that they were not functioning properly had to resort to other means of force. In two of the OISs that the assessment team reviewed, experienced officers' ECWs failed to operate properly because of battery or low-voltage problems. Thus, to better ensure that the officer's use of an ECW is viable, the SPD should consider modifying its testing procedures to be more in line with TASER International recommendations.

TASER International provides the following recommendations:

> TASER International provides recommended best practices as they relate to the operation of our Conducted Electrical Weapons (CEWs). One such recommendation deals with the spark tests of our CEWs.
>
> Spark tests are recommended prior to the start of the operator's shift in an effort to ensure that the CEW is working correctly.

54. President's Task Force on 21st Century Policing, *Final Report* (see note 2).

> Our previous recommendation was that these spark tests could last as little as one spark (1/19th of a second). As long as the operator saw a visible spark between the electrodes, it was not necessary to extend the spark test duration.
>
> However this short spark test has not proven to be the most effective method for verifying the functionality of the X26P, X2, and X26 CEWs.
>
> The X26P and X2 are designed to perform internal diagnostics upon the activation of the high voltage circuitry (e.g., by activating the trigger or ARC switch). These diagnostics can take 2–3 seconds to collect sufficient performance data and display crucial information to the operator such as major or critical errors via the Central Information Display (CID).
>
> Additionally, if the X26P, X2 or X26 has a weak or failing battery, the pulse rate may be adequate for the first few seconds, but then deteriorate during a full 5-second spark test.
>
> These facts, combined with concerns over prematurely shutting down the CEW in the field after performing repeated short spark tests, have resulted in TASER International changing its recommendation regarding spark tests for all CEWs.
>
> We now recommend that spark tests be conducted for a standard cycle of 5 seconds prior to the start of the operator's shift. This 5-second duration will not only allow the X26P and X2 to run crucial diagnostics, but also notify the user of errors via the CID of the Smart Weapons.
>
> This new guidance will also help the operator detect any unusual spark rates with the CEWs and minimize potential muscle memory concerns with deactivating the CEW too quickly during a field deployment.[55]

ECW training should incorporate this new rule, and these changes should be reflected in policy 309.

Finding 26

The SPD is limited in its ability to use less lethal weapons.

In two of the police officer-involved shootings during 2014, less lethal shotguns were not deployed during the incident. The SPD uses two 40-mm direct impact launchers (6 shots each), which are assigned to the special weapons and tactics (SWAT) team, and the team members deploy the launchers in their patrol cars when working patrol. SPD policy 308 states, "This department is committed to reducing the potential for violent confrontations. Kinetic energy projectiles, when used properly, are less likely to result in death or serious physical injury and can be used in an attempt to de-escalate a potentially deadly situation."

55. "Recommended Spark Test Duration: Bulletin 19.0-14," TASER International, last modified April 7, 2015, https://www.taser.com/training/bulletins/19.0-14.

Recommendation 26.1

The SPD should train and outfit all first-line supervisors (sergeants) with less lethal shotguns.

The SPD should invest in equipment that will assist it to adhere to policy 308 by allowing all supervisors to be trained and issued a less lethal shotgun in order to use such a tool when it would be both appropriate and possible.

Finding 27

The administrative investigations (i.e., internal affairs investigations) of the OISs were not completed in a timely manner.

Table 30. Timetable for the four internal affairs investigations that were related to the four OIS incidents occurring in 2014

Name	Date of incident	DA memo to chief	IA completed	Chief's signature	Completion time DA to chief's signature
Ruiz	3/20/2014	5/7/2015	11/4/2015	11/13/2015	6 months
Hernandez	5/9/2014	7/10/2015	11/12/2015	12/4/2015	5 months
Gomez	5/20/2014	9/3/2015	11/13/2015	12/4/2015	3 months
Alvarado*	7/10/2014	6/19/2015	1/27/2016	2/27/2016	8 months

*Investigated by District Attorney's Office and was not reviewed by IIR in previous OIS sections.

The columns in table 30 show (1) the name of the individual involved in the OIS; (2) the date that the incident occurred; (3) when the Monterey County District Attorney's Office (DA) sent a memorandum to the SPD chief, denoting the completion of its investigation as well as findings; (4) the date that the internal affairs investigation (IA) was completed; (5) the date that the SPD chief approved and signed off on the internal affairs investigation; and (6) the number of months from the date of the district attorney's memorandum to the date of the chief's signature.

The four OIS investigations completed by the SPD for Hernandez, Ruiz, Alvarado, and Gomez were not completed in a timely manner, as completing these investigations from a range of three to eight months is not within the industry standards and best practices.[56] The internal affairs investigator did not reinterview anyone during his administrative investigations, which is reasonable and within acceptable practice. Instead, he relied on information retained by the original investigation conducted by the SPD's Investigations division, which focuses on the criminal investigation. This fact further emphasizes the lack of timeliness on the completion of the internal affairs investigation because the internal affairs investigator did not need to collect new information for his investigation.

Based on our review of SPD's documentation and interviews with SPD personnel, the four internal affairs investigations were not being actively worked on (i.e., gathering all pertinent information for a final review and report) until we inquired about the whereabouts of the completed internal affairs investigations. Although it was clear that the Internal Affairs supervisor was involved in the onset of the OIS investigations

56. National Internal Affairs Community of Practice, *Standards and Guidelines* (see note 49).

that were completed by the SPD's Investigations division, there was no documentation formally assigning the OISs to Internal Affairs for an administrative review.

Recommendation 27.1

The SPD should establish a 30-day timetable[57] for all administrative reviews (i.e., internal affairs investigations) that are completed after an OIS incident has been reviewed and adjudicated by the Monterey County District Attorney's Office.

The process of an internal affairs investigation of an OIS incident is extremely important to determine whether any departmental policies are violated and to evaluate departmental practices during the incident. This standard best practice is critical to ensuring officers are following all departmental policies and procedures and holding them accountable. A timely and thorough investigation is critical for accountability and is an important learning experience for the agency to aid it in building community trust and to better serve the community.[58]

Recommendation 27.2

The SPD should create a formal process for OIS incidents to be assigned for an administrative review (i.e., internal affairs investigation).

The SPD should institute a simple process to ensure that internal affairs are being assigned and followed up properly. To ensure proper assignment, a formal memorandum from the police chief to the Internal Affairs section should be promulgated, requesting that a formal internal investigation should be implemented. In addition, for ongoing accountability, a status of the investigation should be given to the police chief in writing every seven days.

Finding 28

The SPD is not adhering to policy 310 as it pertains to completed administrative investigations related to UOF incidents being reviewed by the UOF review board.

A review of SPD's policy 310.6 (C) 6 states the following, "Regardless of whether the use of force is an issue in the case, the completed administrative investigation shall be submitted to the use of force review board, which will restrict its findings as to whether there was compliance with the use of force." This process did not occur as it relates to these four OISs. The SPD does not currently have an established UOF review board.

Recommendation 28.1

The SPD should adhere to its own policy 310.6 (C) 6 and have completed UOF-related administrative investigations reviewed by a UOF review board.

Refer to recommendation 15.1 on page 44 as it pertains to our recommendation for the SPD to establish a UOF review board responsible for the overall review of the agency's UOF.

57. Thurnauer, *Internal Affairs: A Strategy for Smaller Departments* (see note 5).
58. National Internal Affairs Community of Practice, *Standards and Guidelines* (see note 49).

Finding 29

OIS crime scene logs are not being completed properly.

In two of the three OIS incidents, the crime scene logs were classified as incomplete by the detective assigned to the case.

Recommendation 29.1

The SPD should provide training on the responsibility of persons maintaining the crime scene log.

The crime scene log should "document the entry/exit of all people entering and leaving the scene, once boundaries have been established."[59] Supervisory staff should conduct a review of crime scene protocol during roll call or, for a more comprehensive review of best practices in crime scene investigation, incorporate the training during in-service training.

59. Technical Working Group on Crime Scene Investigation, *Crime Scene Investigation: A Guide for Law Enforcement* (Washington, DC: National Institute of Justice, 2000), https://www.ncjrs.gov/pdffiles1/nij/178280.pdf.

Chapter 4. Community Collaboration

Overview

Between March and July of 2014, Salinas experienced the deaths of four Hispanic men in separate officer-involved shootings (OIS). While these four separate shooting incidents were investigated and all officers were deemed justified in their use of force, the results did not reassure the Hispanic community of Salinas. These OISs, as well as a June 5, 2015 use of force (UOF) incident that was recorded on the cell phone of a member of the public and broadcast on social and mainstream media, widened the gap between the police and the community in Salinas, particularly in East Salinas.[60] Since May 2014, residents have conducted numerous protests against police, some of which turned violent, claiming police brutality and bias.[61]

In this chapter, the assessment team examines the issues underlying community trust and engagement, particularly with the many in the Hispanic community, at all levels of the department. The team provides an overview of the processes used to obtain a clear picture of the Salinas Police Department's (SPD) organizational approach and its efforts to enhance community collaboration as well as the processes used to obtain the community's perceptions of the SPD.

To properly evaluate the SPD's community collaboration, the assessment team used a variety of methods to connect with community members both in groups and individually.

The team presents a qualitative data collection and analysis that resulted from two community listening sessions and from interviews with members of six community groups, SPD officers, and individual community members. These efforts were designed to solicit opinions from the SPD and the community about the quality and effectiveness of the police services provided by the SPD. These data were analyzed to provide key themes, which were the foundation for the findings and recommendations provided at the end of the chapter.

Data collection

Community listening sessions

As part of its qualitative inquiry, the assessment team conducted a number of extensive interviews, focus groups, and meetings with SPD sworn and civilian personnel as well as with community members. To allow community members to express their feelings, opinions, and concerns regarding the SPD, two community listening sessions were organized. During the community listening sessions, members of the public were given approximately three minutes to speak and elaborate on issues of concern regarding the SPD. The assessment team was present for the purpose of listening and documenting the community's concerns and to facilitate the session for the community. The community listening sessions provided the opportunity for the team to gather pertinent information from a subset of the community.

60. Felix Cortez, "Salinas Police Chief Reacts to Baton Cellphone Video," KSBW, last modified June 9, 2015, http://www.ksbw.com/news/salinas-police-beating-recorded-with-cellphone/33468770.
61. "One Dead After Protesters Riot against Police Brutality in Salinas, California," Autonomous Nonprofit Organization "TV-Novosti," last modified May 23, 2014, https://www.rt.com/usa/160820-riots-salinas-california-police-shooting/.

The following two community listening sessions were conducted:

1. On Tuesday, June 30, 2015, from 6:00 p.m. to 10:00 p.m., the core assessment team participated in a public forum at the Sherwood Hall Convention Center, located at 940 North Main Street, Salinas, which was hosted by the COPS Office. The SPD was asked not to send any personnel to this or the second forum, so that community members felt comfortable sharing their experiences and thoughts. The diversity of the community members who attended the listening session was somewhat representative of Salinas, with the majority of the residents being Hispanic.

   There were more than 100 Salinas community members in attendance, and the assessment team heard testimony from 33 individuals. These included representatives from the East Salinas' Motivating Individual Leadership for Public Advancement (MILPA), the League of United Latin American Citizens (LULAC), families affected by OISs, community members from East Salinas, and other community members expressing their concerns.

2. On Thursday, July 23, 2015, from 6:00 p.m. to 9:00 p.m., the assessment team participated in a second community listening session that was held at the Los Padres Elementary School Auditorium, located at 1130 John Street, Salinas, which, again, was hosted by the COPS Office. Similar to the first listening session, the diversity of the community members who attended was somewhat representative of Salinas, with the majority of the participants being Hispanic.

   At this forum, more than 90 Salinas community members were in attendance, and the assessment team heard testimony from 42 individuals. This session also included representatives from MILPA and LULAC, as well as from the National Association for the Advancement of Colored People (NAACP), community members from East Salinas, and individual community members expressing their concerns.

These two locations were selected because of their accessibility and geographical location in Salinas—one on the north side of the city and the other on the east side of the city—and because these locations could accommodate large audiences. These listening sessions provided community members with an opportunity to voice their thoughts and concerns about the SPD. An effort was made to have the listening sessions conveniently located and scheduled to allow the residents of Salinas, particularly those residents most affected by the shootings, to attend. Thus, the listening sessions were held during the evening hours in the East and West Salinas areas, and a translator was present who translated questions and answers from English to Spanish and vice versa to enhance the sessions' communication processes. Sign language interpreters were present as well.

As an outcome of these two forums and through snowball sampling, the assessment team conducted an additional 31 individual interviews with community members who were in attendance and other individuals who were recommended to the team.

Interviews and focus groups

The assessment team interviewed a member of the Police/Community Advisory Committee (PCAC), which is a group of community members selected by elected city officials. This advisory group is a district-based community advisory group that meets monthly to discuss a host of issues, such as crime and quality of life, with members of the SPD.

The assessment team also conducted a series of private interviews and small focus groups to discuss topics such as the OISs, officers' responsiveness to the community's concerns, the SPD's UOF, police-community relations, and perceptions about whether the community is being treated fairly by the SPD.

The team met with 12 representatives from MILPA, a "purpose-oriented mission-driven collective committed to transforming organizations, institutions, and systems by advocating for inner and social transformation."[62] The core assessment team met with 15 members from the community organization called "La Colectiva de Mujeres" at the Alisal Center for Fine Arts in East Salinas. The mission of La Colectiva de Mujeres is to "support one another through traditional healing ceremonies and strive to create a brighter future for women of all ages residing within the local community."[63] The team met with a group of 12 pastors and members of the faith community. The team also met with individual community members within their neighborhoods. In all, the team met with 175 community members.

To assist in qualitative data collection and to obtain an overall perspective of the SPD's efforts in community collaboration as well as the community of Salinas' perspective of the SPD, several questions were asked. Semistructured interviews, focus groups, and meetings were conducted in which participation was encouraged with set questions and a fluid discussion of other topics when necessary. Enough time was allotted in each session to ensure flexibility to have additional discussion to fully understand the depth of the inquiry to examine community trust and engagement, particularly with communities of color. The following are examples of the types of questions that were asked either in groups or individual settings of both the Salinas community and SPD personnel:

Questions for members of the public

Safety

- Do you consider your community to be generally safe?
- What, if anything, makes you feel safe in your community?
- What, if anything, makes you feel unsafe?
- What is happening now with policing in your community? How do you feel about that?

Officer-public interactions

- Are SPD officers responsive to the concerns of citizens in your neighborhood?
- Are SPD officers in this city usually courteous and respectful?
- Are SPD officers fair when dealing with people?
- Do SPD officers stop people on the street appropriately and for suitable reasons?
- Do SPD officers in my neighborhood use the appropriate amount of force necessary to accomplish their tasks?

62. "Cultivating Change Makers for the Next Seven Generations," MILPA, accessed February 22, 2016, http://www.milpacollective.org/sobre-nosotros/.
63. "La Colectiva de Mujeres," Alisal Center for the Fine Arts, accessed February 22, 2016, http://www.alisalfinearts.org/colectiva-de-las-mujeres/.

Police-community relations

- What are your views toward police-community relations generally?
- What are barriers to good police-community relations, and what steps can be taken to eliminate those barriers?
- What, if any, positive aspects of police-community relations in Salinas do you wish to celebrate?
- Does race, culture, or a person's ethnic background affect how SPD and citizens relate to each other? If so, how?
- Are there any other issues related to police-community relations you feel strongly about? If so, what are they?
- What is one hope you have about SPD and the community?
- What would you suggest SPD do to improve police-community relations?
- Is there anything else you want to share about police-community relations?

SPD personnel questions

Community engagement

- Do you have a citizens' police academy? If so, please describe. If not, is there something similar?
- What media is used to communicate with the community? How are the different types used (e.g., newsletters, public service announcements [PSA])? Can you provide some examples from recent years?
- Do *all* (specify if only a few or all) officers, sergeants, commanders, and deputy chiefs and the chief conduct community engagement? Are they held accountable? Be specific on what they do and how they are held accountable for each rank.
- How does SPD attendance at a community meeting come about?
- Who and what types of community groups and businesses does the SPD have regular relationships with?
- Partnerships are more formal collaborations than relationships in which the agency works to address a specific issue. Describe some recent partnerships the SPD has been a part of.
- With whom does the SPD need to build relationships and partnerships that they do not already have?
- Are there citizen/community advisory groups? If so, please provide details about the groups and frequency of meetings?

Interviews and focus groups with SPD personnel spanned the agency's civilian and sworn hierarchy. The assessment team interviewed members at every level in the agency, from civilian employees to recently hired officers to the chief of police. The team interviewed civilian records clerks, community service officers, police service technicians, evidence custodians, patrol officers, records supervisors, sergeants, commanders, civilian administrators, and deputy chiefs.

In addition to interviewing SPD personnel in individual or group settings, in the course of two months, the team participated in 17 ride-alongs with officers and supervisors who patrol three areas of command (i.e., North, South, and East Salinas) during all three shifts. This was important to the team's research, as by observing officers during their work, a better understanding could be gained of how and whether the SPD employs current policing practices to enhance community relations. This opportunity allowed the team not only to speak to officers they rode with but also to speak to and observe other officers encountered during the ride-alongs. By doing so, the team was able to observe how officers incorporate community collaboration into their day-to-day practice as part of their normal routine.

Key themes

Several distinct themes arose throughout the discussions with the various community members of Salinas and SPD personnel. Many of the community members provided opinions based on their direct experiences with the SPD. The SPD personnel discussed their direct experiences, as well as their opinions of the SPD's relationship with the community. In addition, the SPD discussed what efforts are being taken to bridge any gaps between SPD and the community. Both the community members and SPD personnel who were interviewed were open and willing to discuss any questions that were asked and issues raised.

Many of the meetings and interviews that took place with community members resulted in spirited discussions. Overall, individuals appeared to be very comfortable and open to voicing their concerns and perspectives about the collaboration between the SPD and the community. The assessment team believes that through its use of multiple approaches to interacting with a variety of individuals and groups, these themes represent the general environment of Salinas in terms of police-community trust and engagement.

Theme 1. Philosophy for community engagement

Based on the assessment team's observations and discussions with the SPD personnel, as well as community members' and groups' perceptions, the SPD does not appear to have an overarching philosophy for community engagement. There are no formal mechanisms to lay out the community engagement goals and objectives of the agency or to provide leadership or direction for developing relationships. That is, from the team's observations, the SPD does not have a formal organizational philosophy or policy or regular discussions or accountability to ensure that a community engagement strategy is in place or followed. It is apparent that there was an absence of a clear approach in the agency's overall organizational goal to engage the community.

In addition, the SPD lacks clear organizational strategies originating from and advocated by SPD leadership throughout the department to improve community engagement or a system of accountability to ensure that community engagement is occurring. Throughout the site visits, interviews, ride-alongs, and focus groups with the SPD, it was common to hear individuals at different ranks comment that "I'm not sure what our policing philosophy is," or "We just don't have time to engage with citizens because we go [from] call to call." In addition, the team heard similar statements across ranks, such as, "We never see supervisors meet with the community unless they are told to do so," and "It is impossible for us to find time to engage with the community."

The SPD does not provide neighborhood watches or groups with crime statistics on a regular basis. There are no "beat offices" staffed by officers in the community, and very few community meetings occur regularly that are attended by police officers. When community meetings occur, typically they are in reaction to a

specific crime problem and are initiated by the community members, not the police. The SPD does little to interact regularly with businesses in Salinas for positive reasons, such as providing crime prevention advice. In fact, the department does not have a crime prevention capacity that would proactively provide information, such as statistics and crime prevention advice to businesses or the community in general.

Interviews with community members supported the team's conclusions that they did not perceive the SPD as having a philosophy or goals for community collaboration and that much of the interaction that occurs between the SPD and the community does so because of serious and negative incidents, such as the recent OISs, various crimes, or internal police department issues. In addition, the SPD does not regularly solicit input from the community about crime and quality-of-life issues, victimization, fear of crime, or satisfaction with the police (e.g., a resident survey as recommended by the Commission on Accreditation for Law Enforcement Agencies.[64]

Theme 2. Transparency

Transparency is characterized by visibility or accessibility of information concerning the practices of the police department. Based on the assessment team's observations and discussions with police personnel and the community, the SPD is lacking in its transparency with its community. In observations of the SPD and discussions with personnel, the assessment team concluded that the SPD does not have full-time mechanisms by which it communicates, shares, and makes available the policies, procedures, events, etc., of the agency. While this is related to the first theme of a philosophy of community engagement, even if the SPD did not have a formally communicated philosophy centered on community engagement, its practices and information could still be transparent. However, the team observed a lack of strategic or systematic mechanisms that fostered transparency of the department to the community.

Conversations with community members indicated that they perceived the SPD to be attempting to protect itself from scrutiny. The community's perception was amplified when the OIS and UOF issues arose. Common statements made by the community were, "[The] SPD should show transparency; they are too secretive and are protecting themselves," and "[The community] needs more transparency and facts about police-related shootings," and "How can they investigate themselves? This is wrong."

The Salinas PCAC, established to provide the chief of police with information about community concerns, is made up of members selected by the Salinas mayor and Salinas council members.[65] The chief of police and executive staff should share more information pertaining to the department and related activities with PCAC members. In many of the discussions with Hispanic community members, in particular, individuals strongly voiced their concerns with the lack of Hispanic representation on the PCAC. They were concerned that they are not allowed to have a "seat" at the table with the SPD, and the team heard many statements such as, "We should be part of an oversight committee," and "We really don't have a place at the table." While the chief of police and executive staff do not make PCAC membership decisions, their input should be considered.

Members of the East Salinas community have not regularly attended the PCAC meetings or held meetings within their community. In addition, the lack of Hispanic community representation on the PCAC is further dividing the community and the police department. Without East Salinas representation at the PCAC meetings, there is diminished dialogue between the community and the police.

64. "CALEA: The Gold Standard in Public Safety," CALEA, accessed February 22, 2016, http://www.calea.org/.
65. The SPD does not have any control over who is appointed to the PCAC.

Theme 3. Proactive engagement with the community

In its discussions and observations, the assessment team found that, collectively, SPD personnel are not proactively sharing or engaging with the community. SPD members are not utilizing key stakeholders within the community to their fullest advantage to help bridge gaps of mistrust between the Hispanic community and the SPD. The team also came to the conclusion that the SPD is not regularly interacting with influential members and organizations of the Hispanic community. Assessment team members found some effort from the chief of police in this area, and some groups that the team spoke with appreciated the initial effort but were disappointed and discouraged that the discussion was not ongoing. Many of the SPD personnel stated that they would want to engage more with the community if they had time and that they understand how that would be very beneficial to both the SPD and the Salinas community. Further, many expressed that there is a communication problem because there are not enough officers who speak Spanish. It was very common to hear, "They [the SPD] need to hire local and bilingual officers" and "people who understand our local culture."

It was the opinion of some that their socioeconomic status influences how the SPD treats them. Many shared the following sentiment: "Just because we are poor doesn't mean that we are all criminals."

Theme 4. Treatment, respect, and understanding of many members of the Hispanic community

Discussions with SPD personnel revealed the concerns of some about how policing services were being delivered in East Salinas.[66] That is, the policing approach in the East Salinas community was perceived by some as more aggressive than the approach taken in other areas of the city. This opinion was in the minority among SPD personnel, most of whom felt there was no difference in how they approach policing across the city of Salinas. Many stated that they are only reacting to the events that occur in different areas, and it was common to hear that "Certain areas of Salinas are more dangerous than others, so it may appear to some that we are treating them differently," "We don't have enough cops to deal with the high-crime areas because we go from call to call," and "We are trying our best but we don't have time."

In July 2015, the SPD reorganized the department and essentially reassigned all line officers and supervisors to the patrol or investigations divisions. This reorganization was completed, according to the chief of police, in an effort to refocus personnel to the core mission of the agency (i.e., patrol) and help to alleviate the high amount of overtime hours members of the department were mandated to work. While the reorganization accomplished its stated intention of adding officers to patrol and reducing mandatory overtime to ensure minimum staffing levels, it also had unintended negative consequences.

Officers who were engaged in task force assignments in nonpatrol specialty assignments, including two officers in the "place-based" Hebbron Heights area, were all reassigned to patrol or the investigation division. In reassigning the Hebbron Heights officers, the SPD lost the only substantial community-policing effort conducted by the agency. Information from the assessment team's interviews with community members suggests that the impact that these two officers had on community-police partnerships, trust

66. The East Salinas community, also known as Alisal, is a primarily Hispanic working-class neighborhood of mostly agricultural, food processing, and hospitality workers. The area is very densely populated and struggles with poverty, crime, and other social issues. Hebbron Heights is a neighborhood within East Salinas. For more information, see "East Salinas Community," Building Healthy Communities, accessed February 22, 2016, http://www.bhcconnect.org/health-happens-here/e-salinas-home/e-salinas-community.

building, and problem solving was significant. Many community-member interviews and discussions with SPD staff reinforced the perception of the overwhelming success of this two-person team and the positive impact they had on building and maintaining the community's trust and community-police relationships.

SPD employees spoke with pride about this two-officer team's accomplishments and impact to the SPD and the Salinas community. The team's reassignment had a negative impact on morale, according to SPD employees. Indeed, the chief of the SPD assigned these officers and recognized their benefit[67] but, in the face of significant staffing constraints, reluctantly pulled these officers from these positions.

SPD officers discussed that even though they are short-staffed, the recent department reorganization, which included removing the two-officer team assigned to the Hebbron Heights area of East Salinas, was a mistake in that "those officers [the officers assigned to Hebbron Heights] got to know the people," and "[the Hebbron Heights officers] did good work." These officers worked their neighborhood beat with a dedicated focus on community outreach.

Similar to what officers voiced, members of the Hispanic community expressed disappointment that the Hebbron Heights officers had been removed. The community felt that these officers understood them, cared about their needs, and were trusted by the community. Although many felt that these officers were having a positive effect in that area, they expressed that reassigning two officers will not be enough to build trust with the community, but rather that *all officers* need to treat them with dignity and respect. One of the most common suggestions by the Hispanic community was that the SPD should receive cultural sensitivity training to deal with the different ethnic groups in Salinas.

Interviews and discussions with many members of the Hispanic community showed that they felt that many SPD officers are not treating some Hispanic community members with respect and that is the reason why the Hispanic community is angry. However, the assessment team also heard the following sentiment: "Not all SPD officers are bad . . . many SPD officers are good people doing their best." Community members also expressed that there is a lack of communicating and reaching out by the SPD to the Hispanic community to understand its issues and concerns so that officers are more understanding of their needs and culture. Many Hispanic community members who spoke or were interviewed on this topic were very expressive and commonly made statements such as, "There is a lack of respect between SPD and the Hispanic community of Salinas," "[The] SPD is more respectful to the White community than to the Hispanic community," and "We are not treated with fairness, courtesy, or respect, and things are often escalated."

There was a different perspective of the SPD from some community members who voiced their opinion in community meetings or were interviewed. The common feeling among those individuals the assessment team heard from was that the SPD is, overall, doing a satisfactory job with the resources it has. They felt that the team was hearing from only the small percentage of the community who are most vocal and unhappy with the SPD, but that overall the majority of the community of Salinas supports the SPD.

67. John A. Calhoun and Kelly McMillin, "This is Police Work? Building Trust in Salinas, Calif., to Reduce Violent Crime," last modified August 15, 2012, http://www.nlc.org/media-center/news-search/this-is-police-work-building-trust-in-salinas-calif-to-reduce-violent-crime.

Findings and recommendations

Finding 30

The SPD lacks a unified, overarching community-collaborative policing philosophy and strategy.

A department-wide community policing strategy focused on building community trust through collaboration, partnerships, and mutual understanding is essential to effectiveness. The SPD's lack of an overarching policing philosophy or strategy focused on community collaboration is hindering its ability to repair and improve relationships with those within the Hispanic community.

Recommendation 30.1

The SPD should develop a community-collaborative policing strategy.[68]

An agency-wide approach to community-police collaboration is necessary to build partnerships with the Salinas community. The SPD should develop and implement a strategic plan that outlines how community collaboration should occur in the agency. This plan should be informed by data and articulate specific activities that the agency will engage in in order to make community collaboration a routine part of police business. The City of Salinas and the SPD, in consortium with the Community Alliance for Safety and Peace (CASP), have produced a laudable community-wide violence reduction strategy.[69] The SPD can use this strategy to inform their own community collaboration strategy for the department's operations, looking both inward and outward.

Recommendation 30.2

The SPD should identify and implement training for all staff in community policing.[70]

Currently, the SPD has no established community-policing training for department members. To effectively implement department-wide community-policing philosophies and practices, the SPD should identify and implement training for all members of the department in the fundamentals of community policing, community-police relationships, cultural competencies, and nonenforcement strategies.[71] After receiving the initial training, members should receive annual refresher training.

68. The COPS Office offers a web-based tool that may help the SPD measure its progress in implementing community policing. "The Community Policing Self-Assessment Tool,", Office of Community Oriented Policing Services, accessed February 22, 2016, http://www.cops.usdoj.gov/Default.asp?Item=2673.
69. José A. Arreola, *Salinas Comprehensive Strategy for Community-Wide Violence Reduction 2013–2018* (Salinas, California: City of Salinas, 2013), http://www.ci.salinas.ca.us/pdf/SalinasSWP_2013-2018.pdf.
70. *Community Policing Defined* (Washington, DC: Office of Community Oriented Policing Services, 2014, http://ric-zai-inc.com/Publications/cops-p157-pub.pdf.
71. President's Task Force on 21st Century Policing, *Final Report*, 43 (see note 2).

Finding 31

The SPD has a fractured relationship with some in its community, particularly in the East Salinas area.

Community members of the city of Salinas who were most vocal during assessment team interviews and community meetings retain a mistrust of the SPD and its police officers. Community members expressed concerns surrounding the recent shootings of Hispanic individuals, as well as a lack of transparency and communication between all ranks of the SPD and the community.[72]

Recommendation 31.1

The SPD should routinely meet with and engage its Hispanic community via the formal organizations that exist in Salinas.

Salinas is home to a number of formal organizations that advocate for the members of the Hispanic community, such as the CASP, MILPA, LULAC, the NAACP, and Salinas United Business Association (SUBA).

Recommendation 31.2

The SPD should develop an organizational approach to institutionalize a system of accountability to engage with community groups, formal organizations, and its community leaders on a regular basis.

As the SPD develops its accountability process, activities with community groups, formal organizations, and other partners should be tracked for both follow-up purposes and public reporting on their progress and efforts. This will help to increase transparency and the sharing of information pertaining to policing operations and to collaboratively work to address areas of concern. The SPD should also use this opportunity to engage in joint non-law enforcement-related activities that would help to promote trust and improve police and community relations. These activities may include things such as joint hosting of community events.

Recommendation 31.3

The SPD should address the need for Spanish-speaking officers. The SPD should take specific steps to increase the number of Spanish-speaking officers within the next three years through Spanish-speaking training, hiring, and recruitment.

While the team noted that the SPD is making efforts to recruit and hire police officers from Salinas and adjacent areas, the SPD's lack of fluency in Spanish, compared to the population's, is a challenge. Sixty-eight percent of the population speak Spanish as their primary language,[73] while only 23 percent (31 out of 133) of sworn officers are identified as Spanish-speaking.[74] The SPD should begin to see improvements in community trust with an increase in SPD's cultural competency.

72. This finding is reflective of the expressed concerns of community members who attended two community meetings and may not reflect the perspective of the entire city of Salinas. ZIP codes were not collected during the community meetings to enable staff to analyze the geographical areas represented by attendees.
73. "State and County QuickFacts, Salinas (city), California" (see note 15).
74. SPD documentation provided by SPD to IIR for document review.

Recommendation 31.4

The SPD should implement a Spanish for Law Enforcement training program for both sworn and nonsworn members.

The addition of Spanish-speaking training for SPD officers would lead to better communications at the community level and demonstrate the SPD's efforts to enhance overall communications with its community, law enforcement, and first responders.

Finding 32

The SPD is not training its members regularly on implicit bias, cultural awareness, or procedural justice.[75]

Cultural awareness and understanding within the SPD are essential to helping employees respect and appreciate the uniqueness of the community they serve. By educating officers about the principles of implicit bias within themselves and others, the SPD will demonstrate its efforts to improve understanding of its community and help members respond to personal biases that may exist. SPD sworn members received police legitimacy training in 2014 from the Chicago Police Department model. This training should be continued on a recurring basis.

Recommendation 32.1

The SPD should provide sworn members with annual procedural justice training that embodies the following four pillars: fairness, impartiality, giving voice, and transparency.

The SPD should implement annual procedural justice training to not only help train officers about procedural justice but also to help reinforce procedural justice as a core value within the SPD. Community representatives, including the PCAC, should be invited to provide input into the course development.[76]

Recommendation 32.2

The SPD should provide training such as the Fair and Impartial Policing training for all members of the department, including civilian staff.[77]

The challenges of providing fair and impartial police services can be positively impacted through a greater understanding of the communities served. Providing ongoing training for all members of the SPD to enhance their understanding of implicit bias, cultural differences, and how bias impacts police services is important for improving community-police relationships.

75. This finding is reflective of interviews, focus groups, and community input as well as IIR document review.
76. Laura Kunard and Charlene Moe, *Procedural Justice for Law Enforcement: An Overview* (Washington, DC: Office of Community Oriented Policing Services, 2015), http://ric-zai-inc.com/Publications/cops-p333-pub.pdf.
77. The "fair and impartial policing" perspective reflects a new way of thinking about the issue of biased policing. It is based on the science of bias, which tells us that biased policing is not, as some contend, due to widespread racism in policing. In fact, the science tells that even well-intentioned humans (including officers) manifest biases that can have an impact on their perceptions and behavior. For more details, see Lorie Fridell, "Fair and Impartial Policing," accessed February 22, 2016, http://www.fairimpartialpolicing.com/.

Finding 33

The PCAC is not being used to assist the SPD with developing and maintaining a positive working relationship and open dialogue with the Hispanic community.[78]

As a community-represented committee, the PCAC can be helpful to providing the SPD with needed community input and support. The chief of police and executive staff should work to strengthen their relationship with the PCAC as they undertake the increased community outreach, internal community-policing strategy development, and efforts to improve overall police effectiveness on crime reduction.

Recommendation 33.1

The SPD and city leaders should ensure that the PCAC is empowered by and representative of the whole community, including East Salinas, and that regular meetings of the SPD, PCAC, and other stakeholders pertaining to the community-police collaboration are occurring.

PCAC members should be educated in and familiar with the SPD's challenges, initiatives, and operational efforts to foster better relationships, empowering PCAC to be better informed and more effective.

Finding 34

The SPD has no resident-based diversity advisory committee or group.

The SPD should leverage the willingness of the many formal organizations that support and represent the diverse community of Salinas and seek their involvement in a resident-based diversity advisory committee.

Recommendation 34.1

The chief of police should create a Community Diversity Advisory Committee to assist the SPD in developing strategies to improve community-police relationships and trust.

With the creation of this type of committee, the police department can work on "building trust and nurturing legitimacy on both sides of the police/citizen divide."[79] Specifically, this committee should assist the chief of police and his staff in guiding the department's ongoing efforts to improve community trust and increase collaborations.

Recommendation 34.2

The SPD should seek the input from the Community Diversity Advisory Committee in its strategic plan development, recruitment and hiring efforts, and ongoing community outreach efforts.

By including the valuable input from this committee, the SPD will enhance its overall strategic planning, plan implementation, and ongoing collaboration activities with the community. The input from this committee will further demonstrate the SPD's willingness to be inclusive with its community and further demonstrate its transparency efforts.[80]

78. Individual and collective interviews of citizens and the two community listening sessions.
79. President's Task Force on 21st Century Policing, *Final Report*, 1 (see note 2).
80. "Toolkit: EPIC Toolkit," Vera Institute of Justice, accessed February 23, 2016, http://www.vera.org/toolkit.

Finding 35

The SPD does not offer resident police academies in Spanish for those community members who do not speak English.

Because the majority of Salinas residents are Spanish-speaking, in 2012, the city of Salinas Community Safety Division facilitated a Community Leadership Academy that was taught in Spanish.[81] Expanding this concept to resident police academies would be a clear and demonstrable attempt to connect with the members of the Hispanic community, making residents feel more included and respected.

Recommendation 35.1

The SPD should offer Spanish-speaking resident police academies in addition to the current English-speaking academy.

The SPD has recognized the many benefits of offering resident police academies for Salinas's community members who wish to learn more about the department and its members. With a majority of its population being Hispanic, adding a Spanish-speaking residents' police academy would provide an opportunity for a segment of Salinas to engage with and better understand the SPD.

Finding 36

The SPD does not fully utilize its employees to communicate with the public about department procedures, policies, and programs.[82]

Department members expressed an interest in speaking to community groups about the department and its programs and processes to better inform the Hispanic community and build relationships. These department members should be guided and supported in meeting with community leaders, community-based organizations, and faith-based institutions to hold regular meetings, attend community events, speak at schools, and start neighborhood block watch groups. Finding out what the issues are that residents want to know more about from the police and then offering a series of evening programs (in Spanish as necessary) at local schools and community gathering areas (rather than at the police department) to discuss those issues and strategize about solving them would help rebuild relationships.

Recommendation 36.1

The SPD should provide guidance and expectations for SPD members, enabling them to routinely and responsibly engage with community members and to identify community needs.[83]

The SPD should promote and encourage interaction with the public, as well as hold employees accountable at every level to interact, to help enhance its relationship with the community. SPD employees should be guided in their interaction with community members with clear expectations for these interactions.

81. A.M. Wolf et al., *Evaluation of Strategic Work Plan: Salinas Comprehensive Strategy for Community-Wide Violence Reduction* (Oakland, CA: National Council on Crime and Delinquency, 2015), http://www.nccdglobal.org/sites/default/files/publication_pdf/salinas-strategic-work-plan-eval.pdf.
82. This information is based on interviews with civilian employees of the SPD.
83. This recommendation is based on interviews with police officers, CSOs (community service officers), and community members as well as SPD organizational policies provided to IIR for document review.

Finding 37

The SPD should expand its use of social media as a tool for communicating with the community and other external stakeholders.

The growing following of the SPD via social media provides a venue for community outreach and engagement. The department's website (http://www.salinaspd.com), Facebook page (6,215 likes), and Twitter pages (5,837 followers) are frequently updated and are followed by thousands of members of the public.[84] Social media is also a valuable tool for identifying threats to the community. A solid social media capacity helps inform the community without delay.

Recommendation 37.1

The SPD should seek to employ a full-time Public Information Officer (PIO) who dedicates some time to managing the department's social media efforts.

Currently, the SPD does not have a PIO. Instead, it employs a private company to fulfill its public information and social media needs on a part-time basis. The SPD is currently relying on a contracted PIO who is shared with the City of Salinas; however, the core assessment team recommends that the department establish a full-time person, sworn or nonsworn, dedicated to this endeavor to create social media policy and practices that specifically align with the strategy and mission of the department and use social media to communicate with the community during critical incidents.[85]

Recommendation 37.2

The SPD should share the accomplishments of its employees, including employee recognition and awards, with the community, various community groups, and organizations using the various forms of social media.

As outlined in SPD policy, SPD members can receive recognition and commendations in various forms.[86]

Recommendation 37.3

To further enhance transparency, the SPD should begin posting up-to-date crime and public safety information to its website and via social media so it is accessible to the Salinas community.

Many police agencies across the United States are using their department websites and other social media sites to increase transparency. They are posting real-time crime statistics, after-action reporting summaries appropriate for the community's use and, in some cases, videos from body-worn and dash-cam video.

84. Numbers of likes and followers were recorded in October 2015.
85. Global Advisory Committee, *Developing a Policy on the Use of Social Media in Intelligence and Investigative Activities: Guidance and Recommendations* (Washington, DC: Global Justice Information Sharing Initiative), https://it.ojp.gov/documents/d/Developing%20a%20Policy%20on%20the%20Use%20of%20Social%20Media%20in%20Intelligence%20and%20Inves....pdf.
86. SPD Policy #1030 "Employee Commendations" provided to IIR for document review.

Finding 38

The SPD does not have significant interaction with the community-based programs that are represented on the CASP board.[87]

The CASP is a coalition of 60 organizations made up of city of Salinas and Monterey County government members, as well as education and nonprofit leaders, who have teamed up to reduce gang violence and improve safety. Although the SPD has a seat on the CASP board, it is not using this partnership to its fullest potential. The collaborative nature of the CASP provides a venue and an opportunity for the SPD to engage and advance its community-policing efforts. Specifically, the CASP provides an avenue for the SPD to partner with the CASP member organizations to develop solutions for both quality-of-life issues and overall relationship improvements to Salinas's communities.[88]

Recommendation 38.1

The SPD should expand its involvement by assigning both civilian members and police officers to engage and interact with the applicable CASP programs.

Although the SPD has some ongoing limited collaboration, it should assign and mandate civilians as well as sworn members to attend monthly CASP meetings and participate in activities that support community-police relationship building, promote crime reductions, and help build trust.

The involvement of civilian members and police officers will further advance the SPD's efforts to solve problems, build trust, and promote the sense of inclusion throughout the department.

Finding 39

The SPD's involvement and partnerships with the faith-based community and faith organizations are superficial.

In Salinas, there is an active faith-based group working to help strengthen neighborhoods struggling with crime issues. Faith leaders launched a program called "Night Walks," in which they joined community members to walk in neighborhoods plagued by crime and gang activities. The Night Walks program was adapted from a Boston, Massachusetts, community action project.[89] The program involves 10 to 20 individuals, including local clergy, gathering in Salinas locations plagued by poverty, high incidences of street-level illegal drug use, gang presence, and related violence. The SPD chief of police is credited with identifying this program and bringing a version of it to Salinas.[90]

87. "About CASP," For Our Future/Para Nuestro Futuro, accessed February 22, 2016, http://www.future-futuro.org/en/about-casp.
88. Arreola, *Salinas Comprehensive Strategy* (see note 69).
89. Salinas Night Walks Project and CASP interviews.
90. Arreola, *Salinas Comprehensive Strategy* (see note 69).

Recommendation 39.1

In consultation with faith leaders and faith-based community members, the chief of police and executive staff and others within the organization need to develop a strategy that establishes a department-wide collaboration with faith-based institutions.[91]

By expanding the relationship with faith-based institutions, the SPD can advance its community-policing efforts, gain support with crime reduction strategies, and assist nonprofit and social service organizations' ongoing efforts to assist these communities. The direct involvement and leadership from the SPD will help faith-based leaders engage their congregations around the efforts to improve quality of life and reduce crime, as well as decrease the fear of crime. The SPD should consider using the guidebook "Faith and Communities in Action: A Resource Guide for Increasing Partnership Opportunities to Prevent Crime and Violence" as a means to enhance and develop its partnership with faith-based institutions in Salinas.[92]

91. Interviews with faith-based leaders, SPD executive staff.
92. *Faith and Communities in Action: A Resource Guide for Increasing Partnership Opportunities to Prevent Crime and Violence* (Washington, DC: Office of Justice Programs, http://ojp.gov/fbnp/pdfs/communityaction.pdf.

Chapter 5. Internal and External Communications

Overview

This chapter provides an overview of the processes used to obtain a comprehensive understanding of the Salinas Police Department's (SPD) organizational approach to internal and external communication efforts. To evaluate the SPD's internal and external communications, the assessment team used a variety of data collection methods that involved individual and group interviews and discussions, observations, and reviewing meeting agendas and minutes and the current state of the SPD's public information efforts. Data were collected from sworn ranks within the SPD as well as from civilian employees and external stakeholders. The team's efforts were designed to solicit opinions of individuals and attempt to observe the daily routine of SPD personnel to assess the quality and effectiveness of the agency's internal and external communications. In this chapter, the results of the team's qualitative analysis are presented, in which the data were analyzed to provide themes, patterns, and trends and to serve as the foundation for the findings and recommendations included at the end of the chapter.

Data collection

As part of its qualitative inquiry, interviews and focus groups with SPD personnel spanned the agency's civilian and sworn hierarchy as well as Monterey County Emergency Communications employees. The assessment team interviewed members at every level in the agency, from civilian employees and recently hired officers to the chief of police. The assessment team interviewed civilian police service technicians, 911 dispatch operators, community service officers, crime scene technicians, evidence custodians, patrol officers, records supervisors, sergeants, commanders, civilian administrators, and deputy chiefs. In addition to interviewing SPD personnel in individual or group settings, in the course of two months, the team participated in 17 ride-alongs with officers and supervisors who patrol three areas of command (i.e., North, South, and East Salinas) during all three shifts.

It was important to speak directly to patrol officers and observe them during their work day to see how they employ current practices to enhance internal and external communications. This opportunity allowed the assessment team not only to speak to officers they rode with but also to speak to and observe other officers encountered during the ride-alongs. This allowed the team to observe how officers communicate on a day-to-day basis as part of their normal routine. A Spanish-speaking member of the assessment team participated in these activities in order to enhance communications in the community.

The following questions were asked either in a group or individual setting. The internal questions were asked of internal police personnel, and the external questions were asked of both the external stakeholders and SPD personnel.

Internal police communication

- What formal processes are there for communication in the agency (e.g., intranet, department newsletter, retreats, command staff goes to briefings on a regular basis)?
- Do the following occur, and if so, how often?

- First-line supervisor meetings
- Geographic division meetings
- Command staff meetings
- Other types of meetings
- How is the communication between line officers and first-line supervisors?
  - Between operations (officers and sergeants) and commanders?
  - Between operations (officers and sergeants) and chief and deputy chiefs?
  - Between commanders and chiefs?
  - Between sworn and civilian staff?
- How can internal communication be improved?

External police communication

- What formal processes are there for communicating with the community?
- How is the communication between individuals in the SPD and the community? Be specific on the following groups and their communication with the community: civilians, officers, first-line supervisors, commanders, chiefs.
- Has the SPD conducted any formal assessment of the community's satisfaction with the police service?
- How satisfied do you think the community is with the SPD's police service?
- How can communication be improved?

Key themes

There were several distinct themes that arose throughout the discussions with the various SPD individuals and groups. The individuals that the team spoke to discussed their direct experiences, as well as their opinions about the SPD's overall communication efforts. In addition, SPD personnel discussed what efforts are currently under way to improve communications and weaknesses that exist. External stakeholders and SPD personnel who were interviewed appeared to be open and willing to discuss any questions asked. Overall, all individuals appeared to be very comfortable and open to voicing their thoughts, concerns, and perspectives about the collaboration between the SPD and the community. The various data collection methods helped the team develop themes that represent the general environment of Salinas in terms of internal and external communication.

Theme 1. Internal communication

Based on the team's observations and discussions with SPD personnel, the SPD lacks in an effective and clear means to properly communicate between and among divisions, units, or ranks. This is certainly not unique to the SPD, as many police and nonpolice organizations lack adequate communication between and among their divisions, units, and ranks. However, this fact should not diminish the negative impact that this lack of communication can have on an organization.

Most of the communication within the SPD occurs through written memos for formal communication and through e-mail. Within divisions and ranks, e-mail is used by supervisors to contact their subordinates as well. The SPD has an intranet site where information, memos, and documents can be posted to be reviewed by personnel and archived for searches; however, it is used on an ad hoc basis, and only a minimal amount of information has been posted to the site. The site and its capabilities are not used to their fullest potential.

The assessment team did not observe a clear, systematic way that the SPD facilitates face-to-face communication within the police department. The SPD does not hold regularly scheduled and timely meetings that would assist in the effective flow of face-to-face communication. Other than a quarterly supervisor meeting or a rare impromptu meeting held by the chief of police, there were no formal mechanisms to communicate the goals and objectives of the agency in a systematic way. In addition, there are no regular or structured meetings within divisions, units, or ranks where information and issues were discussed that related to the work of the unit. In the discussions, it was apparent that there was an absence of a clear approach to establishing a system of communication.

In the discussions with SPD personnel, it was apparent that the chief of police's organizational philosophy of community engagement and of crime reduction approach did not translate to the officer level, nor was it communicated to the second and third ranks in the SPD's command structure. In fact, including the chief of police, there are four supervisory ranks in the SPD, and it was apparent that each layer of supervisory level did not have a good understanding of what was expected of them as it relates to community engagement, crime reduction, and addressing quality-of-life issues. It was common for the team to hear that there is a distinct "disconnect along chain of command" and that there is a "lack of organizational communication among all ranks and civilians." Many complained that the quarterly meetings were not productive because most of what was discussed was "old news" and "after the fact." A common thread from sworn and civilian personnel was that in many situations, they first learned about issues within the SPD through the media.

Theme 2. Communication between sworn and civilian personnel

A very distinct theme that was apparent based on the interviews, discussions, and focus groups had to do with SPD communications between sworn and civilian employees. Collectively, SPD personnel (sworn and civilian) discussed a lack of a positive culture between sworn and civilian personnel. Although this is a somewhat common theme in many police organizations, SPD personnel felt their culture could improve so that the community of Salinas could benefit from all SPD employees sharing a mutual respect for one another and a feeling that they all are an essential part of SPD's organization and police services to the community. It was common to hear, "Civilians are not part of the team," "We have no one to go to and have our issues heard or resolved," "Sworn supervisors don't really care about what we do," and "There is no communication between sworn and nonsworn." While the assessment team was conducting the assessment, the SPD hired a civilian administrator with an equivalent rank of deputy chief who is responsible for all civilian personnel. This may result in correcting the much-needed cultural and communication issues between the SPD's sworn and civilian personnel.

Theme 3. External communication

Another area that needs improvement is external communication. Although the SPD appears to be involved with and has had communication with external stakeholders, it does not have a systematic process for properly facilitating effective and timely communication with a large number of external stakeholders. The SPD relies heavily on a private company to oversee its social media presence on a part-time basis and handle all information communicated to the community and the media. With the exception of the chief regularly attending the bimonthly Community Alliance for Safety and Peace (CASP) meeting and some community meetings, the command staff does not consistently and proactively communicate and meet with external stakeholders. There are several main groups that are active in Salinas, including the Monterey County District Attorney's Office, Police/Community Advisory Committee (PCAC), CASP, Motivating Individual Leadership for Public Advancement (MILPA), Salinas United Business Association (SUBA), and the local faith-based Night Walks. In the past, SPD was active within these groups, but in recent years, its engagement has dropped. Many of the groups that the assessment team spoke to shared that SPD's backing away from participating in these groups may have hurt the overall communication between it and the community.

The SUBA was established for the purposes of improving the business environment in the Alisal district of Salinas (East Salinas) through support to local businesses.[93] Past partnerships between the SUBA and the SPD led to dedicated police officers working in the SUBA business improvement district and focused on crime prevention, partnerships between the SPD and businesses, and proactive problem solving. Fiscal constraints led to this partnership being dissolved, according to information received during interviews.

A relatively new initiative created by the SPD is a program named "Here to Hear." This program was created to allow small groups of community members to set up an appointment with the chief of police or deputy chiefs to discuss community concerns. This program was created in 2014 and has resulted in 12 meetings and discussions between the chief of police or deputy chiefs and concerned community members. According to the SPD, these meetings led to problems being identified and actions taken to solve the problems. One example shared with the team involved elementary school lockdown procedures being changed to adjust how students were sheltered to avoid long periods of discomfort during the lockdowns. Notably, information about this program is located on the SPD website.[94]

Findings and recommendations—internal communications

Finding 40

Internal communication is inconsistent and, in some cases, nonexistent.

During the course of the assessment team interviews, SPD members at every organizational level spoke of a serious deficiency of information sharing from the chief of police's level through all ranks of the department. Based on interviews and an examination of documents received from the SPD related to internal communications, the SPD lacks a system that ensures consistent, accurate, and timely communications.

93. "SUBA: Salinas United Business Association," SUBA, accessed February 23, 2016, http://www.subasalinas.com.
94. Salinas Police Department, "Here to Hear," City of Salinas, CA, accessed February 23, 2016, http://www.salinaspd.com/here-to-hear.

Recommendation 40.1

SPD staff meetings should be held monthly and meeting minutes or summaries shared with all SPD members as appropriate.

Staff meeting minutes provided by SPD for 2012–2014 show on average that three to four meetings are held a year, with an agenda and summary of the topics prepared. There was no evidence that meeting minutes or summaries were shared with department members or whether the topics addressed in the staff meetings were disseminated beyond the staff.[95] Some information discussed during staff meetings was shared during patrol briefings; however, this process sometimes resulted in inconsistent communications being delivered across the entire department.

The sharing of meeting topics and an appropriate summary of discussions enhance communications. They also provide needed information about current and future SPD direction, changes, and ongoing activities.

Recommendation 40.2

The SPD should develop an employee focus group representing each unit and division within the department to meet monthly with the chief of police and executive staff.[96]

A focus group consisting of representatives from all units and divisions within the SPD would provide for an interactive venue between the chief of police and executive staff as well as SPD members from all areas of the department. The two-way exchange of information, problem solving, and collaboration would enhance communications and improve information sharing. The employee focus group should be given specific tasks, such as bringing important information to the attention of executive leadership, conveying information from executive leadership to employees, and working on and contributing to specific agency improvement efforts that are jointly identified and tracked.

Recommendation 40.3

The SPD chief of police and executive staff should establish quarterly meetings with all SPD civilian staff with an emphasis on developing an inclusive relationship.

Notably, many police agencies struggle with internal communications, particularly between sworn and civilian staff. The SPD's civilian staff members provide valuable support to the department's mission. Enhancing communications between the civilian staff and the sworn members, beginning with the chief of police and executive staff, will send a clear message to the department that the civilian staff is viewed as important to the SPD and its mission.[97] Similar to other meetings discussed, it is critical that these meetings have set agendas and specific goals to cooperatively accomplish.

95. The term "staff" refers to the chief of police, deputy chiefs, commanders, and the administrative manager.
96. The term "executive staff" refers to the chief of police, deputy chief, and the administrative manager.
97. Nicole Hass et al., "Explaining Officer Compliance: The Importance of Procedural Justice and Trust Inside a Police Organization," *Criminology and Criminal Justice* (January 2015), doj: 10.1177/1748895814566288; COPS Office, "Comprehensive Law Enforcement Review: Procedural Justice and Legitimacy," accessed February 28, 2015, http://www.cops.usdoj.gov/pdf/taskforce/Procedural-Justice-and-Legitimacy-LE-Review-Summary.pdf; both cited in President's Task Force on 21st Century Policing, *Final Report*, 10 (see note 2).

Recommendation 40.4

The SPD should develop a consistent system to enable communication with department members at all levels of the organization.

The SPD should enhance internal communication using existing technology platforms (intranet) and employee newsletters. The SPD should also establish consistent face-to-face meetings to increase and enhance internal communications. The SPD intranet should be expanded to include regular announcements from the chief of police and executive staff about ongoing SPD activities. This technology solution could be enhanced to include positive employee performance highlights or achievements. In addition, this can provide a robust means for information sharing in real time as it pertains to crime reduction, problem solving, and addressing quality-of-life issues.

Recommendation 40.5

The SPD should develop an e-newsletter housed on the department's intranet and make it available via the e-mail system.

Based on the assessment team's interviews, the SPD recognizes the need to improve internal communications. Nurturing more open communications, for example via an employee newsletter, would improve internal communications and lead to SPD members feeling included in the department's ongoing activities, changes, and future direction.[98]

Finding 41

SPD commanders do not meet and communicate on a regular or consistent basis.

The internal communication between SPD commanders is limited to reacting to events and crises and is normally isolated within the respective SPD divisions. It is critical that SPD commanders and first-level supervisors regularly communicate about ongoing SPD activities, crime reduction, and strategic planning.

Recommendation 41.1

Communication between all commanders and deputy chiefs should occur formally on a weekly basis.

Establishing weekly meetings between SPD commanders and deputy chiefs would lead to improved communications and information flow between all divisions. The designated chair of this meeting should ensure that proper information sharing is occurring and that information is properly relayed to first-line supervisors, detectives, officers, and civilians.[99]

98. Stephen Robbins and Timothy Judge, *Organizational Behavior*, 15th edition (Upper Saddle River, NJ: Prentice Hall, 2012).
99. For a model of this process, see Boba and Santos, *A Police Organizational Model* (see note 8).

Finding 42

On occasion, SPD members receive information about the department's activities through the local media and various department social media accounts.[100]

Managing internal communications is a common challenge for many police agencies. Within the SPD, as in other police agencies, the chief of police serves as the primary spokesperson for the department. SPD members frequently stated that any new SPD program, process, or operation is initially announced by the chief in the media, often before the department receives information on it. Some members of the department have even reported instances when employees informed their supervisors of departmental changes, based on what they learned through the media or conversations with other employees who had heard of the changes through the media. The assessment team cannot assess the veracity of the claim or belief that this happens often, but whether it is perception or reality it has led some employees to feel as though they work in an environment where they do not learn about changes that impact them through their chain of command.

Recommendation 42.1

The SPD chief of police and executive staff should inform SPD members about new programs, processes, and changes in an organized and timely fashion.

Sharing critical and timely information with SPD members before it is provided to the media will enhance internal trust and increase inclusion among all SPD members. Fostering an inclusive culture will positively impact morale and help inform SPD members about strategic direction, garnering support and buy-in.

Finding 43

The SPD and the Salinas Police Officers Association (SPOA) are not communicating effectively.

Fostering a productive, collaborative relationship between the SPD chief of police and his executive team and the SPOA is important to improving the SPD. The SPOA interviewees expressed concerns about the lack of internal communication about department program changes and activities, with little to no follow-up on issues presented to the chief of police and executive staff during meetings with them. This has resulted in discontent and diminished trust in the chief of police and executive staff.[101]

Successful law enforcement agencies have learned the value of police officer associations and unions having a collaborative relationship with police department leaders and chiefs of police. By collaborating, the SPOA and the chief of police can embark on a collective effort to address the many challenges facing the SPD and the community. Regular and open dialogue in the spirit of inclusion will enhance internal communications and improve relationships, with a focus on advancing the important strategies and initiatives currently under way or planned for the future.[102]

100. This finding is reflective of the expressed concerns (in interviews) of commanders, sergeants, officers, and civilian employees throughout the SPD.
101. This finding is reflective of the expressed concerns (in interviews) of members of the SPOA.
102. *Defining Moments for Police Chiefs*, Critical Issues in Policing Series (Washington, DC: Police Executive Research Forum, 2015), http://www.policeforum.org/assets/definingmoments.pdf.

Recommendation 43.1

During monthly meetings with the SPOA, the chief of police and executive staff should identify issues and concerns affecting SPD officers as well as the department and follow up on resolving those issues and concerns within a reasonable period of time.[103]

As the SPD advances its efforts in crime reduction and enhancing community collaboration in a fiscally challenging environment, a collaborative relationship between the chief of police and executive staff and SPOA is essential to achieving results.

Findings and recommendations—external communications

Finding 44

The SPD does not have a formal process for communicating with various external community groups or organizations.

Collaboration between the SPD and the various criminal justice organizations, community groups, and private sector partners can be strengthened through inclusive communication and timely information sharing. Bolstering these relationships will enhance the SPD's effectiveness in building trust, both internally and externally.

Recommendation 44.1

The chief of police should share more information with the PCAC, which is another outlet for enhanced communications with the community for both positive and negative information.

The PCAC provides a formal process for information sharing between the SPD and the many community organizations. The PCAC should be empowered through information and guidance to expand the reach and flow of timely and relevant information about the SPD, crime reduction efforts in Salinas, and administrative activities, such as policy development or changes.

Recommendation 44.2

The chief should inform external stakeholders about SPD changes to the department's operations, especially when these changes impact its programs and services, prior to announcing these plans in the media.

Collaboration between the SPD and the federal, state, and county law enforcement agencies, the Monterey County District Attorney's Office, community groups, and private sector partners can be strengthened through inclusive communication and timely information sharing. Bolstering these relationships will enhance the SPD's effectiveness in building trust, both internally and externally.

103. *Labor-Management Relations in Policing: Looking to the Future and Finding Common Ground*, Critical Issues in Policing Series (Washington, DC: Police Executive Research Forum, 2011), http://www.policeforum.org/assets/docs/Critical_Issues_Series/labor-management%20relations%20in%20policing%20-%20looking%20to%20the%20future%20and%20finding%20common%20ground%202011.pdf.

Chapter 6. Resource Allocation

Overview

This chapter provides an analysis of the Salinas Police Department's (SPD) resource deployment, crime reduction efforts, and effectiveness in police-community relations. The SPD's ability to provide data for analysis was limited to resource deployment schedules, available Uniform Crime Reports (UCR), computer-aided dispatch data, and information gathered during interviews, ride-alongs, and observations.

Data collection

The SPD has an authorized strength of 185 personnel, which consists of 145 sworn police officers and 40 civilians. At the time of this report, the SPD had 12 sworn positions vacant. The number of authorized civilian positions has been reduced by 10 full-time equivalent positions since 2010.

The assessment phase of this Collaborative Reform Initiative for Technical Assistance (CRI-TA) assessment provided the core assessment team with the opportunity to meet with more than 150 members of the SPD and more than 175 citizens and to review hundreds of documents. While the SPD was very responsive and cooperative with the assessment team in its efforts to gather information, relevant data for this objective was limited.

The focus on resource deployment and the analysis of strategies began with various document reviews, including work schedules, organizational charts, staffing and resource allocation schedules, SPD budget information, and interviews with SPD sworn and civilian staff members.

To ensure that interviews were consistent, productive, and focused on the respective assessment objectives, questions were developed in advance of the interviews and used to guide the interviews. These questions allowed the core assessment team to better understand the overall organizational structure, policing philosophy, staffing and resource deployment strategies, and whether the community's involvement was considered in resource allocation within Salinas.

Key themes

Theme 1. Staffing and budget reductions impair the SPD's mission achievement

Although this assessment is not a staffing study or proposal, it is important to point out that it was the overwhelming belief of every SPD member interviewed that low staffing contributed to many of the operational challenges noted in this chapter, reduced training, and lack of proactive community-police strategies.

As in most jurisdictions across America, the economic downturn has had a significant impact on the City of Salinas and the SPD that is no fault of the chief of police or the executive staff. Specifically, staffing has been reduced (see table 32), available funding for training has dropped, and the ability to purchase needed equipment has been hampered. The total budget for the SPD has declined from $36.6 million to $33.0 million since Fiscal Year (FY) 2009. The reduction in staff was compounded by nearly five years of mandatory weekly furloughs affecting all SPD members.

Table 31. City of Salinas annual police department budget, FY 2009–FY 2014

	FY 09	FY 10	FY 11	FY 12	FY 13	FY 14
Annual police department budget*	$36.6	$32.2	$31.3	$31.2	$30.7	$33.0

* In millions

Normally, budget reductions and the subsequent and ongoing negative impact to staffing are not within the control of police department administrators—which was the case for the SPD. As economic conditions continued to worsen, beginning in the 2008–2009 fiscal year, the SPD began experiencing the effects of budget reductions impacting its ability to maintain historical staffing levels (table 32).

Table 32. Salinas Police Department staffing levels, 2010–2014

Staffing	2010	2011	2012	2013	2014
Sworn	162	151	147	145	133
Civilian*	57.5	57.5	57.5	47.5	47.5

*Civilian numbers are budgeted. Actual figures not available.

While budget cuts and associated staffing reductions have been linked to the Great Recession of 2008–2009, these fiscal impacts should not prevent police leaders and departments from considering alternative policing strategies or adhering to community-policing strategies.

Staffing analysis

The SPD is divided into three commands: Field Operations (includes patrol), Administration, and Investigations. A deputy chief is responsible for the Field Operations and Investigations divisions. A civilian administrator oversees the Administration division.

The Field Operations division is composed of patrol officers, first-line supervisors (sergeants), and shift commanders (holding the commander rank). Within this division, personnel are assigned to a scheduled shift—day shift (7:30 a.m.–5:30 p.m.), afternoon shift (3:00 p.m.–1:00 a.m.), and midnight shift (10:00 p.m.–8:00 a.m.). Patrol officers are assigned to shifts based on seniority and work assigned beats also based upon seniority. Staffing for each shift is based on a "minimum-mandatory" staffing model that was developed more than 20 years ago.

During its interviews, the assessment team learned that the current staffing model is based on a memorandum of understanding (MOU) developed more than 20 years ago between the Salinas Police Officers Association (SPOA) and the SPD.[104] This MOU evolved from the SPOA's concerns for officer safety and sought to ensure that a minimum number of officers working per shift. The department could not identify or recall any analysis that led to the allocation numbers used in the minimum-mandatory staffing model. In addition, no one within the SPD could provide any verification that an analysis had been conducted to validate the staffing model using current calls for service data, crime reporting data, response times, or other applicable information.

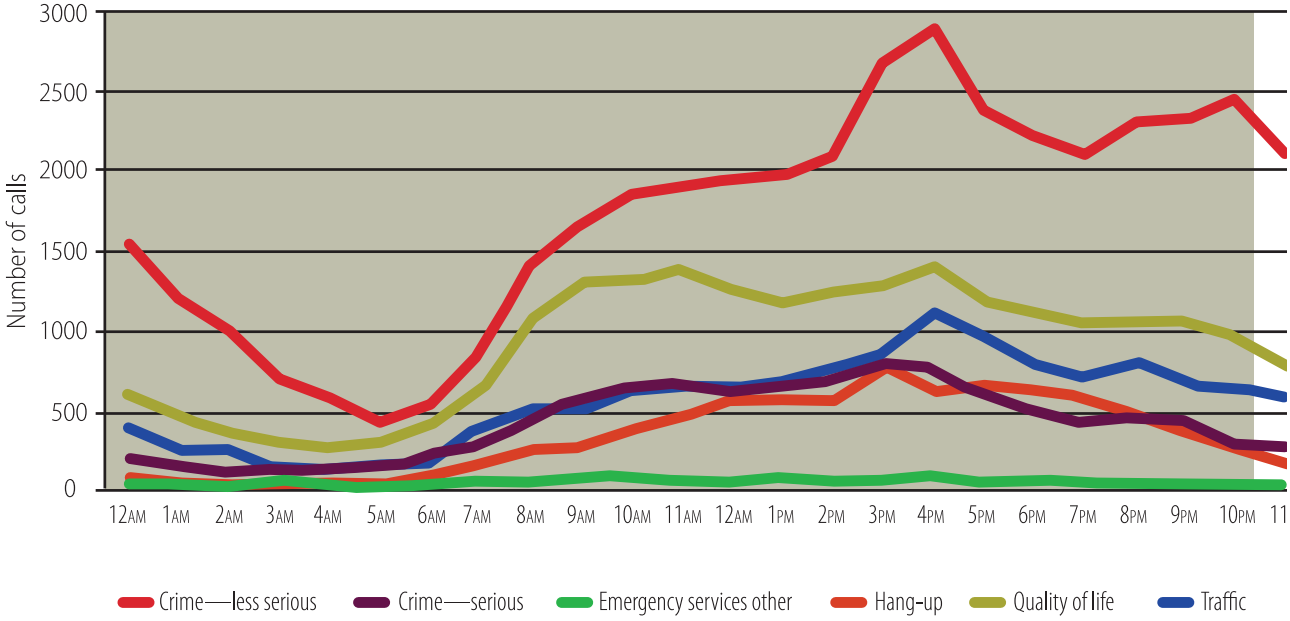
104. IIR interviews with executive staff and SPOA members.

The SPD's minimum staffing model creates a minimum number of patrol officers working per shift for the city. There are 12 patrol beats and a minimum number of 11 officers for day shift, 11 officers for afternoon shift (14 on Friday, Saturday, and Sunday), and 10 officers for midnight shift (14 on Friday, Saturday, and Sunday).

Based on the 2014 calls-for-service (CFS) data provided by the Monterey County Dispatch Center and analyzed by the Office of Justice Programs (OJP) Diagnostic Center, calls tend to increase throughout the day in Salinas, with early afternoon into the evening hours being the peak times. The personnel staffing overlap created by the current SPD patrol shift schedule produces increased staffing during the peak times for calls for service.

According to SPD administrators, supervisors, and patrol officers, the SPD is predominantly reactive—meaning that little in the way of proactive policing is occurring. The patrol officers whom the assessment team met with described their shift activities as primarily call-for-service response-driven, especially during the afternoon shift, when call loads are the highest (see figure 12).

Figure 12. Total call volume by time of day, Salinas, 2014



Source: OJP Diagnostic Center technical assistance review for the Salinas Police Department

Patrol staffing deployment

The SPD deploys its sworn police officer resources within the Field Operations division to patrol beats, which are assigned based on employee seniority. Officers bid for work shifts also based on their seniority. Normally, officers are not provided more permanent geographical assignments; rather, the officers are assigned to patrol beats within the city based on the particular shift needs. In some cases, a more senior officer within patrol could be assigned to the same beat and remain on a consistent shift, but this is not the norm, resulting in officers not being given geographical assignments. Thus, the accountability to solve problems with geographical portions of the city is nonexistent. Further, because officers are reacting to

calls for service versus proactively addressing systemic causes of crime and fear of crime, not being afforded the opportunity to know their beats and those community members residing within the beats, relationships are not being built that would lead to trust and partnerships.

Patrol beat boundaries (see figure 13 on page 103) have not been updated for several years. SPD members interviewed by the assessment team were unable to provide the exact date the current patrol beat boundaries were established, nor could SPD staff provide any explanation or documentation to describe any analysis used for the patrol beat and boundary creation.

Investigations division staffing

The SPD Investigations division is composed of a commander, two first-line supervisors (sergeants), and 14 detectives. Detectives work predominantly Monday through Friday and then serve on a rotating basis for weekend and holiday on-call.

Within the Investigations division, there is no clear division by crime type, such as persons or property crimes. Further, there is no formal case review process that enables detectives and supervisors to openly discuss cases being handled within the division or cases coming to the SPD that might be assigned in patrol. This lack of case review limits overall crime reduction and accountability. Case management and case review should be a priority for SPD Investigation division supervisors, and a system should be established that allows for consistent review and work load balancing and assessment.

Civilian staffing

Civilian staff members within the SPD perform myriad functions that place them in contact with the community and directly provide police department services. The Community Services Officers (CSO) provide support by handling some calls for service not considered in progress or by responding to calls in which a crime may have been committed but when there is no suspect information or little to no physical evidence. Notably, only one CSO is assigned to assist patrol with handling these types of calls. In addition, CSOs handle parking enforcement and abandoned car removal. They also staff the front-desk area of the SPD, assisting customers as needed.

Based on the assessment of the workload within the Field Operations division (patrol), the assessment team determined that additional CSOs could help offset the reactive workload of patrol officers. Trained CSOs could further assist in patrol by handling the crime scene investigation portion of criminal investigations. Specifically, properly trained CSOs could assist in performing crime scene processing, including scene photography, evidence gathering, evidence submission, and reporting.

Community volunteers

According to SPD members that the assessment team interviewed, there is no formal Volunteers in Police Service (VIPS) program within the department.[105] There are currently two community volunteers working with the department who are isolated to handling low-level administrative tasks.

105. "Volunteers in Police Service," Office of Justice Programs, accessed February 23, 2016, https://www.bja.gov/ProgramDetails.aspx?Program_ID=100.

The use of community volunteers would enhance police-community relationships, increase trust, and positively impact the heavy workload throughout the department. During the assessment, the team learned that the SPD conducts Citizen Police Academies, a program that provides attendees with a better understanding of police departments and open lines of communication with communities represented.

SPD Citizen Police Academy graduates are not offered ways to continue the relationship with the police department. Through a resident police academy alumni organization, academy graduates would remain viable candidates for volunteer positions within the SPD, as well as potentially provide a pool of prospective employees. The alumni association could serve as another community-based group capable of providing valuable and timely input to SPD administrators.

Performance measurement and accountability

To measure performance and focus resource deployment, share timely information, and develop tactics, many police agencies have adopted accountability, or performance review, sessions. The SPD does not conduct regular accountability sessions in which timely information is shared with department leaders, supervisors, or other stakeholders. In addition, there is no formal department-wide follow-up on crime reduction efforts, such as weekly accountability sessions (e.g., a CompStat-like approach[106] or Stratified Policing[107]). There are several systematic approaches to organizational accountability being used by law enforcement agencies around the United States that should be considered.

Within the Investigations division, supervisors and investigators meet every two weeks to discuss current and ongoing shooting investigations. These cases, which involve the discharge of firearms at persons or property, receive the only crime analysis available within the department. These sessions, referred to as "shooting review" meetings, include representatives from other local and regional law enforcement agencies. While these meetings were not described as agency-wide meetings that Field Operations (patrol) staff regularly attend, they did provide results that helped the department address violent crime within the city. The absence of regular attendees from the patrol section creates a loss of important information sharing between investigators and patrol officers.

Organizational restructuring

In July 2015, the SPD was restructured and all sworn personnel were reassigned to either Field Operations (patrol) or the Investigations division. The exception was the Training Unit staff and Internal Affairs staff remaining in place.

The SPD organizational restructuring terminated special team assignments, task force assignments, and the Gang Intelligence unit. This included reassigning the two-person team previously assigned to the Hebbron Heights area of East Salinas to patrol.

106. *CompStat: Its Origins, Evolution, and Future* (see note 7).
107. Boba and Santos, *A Police Organizational Model* (see note 7); Santos and Santos, "Evidence-Based Policing" (see note 8).

The restructuring was carried out in an effort to increase the number of sworn personnel working in patrol and thus reduce the burden of overtime necessary to meet the minimum staffing levels.[108] Prior to the restructuring, SPD officers were mandated to work overtime in order to ensure that staffing levels remained at the established minimum levels.[109] According to SPD command staff, the additional personnel reassigned to patrol greatly reduced the need for mandatory overtime within patrol operations.

Theme 2. The SPD lacks crime reduction and community-policing strategies

Interviews with SPD members and a review of documents provided to the assessment team revealed that the SPD lacks a community policing strategy. While the SPD's mission statement focuses on enhancing the quality of life in Salinas by working in partnership with the people of Salinas, there was no comprehensive community-policing strategy or plan.

A review of SPD documents and information gathered through interviews with SPD members revealed that the SPD has adapted a reactive policing style.[110] In addition, aside from a two-officer team working in a high-density, high-crime area of the city focused on problem solving and building community-police partnerships, there was little evidence of community-policing practices.

Patrol officers and patrol supervisors described the SPD's policing strategy as reactive or crisis-driven, largely due to staffing shortages or a lack of strategy, or both. When officers and supervisors were asked to explain the SPD crime reduction strategy, the overwhelming response was that "there is no crime reduction strategy."

The SPD's lack of community-policing and crime reduction strategies has left SPD staff reacting to calls for service versus proactively solving problems, preventing crime, and building community partnerships. The SPD lacks an organizational structure that enables these activities. Patrol supervisors focus on reacting to calls for service and ensuring that pending calls are cleared from the pending status. Based on interviews and document reviews, there was no evidence that proactive policing efforts were planned, organized, or developed; rather, the priority was to respond to calls for service and avoid the backlog of pending calls. The focus on reacting versus being a proactive police agency was attributed to low staffing; however, despite the reduced staffing levels, there was a lack of a community policing strategy within the SPD.

Theme 3. The SPD lacks capability in the areas of crime and data analysis

Crime analysis

The SPD employs a part-time crime analyst whose work is focused on case review and analysis for the investigation division. The SPD does not employ crime analysts who focus on data review and analysis to produce information that could aid commanders with resource deployment decisions, crime reduction and problem solving, or measuring the effectiveness of their efforts. Field Operations division commanders and supervisors are not provided actionable analysis to guide them in daily decision making and in addressing trends in criminal activity or real-time information about problems within Salinas.

108. E-mail from chief of police to department, April 29, 2015 provided by SPD to IIR for document review.
109. IIR interviews with SPD personnel.
110. IIR interviews.

Data analysis

The UCR reports provided from SPD for the five years prior to this assessment showed an increase of 643 reported Part I crimes since 2010, or a 9.0 percent increase.[111]

Table 33. City of Salinas Uniform Crime Reports, 2010–2014

	2010	2011	2012	2013	2014
Homicide	19	15	21	24	15
Rape by force	23	34	41	36	32
Robbery	365	374	488	451	449
Assault	1,859	1,699	1,548	1,552	1,830
Burglary	1,358	1,140	1,218	1,148	1,281
Larceny	2,437	2,189	2,606	2,720	2,330
Motor vehicle theft	853	1,163	1,082	1,488	1,616

The CFS data analysis indicates that there are distinct clusters where CFS are occurring. This data analysis produced in a density map and overlaid on the current SPD beat boundaries shows where the majority of calls are being generated. Likewise, in the map in figure 13 of hot spots of all 2014 crime-based CFS, the data shows a pattern of CFS and crime density. The data suggest that there are distinct clusters, or hot spots, of crime and of CFS.[112]

Figure 13. Salinas beat map of all crime-based calls for service, 2014

111. Federal Bureau of Investigation, *Crime in the United States, 2011*, Uniform Crime Report (Washington, DC: Federal Bureau of Investigation, 2012), https://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2011/crime-in-the-u.s.-2011.

112. The data provided no clear distinction between citizen-generated calls for service and police-generated calls; the Diagnostic Center grouped calls that were most likely to be police-generated calls into the "Administrative" category, which constitutes a substantial portion of calls and potentially skews data results, particularly when analyzing response times. Calls for service have an original call type (assigned based on the description provided by the caller) and a final call type (assigned based on officer determination at the scene); the Diagnostic Center used the final call type for this analysis.

Findings and recommendations

Finding 45

The SPD currently follows a minimum staffing model for patrol resource deployment.[113]

The SPD deploys resources using a minimum staffing model developed more than 20 years ago. The model being used by the SPD establishes a minimum number of patrol officers and supervisors for each of the three shifts. The analysis or methodology that was used to establish the minimum staffing model is not known.

Recommendation 45.1

The SPD should update its staffing model using various contemporary data sources, including calls for service, crime reports, and input from officers and supervisors and the community.

The SPD should conduct a comprehensive analysis of CFS data to determine peak times and locations for patrol staff deployment to develop a new staffing model for patrol resource deployment.[114]

Finding 46

The SPD does not assign officers to the same geographic area for an extended period of time.

The SPD currently assigns patrol officers to beats based on the officer's seniority and requested area of work. Due to shift rotation and officers' days off, officers with less seniority often routinely work in different areas of the city (beats) because they are not assigned a permanent beat. Assigning officers to an area for an extended period of time ideally leads to an officer's familiarity with the community and its problems as well as a sense of ownership of these problems. While there is value in an officer working in a variety of areas and knowing the entire city, in the community policing model it is common for officers to be geographically assigned.

Recommendation 46.1

The SPD should follow a data-driven approach as it develops a new model for patrol resources deployment emphasizing longer-term geographic assignment for officers.[115]

By examining where calls occur, when they occur, and how long officers on average spend on calls and using multiple years of data, the SPD can determine when and where there is demand for police services within the city. Identifying peak times, locations, and types of problems will enable the agency to be able to proactively deploy resources according to need, versus the reactive approach to beat assignment that is currently operating under the minimum staffing model.

113. Based upon interviews with all SPD commanders and sergeants and in comparison to other agency best practices.
114. Joseph P. Rodriguez III and O. Elmer Polk, "The Geographic Policing Model: A Contemporary Approach to Spatial Accountability in a North Texas Police Department," *Southwest Journal of Criminal Justice* 5, no. 1 (2008), 50–68, http://swacj.org/swjcj/archives/5.1/5%20Rodriguez.pdf.
115. James McCabe, *An Analysis of Police Department Staffing: How Many Officers Do You Really Need?* (Washington, DC: International City/County Management Association, n.d.).

Recommendation 46.2

After implementing the new staffing model with an emphasis on the geographic assignment of officers for extended periods, the SPD should evaluate the effectiveness of the new model and review impacts to its crime reduction efforts.

Patrol officers' efforts in problem solving and community trust building should be factors included in the review. The SPD should consider using resident surveys to evaluate the impact of the new staffing model on the community.

As the SPD considers new patrol shift configurations and extended geographic assignments, it should begin to tie agency performance more closely to officer activities within its geographic areas. This will increase agency and officer ownership over the crimes and problems taking place in officers' assigned beats.

Finding 47

The SPD does not have an adequate crime analysis capability.

The SPD does not employ a full-time crime analyst. Currently, the SPD has one employee in this role who serves on a part-time basis; however, this arrangement does not provide the adequate crime analysis needed for the SPD. Problem areas such as hot spots and repeat CFS locations are not being analyzed for proper identification and deployment of resources. Statistical trends and reports are not being produced to support accountability of strategies implemented to reduce crime and improve quality of life.

Recommendation 47.1

The SPD should hire at least one experienced full-time crime analyst.

A full-time crime analyst is needed to provide the capacity to proactively address crime and quality-of-life issues in the community and to adhere to the community-policing philosophy. It will be impossible for SPD leaders to properly hold the agency accountable for meaningful crime reduction or improvements with community partnerships without being data-driven.[116] Basic crime analysis that provides data about crime trends, hot spot locations, and victim and offender information will greatly help SPD crime reduction efforts.

Recommendation 47.2

The SPD should ensure that it is maximizing its use of available resources, such as the department's membership in Western States Information Network® (WSIN).[117]

The WSIN represents the western area of the United States for the Regional Information Sharing Systems® (RISS) Program. RISS is a nationwide information sharing and investigative support program that serves thousands of local, state, federal, and tribal law enforcement and public safety agencies in all 50 states.

116. The recommended amount of personnel dedicated to crime analysis is one crime analyst for every 100 sworn officers. Rachel Boba Santos, *Crime Analysis With Crime Mapping*, 3rd edition (Thousand Oaks, CA: SAGE Publications, 2012).
117. "WSIN: Western States Information Network," Western States Information Network, accessed February 23, 2016, https://www.riss.net/Centers/WSIN.

SPD officers, crime analysts, and investigators can receive professional, innovative, and critical investigative support services, technology support, and access to secure information sharing capabilities, as well as officer safety information and investigative deconfliction services. RISS serves as a force multiplier, effectively and efficiently aiding agencies in tackling crime problems in their areas.[118]

Finding 48

The SPD has no formal systematic accountability process that focuses on crime prevention and crime reduction, performance evaluation, and resource allocation.[119]

The SPD does not hold regular operational or accountability sessions in which crime patterns and trends, personnel allocation, overall performance, or crime reduction strategies are discussed. In addition, there is no formal accountability process for crime reduction, community engagement, or performance at the supervisory or command level related to operational matters.

While the SPD currently holds biweekly "shooting review" meetings in which detectives review the previous two weeks' shooting cases and those still pending, these meetings do not always include patrol staff. These reviews result in collaboration with staff and deeper analysis of specific crimes and problems within the community, but they lack the robust accountability of staff at different ranks within different divisions that a more systematic accountability meeting would provide.[120]

Recommendation 48.1

The chief of police and his executive staff should conduct regular accountability meetings.

The chief of police and executive staff should develop and implement an accountability and management process in which the department's crime reduction efforts, problem-solving activities, case management functions, and other key activities are discussed and assessed. Attendees should include the chief of police, executive staff, commanders, and key supervisors. In addition, as the department hires additional crime analysts, they should not only be in attendance but should also provide analysis of crime and help staff determine the outcomes of efforts and activities. In addition to SPD personnel, the meetings or appropriate portions of them should include Monterey County Emergency Communications staff and other key non-SPD stakeholders, including members of the PCAC and CASP.

Recommendation 48.2

In its efforts to serve the residents of Salinas, the SPD should use the accountability meetings to engage external stakeholders in the region, such as other law enforcement agencies, social service providers, and community associations and other city leaders.

The SPD should include regional law enforcement partners at the local, county, state, and federal levels in their accountability sessions to facilitate information and resource sharing, deconfliction, and consistent strategy implementation. Similarly, the SPD should include the appropriate city departments and other non-law enforcement stakeholders in its accountability sessions, when applicable.

118. Ibid.
119. *CompStat: Its Origins, Evolution, and Future* (see note 7).
120. Accountability meetings also present an important opportunity to focus on progress or challenges related to neighborhood or community problem-solving initiatives. When these issues are incorporated into the accountability process, it adds to the legitimacy placed on community-policing activities within the agency.

Finding 49

SPD patrol supervisors are not required to spend time in the field monitoring, supporting, and assessing patrol operations.

Based on interviews with patrol officers, sergeants, and commanders, the assessment team concluded that many sergeants and commanders are not directed to spend adequate time in the field monitoring patrol officer activities. Officers indicated that there is a lack of communication, supervision, support, and guidance that is adding to what they perceive as internal agency communication deficiencies. It appears as though this absence of supervision for patrol officers is affecting officer morale as well as limiting the department's abilities to assess effectiveness, personnel performance, and accountability.

Recommendation 49.1

The SPD should require first-level supervisors assigned to patrol operations to spend time in the field assessing, supporting, and guiding subordinate personnel.

Effective supervision is necessary in order to ensure peak performance, department goal attainment, and overall mission focus. The SPD's first-level supervisors should be engaged with patrol operations by being in the field to guide, support, and hold officers accountable.[121] The SPD chief of police and executive staff should determine what amount of time is appropriate and hold first-level supervisors accountable accordingly.

Recommendation 49.2

SPD patrol supervisors' (first-level) performance evaluations should include categories related to field-based work and patrol-level activities, including neighborhood problem-solving activities and community-policing initiatives.

Holding patrol supervisors accountable for supporting and guiding field personnel will help to instill trust and confidence that leadership is invested in patrol-level activities. In addition, patrol supervisors should be required to actively lead a minimum of one specific ongoing problem-solving effort at all times.[122]

Finding 50

The SPD should increase its use of civilian staff.

During interviews, SPD staff members explained that there has been a significant reduction in staffing due to budget reductions.[123] The loss of civilian staff caused functions normally performed by those employees to be done by sworn personnel or left to be triaged by remaining civilian staff.

Recommendation 50.1

The SPD should consider increasing the number of civilian employees for the purposes of shifting nonpolice functions currently being handled by police officers to civilian employees.

121. Based on interviews of SPD supervisors, command staff, and patrol officers.
122. For assistance in the nature of problem-solving efforts, please see "Center for Problem-Oriented Policing," Center for Problem-Oriented Policing, accessed February 23, 2016, http://www.popcenter.org.
123. See tables 30 and 31 on pages 70 and 98.

Adding civilian staff positions should be pursued specifically for CSO positions. For example, the SPD employs CSOs and assigns them to various functions within the department, including handling resident calls for service that are not in progress and when there is no suspect information. In addition, CSOs handle other patrol-related functions, such as towing abandoned vehicles and vehicle maintenance, as well as several other nonpatrol functions.

Recommendation 50.2

The SPD should reevaluate its use of sworn staff serving as crime scene technicians and consider using civilian staff (or a mix of sworn and civilian staff), specifically trained as crime scene technicians, to relieve patrol officers and patrol supervisors of this burden.

Effective use of civilian staff allows sworn staff to focus more time and energy on the mission of community policing and proactive problem solving. The use of civilian staff for crime scene technicians is a common practice.

Finding 51

The SPD does not have a department-wide and functional VIPS program.

The SPD has had some experience using community volunteers to assist and support the department. There are countless examples of police agencies having tremendous success in the use of community volunteers that include operational and investigative capacities.

Recommendation 51.1

The SPD should expand its use of volunteers in all three SPD divisions—the Investigations division, the Field Operations (patrol) division, and the Administration division.

The use of suitable citizen volunteers can significantly enhance the capabilities of the SPD while promoting community-police relationships. Volunteers can expand the collaborative efforts between the community and the SPD while also adding viable assistance to them in all three divisions.

Recommendation 51.2

The SPD should assign a supervisor to work with community members to develop a formal community volunteer program.[124]

The department should assign a supervisor to develop a community volunteer program and include input from community members and key partners. One program that the agency may consider adopting is the International Association of Chiefs of Police (IACP) VIPS program.

By implementing a VIPS program, the SPD would receive supporting information that provides program development information, sample policies, and overall guidance. The SPD should consider adopting a community volunteer program similar to the ones in Stockton, California; Oxnard, California; Arlington,

124. Qualified volunteers are a major asset to police departments, improving efficiencies and service to the community. The agency should identify a capable and appropriate community volunteer willing to be responsible for the coordination of the program. According to the International Association of Chiefs of Police, "Volunteers help to increase police responsiveness, service delivery, and information input, and they provide new program opportunities.""Volunteers Model Policy," International Association of Chiefs of Police, accessed February 23, 2016, http://www.iacp.org/MPVolunteers.

Texas; or Lexington, Kentucky. These jurisdictions offer examples of programs in which volunteers provide such services as handling follow-up calls and cold calls, towing abandoned vehicles, handling non-in-progress calls for service in which there is no suspect information, staffing special events, and serving in "residents on patrol" functions.[125]

Finding 52

The SPD's Investigations division is divided between two sergeants primarily by priority and availability, not by different crime types.

Most police agencies separate criminal investigations assignments into areas by crime type. Some examples include crimes against persons (homicides and other violent crimes, such as robberies), sex crimes, or property or fraud crimes (such as burglary, larceny, or identity theft). According to the detective supervisors, the SPD detectives handle cases based on the detectives' availability.

Recommendation 52.1

The SPD should realign its Investigations division to divide its work by person crimes and property crimes.[126]

Crime investigation clearance rates help police leaders measure and gauge the performance of not only crime investigations but of overall crime reduction efforts. By specializing some portions of the Investigations division and assigning detectives to crime-specific cases, the SPD can better manage caseloads and improve crime investigation clearance rates. Detectives will also expand their investigative abilities by handling similar crime types.

Recommendation 52.2

The SPD should assign specific detectives to the homicide unit, reporting to the crimes-against-persons sergeant, relieving other, less experienced detectives of these complex investigations.

Homicide investigations should be investigated by detectives with the training and expertise necessary to handle these complex and often time-consuming investigations. The complex nature of homicide investigations calls for specialized training and a developed skill set by these detectives.[127]

Finding 53

The SPD has no systematic accountability or investigative case review.

According to supervisors and detectives assigned to the Investigations division, there is no formal process for investigative case review. This also applies to those investigative cases that are being conducted by officers assigned to patrol.

125. This is widely used nomenclature describing this program. See, e.g., "Citizens on Patrol: History of Cincinnati's Citizens on Patrol Program (COPP)," City of Cincinnati, accessed February 23, 2016, http://www.cincinnati-oh.gov/police/community-involvement/citizens-on-patrol/.
126. James M. Cronin et al., *Promoting Effective Homicide Investigations* (Washington, DC: Office of Community Oriented Policing Services, 2007), http://ric-zai-inc.com/Publications/cops-p139-pub.pdf.
127. For more information, see David L. Carter, *Homicide Process Mapping: Best Practices for Increasing Homicide Clearances* (Washington, DC: Bureau of Justice Assistance, 2013), http://www.iir.com/Documents/Homicide_Process_Mapping_September_email.pdf.

Recommendation 53.1

The SPD Investigations division should establish weekly meetings for case reviews.

To assess, direct, and facilitate proper case management, investigations should be discussed and reviewed weekly by detectives and their immediate supervisors (Investigations division sergeants). This practice is in line with the recommendation to advance the agency's accountability processes.

Recommendation 53.2

Detectives should have case support and crime analysis support that provide basic link analysis, case deconfliction, and temporal analysis.

Analytical support for the Investigations division will enhance the SPD's overall investigative capabilities through data analysis and intelligence gathering and sharing. Detectives and patrol officers will benefit from the various analyses of data enabling investigative and enforcement efforts to be guided by the data versus anecdotal information.

Finding 54

The SPD lacks a comprehensive crime reduction approach.

A comprehensive crime reduction approach that provides the SPD members with direction, focus, goals, and objectives will increase consistency, establish expectations, and enhance accountability through frequent strategy assessments.

Recommendation 54.1

The SPD should develop and implement a comprehensive crime reduction approach that includes evidence-based crime reduction strategies, community partnerships, problem solving, and accountability (e.g., Stratified Policing).[128]

Stratified Policing is an organizational approach that creates a system for problem solving, analysis, and accountability to implement evidence-based strategies. The stratified approach allows the agency to assign ranks to its appropriate responsibility in crime reduction activities and hold them accountable. With actionable analysis at every level, each rank implements evidence-based strategies and is held accountable for doing so.

Recommendation 54.2

The SPD's crime reduction strategy should include specific and quantifiable performance measures with regular reporting of goal attainment and overall strategy progress.

Effective crime reduction and efficient resource deployment can be identified and improved through appropriate performance measurement. By measuring the effectiveness of the SPD's crime reduction strategy, department leadership can better manage resources and respond to community problems. By tracking crime, crime trends, and CFS by geographical areas in the city, the SPD will be in a better position to measure and evaluate the effectiveness of its crime reduction strategies.[129]

128. Boba and Santos, *A Police Organizational Model* (see note 8); Santos and Santos, "Evidence-Based Policing" (see note 8).
129. *CompStat: Its Origins, Evolution, and Future* (see note 7).

Chapter 7. Training

Overview

This chapter examines the Salinas Police Department's (SPD) use of force (UOF) training and related training policies; compliance with the California Commission on Peace Officer Standards and Training (POST) requirements for continuing professional training; POST Advanced Officer Training (AOT) compliance, specifically related to UOF; the SPD's Field Training Officer (FTO) program; and the SPD's training program management.

Data collection

California Commission on Peace Officer Standards and Training

The California POST Commission sets the minimum selection and training standards for California law enforcement.[130] The POST's purview includes mandating certain training for law enforcement basic recruits and FTOs, advanced and specialized training, and continuing professional training, also known as the AOT course. In addition, the California legislature mandates that certain training be delivered to peace officers and the intervals for such training. POST oversees and approves this training.

Advanced Officer Training course

The SPD provides annual training for sworn members, referred to as AOT. According to the SPD training unit, the AOT course is normally delivered twice per year—once in the spring and once in the fall. The assessment team's analysis of available training records from the SPD for the years 2012–2015 showed that SPD conducted some annual training for sworn members during this review period. The training records provided to IIR by the SPD were limited to training rosters and a few training outlines. The following is a recap of the training summary for the SPD for spring 2012–spring 2015:

- Spring 2012
  - Defensive tactics
  - Firearms
- Fall 2012
  - Pursuit driver training and issuing new SPD radios
- Spring 2013
  - Basic firearms skills (standard on each firearms training outline is a review of department policy, moral legal considerations, and scenario training (bag and box, vehicle threats, active shooter)
  - Investigating child sexual assaults
- Fall 2013
  - Defensive tactics—control techniques, verbalization, weapons work, floor work
  - Response to active shooter

130. "POST News," State of California, accessed February 23, 2016, https://www.post.ca.gov/home.aspx.

- Spring 2014
  - Police legitimacy (Chicago Police Department model training)
  - Accident investigation
  - Firearms
  - Portable evidence breath testing
- Fall 2014
  - CPR/first aid—including automatic external defibrillator
  - Investigative procedures
  - Driving/pursuit driving
- Spring 2015
  - CPR/first aid
  - Blood-borne pathogens
  - Firearms

According to the training outlines the assessment team reviewed, the SPD is using some scenario-based training during the firearms and active shooter portions of its training.[131] This includes lethal and nonlethal decision making using scenario-based situations. There is no specific notation of de-escalation training; however, during interviews with the SPD Training unit and SPD trainers, they stated that de-escalation is provided to special weapons and tactics (SWAT) team members during their regular training. The SPD provided no documentation for this training.

While the SPD provides its sworn members with diverse training topics, the content areas related to use of force and de-escalation techniques were not specifically identified in the documents provided. Although instructors may be referring to these areas generally or providing specific techniques, there was no direct evidence of major learning outcomes, learning objectives, or specific content related to use of force or de-escalation.

Key themes

Theme 1. UOF policy training

According to the SPD and based on documents reviewed, SPD members receive training on UOF policies at least annually. This training normally occurs during firearms training. The SPD provides this training to recruits, typically during their two-week orientation training preceding entry into the FTO program.

An examination of the SPD training program included a review of the basic recruit training. In addition to the basic recruit course curriculum and outline reviews, the assessment team met with program coordinators from the South Bay Regional Public Safety Training Consortium and Monterey Peninsula College, where many SPD officers receive POST-mandated basic recruit training prior to certification as peace officers. The primary focus of this meeting was to determine how recruits are being trained in UOF, de-escalation techniques, and community policing.

131. SPD training outlines and rosters for 2012–2015 provided by SPD to IIR for document review.

Based on the team's review of training materials and interviews with program coordinators, it was determined that the topic areas are being taught in the police academy and are part of the academy curriculum. It was also determined that the curriculum contains appropriate levels of instruction with defined learning outcomes in the areas of UOF, de-escalation, community policing, and broad ethics and ethical decision making. The curriculum is created, mandated, and provided by the California POST Commission. Following is a listing of the topic areas, the learning domain number(s), and a summary of the topic areas.[132]

Use of force: expanded course outline—learning domain 20, 20 hours

- De-escalation—verbal and physical
- Lethal force, less than lethal force
- Firearms proficiency

Professionalism and ethnics (legitimacy and procedural justice): expanded course outline—learning domain 1, 18 hours

- Empowerment and entrusted by community
- Range of police power
- Authority and discretion
- Ethical standards

Community policing: expanded course outline—learning domain L3, 21 hours

- Definition of community policing
- Three major components of community policing
- Organizational transformation
- Partnerships
- Problem solving

The lesson plans indicated that the topics are being taught by providing recruits with a foundation of knowledge and requiring the application of the knowledge to scenario-based training. To demonstrate mastery of the topic, recruits are tested for both knowledge and application of the topic and must achieve a minimum score of 80 percent.

The field training program is one of the most important aspects of becoming a police officer. Normally, following basic recruit law enforcement training, trainees enter a field training program and learn the practical aspects of law enforcement, community policing, and their police department's culture, policies, and procedures from FTOs. There are two widely recognized police field training programs: the traditional San Jose model and the Police Training Officer (PTO) program—also known as the Reno Model—developed by the U.S. Department of Justice, Office of Community Oriented Policing Services.[133] The SPD's FTO program follows the traditional San Jose model.

132. South Bay Regional Public Safety Training Consortium and California POST Commission documentation provided by SPD to IIR for document review.
133. "Police Training Officer (PTO) Program," Office of Community Oriented Policing Services, accessed February 23, 2016, http://www.cops.usdoj.gov/default.asp?Item=461.

The assessment team examined the SPD's FTO program, including its field guide and several FTO program documents, such as actual recruit evaluations. In addition, the team met with a group of nine SPD FTOs to determine how recruits in the FTO program are being trained specifically in UOF and de-escalation. The team also examined how the FTOs train in community policing.

The document review revealed that the concepts of UOF and de-escalation techniques are being taught to recruits and trainees. FTOs receive training throughout the FTO program on the SPD's UOF policies and the application of force, reasonable force, and tactical retreat to scenarios that reflect on-the-street situational encounters.

The FTOs stated that the concepts of police legitimacy and procedural justice are specifically found in the field training guide objectives, and the recruits are required to have a foundation in the knowledge domain as well as the application domain of the concepts. The team's review of the field training guide confirmed this.[134]

In addition, the assessment team reviewed how the FTO program provides training for recruits and trainees in community-policing training. Recruits receive 24 hours of community-policing training during their academy-level training; however, there is no specific curriculum pertaining to community policing within the FTO program. According to the FTOs, recruits learn the application of community policing through scenarios and when calls for service provide them with opportunities to implement the concepts.

The team's examination of the SPD training program included interviews of officers who were in their tenth week of the FTO program, i.e., trainees, to determine how they are receiving UOF, de-escalation techniques, police legitimacy, procedural justice process, and community-policing training.

The trainees stated that the basic recruit law enforcement academy training instruction included UOF policies and techniques, applications of reasonable force, and de-escalation. They received classroom training in the concepts during the academy, and during week one and two of the SPD orientation program they also received training related to the topics. Furthermore, throughout the FTO program, trainees are provided with opportunities to apply the concepts to scenarios and actual calls for service.

The assessment and observations of the FTO program revealed that the community-policing training FTOs received from the law enforcement academy focused specifically on developing community partnerships and problem solving. However, when asked how community policing was being taught during SPD's FTO program, the trainees indicated that the focus was on creating partnerships by introducing themselves to businesses and community members, not in concepts of problem solving and associated problem-solving techniques.

Theme 2. SPD Training unit

The SPD Training unit is responsible for administering the department's training program.[135] SPD policy directs the Training unit to develop a training plan on an annual basis. Based on the interviews with SPD Training unit staff and document reviews, there were no training plans in place, and none were provided for a review. SPD policy further directs the Training unit to conduct an annual training needs assessment of the department. The needs assessment creates the basis for the annual training plan. The SPD was unable to provide the assessment team with a training needs assessment.

134. Salinas Police Department's FTO Guidebook, Week #1, Objectives 8 and 9, and Week #2, Objective 4.
135. SPD policy 208 provided by SPD to IIR for document review.

According to the SPD training policy, a training committee should be established for purposes of assisting with training needs assessments. While the SPD relies on several sworn members as trainers, specifically in UOF, defensive tactics, and firearms, no training committee exists. SPD policy directs the training committee to review certain serious incidents that involve death or potential for death or serious injury.

Use of electronic databases or records management systems for storing employee training files or training materials and documentation storage in addition to other important department records is a widely accepted best practice and necessary in order to properly manage and oversee training.[136] The SPD Training unit's maintenance of training files and documentation is limited primarily to paper files and paper rosters. Training course documentation is also limited to paper files, with many training resources such as outlines, course curricula, or other training documents not available.

Theme 3. Crisis intervention training

The SPD has taken steps to train and certify sworn members in crisis response, known as crisis intervention team (CIT) training. According to the SPD, more than 70 percent of its sworn staff is certified in CIT. However, there was no evidence of ongoing recurring training in CIT pursuant to California POST requirements.

An examination of the SPD's CIT program showed that in situations when a community member is in crisis and the police department has been called to respond, on-duty CIT-trained officers are deployed to the locations. The on-duty CIT-trained officers are designated as such on the daily work schedule to ensure that CIT-trained officers are appropriately dispatched to these types of calls.

In addition, the SPD participates in a monthly CIT meeting with representatives from the Monterey County Behavioral Health Unit, Mobile Crisis Services, and the Behavioral Health Unit Negotiations Team. This interaction and partnership naturally enhances the SPD's ability to respond to and handle situations involving community members in crisis or suffering from mental illness. The lack of regular, annual training for sworn and nonsworn members in CIT limits the SPD's abilities to deal with individuals in crisis or suffering from mental illness.

Findings and recommendations

Finding 55

The SPD does not have a consistent process to track or review training lesson plans or individuals who attend training.

Based on the assessment team's review of training material and interviews, the SPD does not have a system in place to adequately capture what type of training SPD personnel receive or who attends in-service training. In addition, SPD does not consistently maintain a system of accountability and associated consequences for failing to attend required training.

136. Law Enforcement Technology Standards Council, *Standard Functional Specifications for Law Enforcement Records Management Systems (RMS)* (Washington, DC: Bureau of Justice Assistance, n.d., http://it.ojp.gov/documents/LEITSC_Law_Enforcement_RMS_Systems.pdf; "Technology Technical Assistance (TTAP) Program," International Association of Chiefs of Police, accessed February 23, 2016, http://www.iacp.org/Technology-Technical-Assistance-TTAP-Program.

Recommendation 55.1

The SPD should create and establish an accountability process to systematically track and save all training lesson plans and track individuals' attendance.

Recommendation 55.2

The SPD should implement an inspection and audit of its training records.

The SPD should update its training policy to include a mandatory annual training records audit to be performed by the training coordinator and the appropriate command-level staff member. The audit should be used to review the SPD's compliance with California POST training requirements and compliance with its training policies and to ensure that all training records, outlines, lesson plans, and related training materials are current and properly stored.

Recommendation 55.3

The SPD should purchase appropriate training records software. It is critical that training be tracked accurately to ensure that all training requirements are appropriately completed.

There is established software available that can track officers' training and avoid the possibility of personnel not receiving required training.

Finding 56

The SPD's Training policy 208 indicates that a training plan will be developed and maintained by the Training unit.

It is the responsibility of the Training unit to maintain, review, and update the training plan on an annual basis to address changes to the law, state-mandated training, and critical issues training. According to SPD command staff and Training unit staff, there are no current or past examples of training plans within the department.

Recommendation 56.1

The SPD should follow its policy 208 and develop a training plan that—at a minimum—addresses changes to the law, state-mandated training, and critical issues training. In addition, the SPD's training plan should include relevant training for the SPD's civilian staff.

A comprehensive training plan will strategically guide the SPD's training focus to incorporate current trends, national lessons learned, and local needs. In addition, the SPD can incorporate California POST-required training and adhere to the mandated training intervals.[137]

Recommendation 56.2

The SPD's training plan should be developed on an annual basis by the training committee and shared throughout the department. The SPD should incorporate community partners or PCAC, or both, into the development of the training plan.

137. Commission on POST, "Dispatchers," State of California, accessed February 23, 2016, https://post.ca.gov/home.aspx.

An annual training plan will allow the SPD staff to forecast training activities and enable training budgets to be developed based on the plan. Sharing the training plan with all department personnel will allow enhanced internal communications and increase inclusion. Likewise, incorporating the community and PCAC will enhance external communications.

Finding 57

The SPD is not adhering to agency policy 208.5, "Training Needs Assessment."

This policy indicates that the Personnel and Training unit will conduct an annual training needs assessment of the department, and it will be reviewed by the executive staff. The Training unit was unable to produce a training needs assessment and acknowledged that such an assessment was not being conducted.

Recommendation 57.1

The SPD training committee, under the guidance of the Training unit sergeant, should conduct a training needs assessment pursuant to policy 208.5 and gain the input and approval of the executive staff. The training needs assessment should be used as the basis for the SPD annual training plan.

A training needs assessment will ensure that the SPD's annual training plan reflects the department's training needs and priorities with budget constraints and staffing needs as considerations. The training needs assessment should incorporate community, department, and leadership input.

Finding 58

The SPD is not adhering to policy 208.6 (Training Committee) and has not established a functional training committee.

Training committees help Training unit staff and SPD leadership manage the training function, while also serving an analysis function for identifying training needs and evaluating all training opportunities.

Recommendation 58.1

The SPD should establish a training committee pursuant to policy 208.6, and in addition to sworn members, the SPD should add an SPD civilian member and an appropriate member of one of the public groups mentioned earlier.

The SPD should create and announce the formation of a training committee to solicit the ideas and suggestions of the department regarding training needs. Training committee meetings should be documented and minutes shared throughout the department.

Policy 208.6 states, in part, that the SPD training committee should review certain incidents, including (a) any incident involving the death or serious injury of an employee; (b) incidents involving a high risk of death, serious injury, or civil liability; and (c) incidents identified by a supervisor as appropriate for review to identify possible training needs.

The after-action review of critical incidents that involve SPD personnel for purposes of identifying training needs, highlighting training successes, and establishing recommendations is essential to effectively and efficiently managing training functions.

Recommendation 58.2

The SPD training committee should review all UOF incidents for training-related purposes.

This process is important to highlight training outcomes or to determine whether SPD policies should be revised or updated. Pursuant to SPD policy 208.6, the review should be factual in nature and names of employees and subjects should be omitted.

Finding 59

The SPD's FTO program provides training in UOF but does not incorporate community-policing training throughout its objectives.

The FTO program is in part an opportunity for departments to reinforce essential police officer skills and, more important, develop a positive culture that reinforces police-community relationships. By incorporating elements of community policing into the FTO program, the SPD will provide new employees with fundamental training expectations and added performance measures. Building these elements into the entry-level training will assist the SPD with establishing a culture of community policing.

Recommendation 59.1

The FTO program should infuse the concepts of community policing throughout the training objectives.

By adopting the philosophy of community policing and providing support for all SPD staff to implement the concepts of community policing, the department will change its culture and infuse community policing throughout the organization. It will be important to include community-policing concepts throughout the FTO program to train and evaluate recruit officers in the areas of understanding crime and social problems, developing community partnerships to address solutions to problems by applying the SARA (scanning, analysis, response and assessment) model, and increasing trust between police and citizens.[138]

Recommendation 59.2

The SPD should consider a transition to the PTO program, which is a problem-based learning program for officers, in the FTO program or modifying the existing FTO program to incorporate elements of the PTO program.

A PTO program "incorporates contemporary methods in adult education and a version of the problem-based learning method of teaching adapted for police. Most importantly, it serves to ensure that academy graduates' first exposure to the real world is one that reflects policing in the 21st century,"[139] whereas the traditional FTO program model provides comprehensive guidelines and structured learning content to facilitate newly assigned peace officers transitioning from an academic setting to field training, where they gain hands-on experience forming the foundation of their career.[140]

138. Tom Nelson, *PTO: An Overview and Introduction* (Washington, DC: Office of Community Oriented Policing Services, 2004), http://ric-zai-inc.com/Publications/cops-w0150-pub.pdf.
139. "Police Training Officer (PTO) Program" (see note 133).
140. Commission on POST, "POST-Approved Patrol Training Programs," State of California, https://post.ca.gov/field-training--police-training.aspx.

The immediate benefits of the PTO program are many: patrol officers who better understand and engage in problem solving, increased interest and involvement in community policing and problem solving on the part of new and experienced officers, greater trainee self-awareness, and a sense of area responsibility by new officers. An important long-term benefit to the agency is the further institutionalization of community policing and problem solving.[141]

Finding 60

The SPD has no formalized training program for those new hires who are precertified (lateral) police officers.

At present, the SPD has a modified FTO program for new hires with precertification and police officer experience, but it is not formalized. A formalized FTO program for lateral hires will ensure that consistent and adequate training is provided with the appropriate level of performance measures.

Recommendation 60.1

The SPD should develop an appropriate and consistent FTO program that incorporates the essential FTO-level training for an experienced police officer new hire. Specifically, the elements of this program should be developed by those within the department serving as FTOs and Training unit staff and command-level staff.

Finding 61

The SPD does not provide regular training on interactions with persons with mental disabilities and is not adhering to SPD policy 418, "Mental Illness Commitments."

The policy indicates that POST-approved advanced officer training on interaction with persons with mental disabilities, including crisis intervention, should be provided. This training is essential to SPD members in helping guide their handling of incidents involving those with mental disabilities, especially when in crisis situations.

Recommendation 61.1

The SPD should develop and implement a POST-approved training curriculum for all SPD sworn personnel and those civilian personnel dealing with the community directly in the response and handling of situations involving persons with mental challenges, those with mental illness, or individuals in crisis and deliver annually.

Responding to situations that involve persons with mental disabilities requires training that enhances police officers' understanding of those with mental disabilities and also provides critical skills in managing situations involving individuals in crisis. The SPD has a high percentage of its officers trained in crisis intervention procedures, but retraining in this area is needed.

141. Daniel E. Lundgren, *Community Oriented Policing and Problem Solving* (Sacramento, CA: California Department of Justice), https://www.ncjrs.gov/App/Publications/abstract.aspx?ID=144727.

Recommendation 61.2

The SPD should leverage its partnership with the Monterey County Behavioral Health Unit and expand training for patrol officers and supervisors.

The Monterey County Behavioral Health Unit can help the SPD, through its existing partnerships, expand training for all SPD members on responding to and handling situations that involve persons suffering from mental disabilities or in crisis. This training should be a minimum of four hours. The training should provide SPD members with information that is applicable for nonenforcement tactics and less lethal methods of handling persons in crisis. This training should be scenario-based and include instruction delivered in part from professional behavioral health care staff.

Recommendation 61.3

SPD patrol supervisors should periodically attend the monthly CIT meetings to enhance the partnerships with the CIT and the Monterey County Behavioral Health Unit.

Through the inclusion of patrol-level supervisors in the monthly CIT meetings, the existing partnership with the CIT and the SPD will improve. Such participation will enhance existing relationships and add value to the partnership as well as formalize the relationships and enhance the existing response protocols.

Conclusion

The Salinas Police Department (SPD), like many law enforcement agencies in the United States, has struggled with meeting its mission demands while grappling with shrinking budgets and resources. The mission-related challenges are complex, including sustained or rising violent crime, a diverse population with unique cultures, and the struggles of becoming a proactive police agency versus reacting to the crimes, quality-of-life issues, and problems in the community.

Recognizing the complexities the department faces, the SPD sought help in addressing growing concerns and criticisms from the community about the police department following four separate high-profile officer-involved shootings that resulted in the deaths of four Hispanic men. The request by the chief of police for assistance from the Office of Community Oriented Policing Services (COPS Office) in the form of a Collaborative Reform Initiative for Technical Assistance led to this assessment, report, and findings and recommendations. Throughout this assessment, the SPD has been completely cooperative and transparent, accommodating the assessment team's needs for information, scheduling, and on-site activities. The SPD is to be commended for this.

This assessment had four overarching objectives, but ultimately its goal is to help SPD improve in its mission of providing police services to Salinas and its community. To achieve the assessment, the team reviewed SPD policies, procedures, accountability systems, training, all areas of use of force, and the SPD's relationships with the community and key stakeholders and internally within the department. This process involved interviewing more than 325 SPD members, community members, and stakeholders to gain needed insight into how the SPD operates, collaborates, and interacts internally as well as externally. External stakeholders included Motivating Individual Leadership for Public Advancement, the League of United Latin American Citizens, the National Association for the Advancement of Colored People, the Salinas United Business Association, the Community Alliance for Safety and Peace, the Monterey County Emergency Communications Department, and the Monterey County District Attorney's Office.

The assessment and this report showed deficiencies in policies, training, internal and external communications, accountability systems, and internal affairs and professional standards and a lack of community-police collaboration strategy. The assessment produced 61 findings and 110 recommendations. These recommendations, if accepted and implemented, will enhance SPD's community-police collaboration, increase accountability and transparency, enhance training, improve internal and external communications, and shift the SPD's culture to a more community-collaborative police agency.

Next steps

Over the next 12 months, the COPS Office will work with the SPD to assist the agency in the implementation of the recommendations and to monitor its progress. The department's achievements in implementing these recommendations will be published in two separate monitoring reports. By adopting and implementing the recommended changes addressed in this report, the SPD can change its culture, realize operational efficiencies, improve community-police collaborations, and address the concerns identified regarding use of force policies, practices, and training.

Acronyms, Abbreviations, and Initialisms

AOT	advanced officer training
CAD	computer-aided dispatch
CASP	Community Alliance for Safety and Peace
CEW	conducted energy weapon
CFS	calls for service
CID	central information display
CIT	crisis intervention team
COPS Office	Office of Community Oriented Policing Services
CRI-TA	Collaborative Reform Initiative for Technical Assistance
CSO	Community Services Officer
DOJ	U.S. Department of Justice
ECW	electronic control weapon
FTO	field training officer
FY	fiscal year
IACP	International Association of Chiefs of Police
IIR	Institute for Intergovernmental Research
LULAC	League of United Latin American Citizens
MILPA	Motivating Individual Leadership for Public Advancement
MOU	memorandum of understanding
NAACP	National Association for the Advancement of Colored People
OC	oleoresin capsicum ("pepper spray")
OIS	officer-involved shooting
PCAC	Police/Community Advisory Committee
PIO	public information officer
POST	Peace Officer Standards and Training
PTO	police training officer
RISS	Regional Information Sharing Systems®
SARA	scanning, analysis, response, and assessment
SPD	Salinas Police Department

SPOA	Salinas Police Officers Association
SUBA	Salinas United Business Association
SWAT	special weapons and tactics
UCR	Uniform Crime Reports
UOF	use of force
VIPS	Volunteers in Police Service
W&I	welfare and institutions
WSIN	Western States Information Network®

Appendix A—Salinas Police Department Policies 300, 306, 308, 309, and 310

Policy
300

Salinas Police Department
Policy Manual

Use of Force

300.1 PURPOSE AND SCOPE
This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this department is expected to use these guidelines to make such decisions in a professional, impartial and reasonable manner.

300.1.1 DEFINITIONS
Definitions related to this policy include:

Deadly force - Force reasonably anticipated and intended to create a substantial likelihood of causing death or very serious injury.

Force - The application of physical techniques or tactics, chemical agents or weapons to another person. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed or restrained.

300.2 POLICY
The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.

The Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation and a careful balancing of all interests.

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 exceeds the degree of force permitted by law should promptly report these observations to a supervisor.

300.3 USE OF FORCE
Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

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.

Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the tools, weapons or methods provided by the Department. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires an officer to retreat or be exposed to possible physical injury before applying reasonable force.

300.3.1 USE OF FORCE TO EFFECT AN ARREST

Any peace officer may use reasonable force to effect an arrest, to prevent escape or to overcome resistance. A peace officer who makes or attempts to make an arrest need not retreat or desist from his/her efforts by reason of resistance or threatened resistance on the part of the person being arrested; nor shall an officer be deemed the aggressor or lose his/her right to self-defense by the use of reasonable force to effect the arrest, prevent escape or to overcome resistance (Penal Code § 835).

300.3.2 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When determining whether to apply force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit. These factors include, but are not limited to:

(a) Immediacy and severity of the threat to officers or others.

(b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time.

(c) Officer/subject factors (age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).

(d) The effects of drugs or alcohol.

(e) Subject's mental state or capacity.

(f) Proximity of weapons or dangerous improvised devices.

(g) The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained.

(h) The availability of other options and their possible effectiveness.

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(i) Seriousness of the suspected offense or reason for contact with the individual.

(j) Training and experience of the officer.

(k) Potential for injury to officers, suspects and others.

(l) Whether the person appears to be resisting, attempting to evade arrest by flight or is attacking the officer.

(m) The risk and reasonably foreseeable consequences of escape.

(n) The apparent need for immediate control of the subject or a prompt resolution of the situation.

(o) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.

(p) Prior contacts with the subject or awareness of any propensity for violence.

(q) Any other exigent circumstances.

300.3.3 PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Officers may only apply those pain compliance techniques for which they have successfully completed department-approved training. Officers utilizing any pain compliance technique should consider:

(a) The degree to which the application of the technique may be controlled given the level of resistance.

(b) Whether the person can comply with the direction or orders of the officer.

(c) Whether the person has been given sufficient opportunity to comply.

The application of any pain compliance technique shall be discontinued once the officer determines that compliance has been achieved.

300.3.4 CAROTID CONTROL HOLD

(a) The use of the carotid control hold as a routine method of restraint is not authorized by the Salinas Police Department

(b) The carotid control hold is not authorized for use by members of this Department, except as an alternative to lethal force, and the carotid control hold may only be used in those situations where the use of deadly force is justified. All other uses of the carotid control hold are unauthorized.

300.4 DEADLY FORCE APPLICATIONS

Use of deadly force is justified in the following circumstances:

(a) An officer may use deadly force to protect him/herself or others from what he/she reasonably believes would be an imminent threat of death or serious bodily injury.

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(b) An officer may use deadly force to stop a fleeing subject when the officer has probable cause to believe that the person has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the officer reasonably believes that there is an imminent risk of serious bodily injury or death to any other person if the subject is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible.

Imminent does not mean immediate or instantaneous. An imminent danger may exist even if the suspect is not at that very moment pointing a weapon at someone. For example, an imminent danger may exist if an officer reasonably believes any of the following:

1. The person has a weapon or is attempting to access one and it is reasonable to believe the person intends to use it against the officer or another.
2. The person is capable of causing serious bodily injury or death without a weapon and it is reasonable to believe the person intends to do so.

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.

Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.

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. To collect data for purposes of training, resource allocation, analysis and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure or law.

300.5.1 NOTIFICATION TO SUPERVISORS
Supervisory notification shall be made as soon as practicable following the application of force in any of the following circumstances:

(a) The application caused a visible injury.

(b) The application would lead a reasonable officer to conclude that the individual may have experienced more than momentary discomfort.

(c) The individual subjected to the force complained of injury or continuing pain.

(d) The individual indicates intent to pursue litigation.

(e) Any application of a TASER device or control device.

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(f) Any application of a restraint device other than handcuffs, shackles or belly chains.

(g) The individual subjected to the force was rendered unconscious.

(h) An individual was struck or kicked.

(i) An individual alleges any of the above has occurred.

300.6 MEDICAL CONSIDERATION

Prior to booking or release, medical assistance shall be obtained for any person who exhibits signs of physical distress, who has sustained visible injury, expresses a complaint of injury or continuing pain, or who was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until he/she can be medically assessed.

Based upon the officer's initial assessment of the nature and extent of the subject's injuries, medical assistance may consist of examination by fire personnel, paramedics, hospital staff or medical staff at the jail. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another officer and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if possible.

The on-scene supervisor, or if not available, the primary handling officer shall ensure that any person providing medical care or receiving custody of a person following any use of force is informed that the person was subjected to force. This notification shall include a description of the force used and any other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics and imperviousness to pain (sometimes called #excited delirium#), or who require a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Officers who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage away if appropriate.

300.7 SUPERVISOR RESPONSIBILITY

When a supervisor is able to respond to an incident in which there has been a reported application of force, the supervisor is expected to:

(a) Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.

(b) Ensure that any injured parties are examined and treated.

(c) When possible, separately obtain a recorded interview with the subject upon whom force was applied. If this interview is conducted without the person having voluntarily waived his/her *Miranda* rights, the following shall apply:

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1. The content of the interview should not be summarized or included in any related criminal charges.
2. The fact that a recorded interview was conducted should be documented in a property or other report.
3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.

(d) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas. These photographs should be retained until all potential for civil litigation has expired.

(e) Identify any witnesses not already included in related reports.

(f) Review and approve all related reports.

(g) Determine if there is any indication that the subject may pursue civil litigation.

1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.

(h) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy non-compliance or if for any reason further investigation may be appropriate.

In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.

300.7.1 WATCH COMMANDER RESPONSIBILITY
A Division Commander shall review each use of force by any personnel within his/her command to ensure compliance with this policy and to address any training issues.

300.8 TRAINING
Officers will receive periodic training on this policy and demonstrate their knowledge and understanding.

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Policy
306

Salinas Police Department
Policy Manual

Handcuffing and Restraints

306.1 PURPOSE AND SCOPE
This policy provides guidelines for the use of handcuffs and other restraints during detentions and arrests.

306.2 POLICY
The Salinas Police Department authorizes the use of restraint devices in accordance with this policy, the Use of Force Policy and department training. Restraint devices shall not be used to punish, to display authority or as a show of force.

306.3 USE OF RESTRAINTS
Only members who have successfully completed Salinas Police Department-approved training on the use of restraint devices described in this policy are authorized to use these devices.

When deciding whether to use any restraint, officers should carefully balance officer safety concerns with factors that include, but are not limited to:

- The circumstances or crime leading to the arrest.
- The demeanor and behavior of the arrested person.
- The age and health of the person.
- Whether the person is known to be pregnant.
- Whether the person has a hearing or speaking disability. In such cases, consideration should be given, safety permitting, to handcuffing to the front in order to allow the person to sign or write notes.
- Whether the person has any other apparent disability.

306.3.1 RESTRAINT OF DETAINEES
Situations may arise where it may be reasonable to restrain an individual who may, after brief investigation, be released without arrest. Unless arrested, the use of restraints on detainees should continue only for as long as is reasonably necessary to assure the safety of officers and others. When deciding whether to remove restraints from a detainee, officers should continuously weigh the safety interests at hand against the continuing intrusion upon the detainee.

306.3.2 RESTRAINT OF PREGNANT PERSONS
Persons who are known to be pregnant should be restrained in the least restrictive manner that is effective for officer safety and in no event shall these persons be restrained by the use of leg irons, waist chains or handcuffs behind the body.

No person who is in labor, delivery or recovery after delivery shall be handcuffed or restrained except in extraordinary circumstances and only when a supervisor makes an individualized

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determination that such restraints are necessary for the safety of the arrestee, officers or others (Penal Code § 3407; Penal Code § 6030).

306.3.3 RESTRAINT OF JUVENILES
A juvenile under 14 years of age should not be restrained unless he/she is suspected of a dangerous felony or when the officer has a reasonable suspicion that the juvenile may resist, attempt escape, injure him/herself, injure the officer or damage property.

306.3.4 NOTIFICATIONS
Whenever an officer transports a person with the use of restraints other than handcuffs, the officer shall inform the jail staff upon arrival at the jail that restraints were used. This notification should include information regarding any other circumstances the officer reasonably believes would be potential safety concerns or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration) that may have occurred prior to, or during transportation to the jail.

306.4 APPLICATION OF HANDCUFFS OR PLASTIC CUFFS
Handcuffs, including temporary nylon or plastic cuffs, may be used only to restrain a person's hands to ensure officer safety.

Although recommended for most arrest situations, handcuffing is discretionary and not an absolute requirement of the Department. Officers should consider handcuffing any person they reasonably believe warrants that degree of restraint. However, officers should not conclude that in order to avoid risk every person should be handcuffed, regardless of the circumstances.

In most situations handcuffs should be applied with the hands behind the person's back. When feasible, handcuffs should be double-locked to prevent tightening, which may cause undue discomfort or injury to the hands or wrists.

In situations where one pair of handcuffs does not appear sufficient to restrain the individual or may cause unreasonable discomfort due to the person's size, officers should consider alternatives, such as using an additional set of handcuffs or multiple plastic cuffs.

Handcuffs should be removed as soon as it is reasonable or after the person has been searched and is safely confined within a detention facility.

306.5 APPLICATION OF SPIT HOODS/MASKS/SOCKS
Spit hoods/masks/socks are temporary protective devices designed to prevent the wearer from biting and/or transferring or transmitting fluids (saliva and mucous) to others.

Spit hoods may be placed upon persons in custody when the officer reasonably believes the person will bite or spit, either on a person or in an inappropriate place. They are generally used during application of a physical restraint, while the person is restrained, or during or after transport.

Officers utilizing spit hoods should ensure that the spit hood is fastened properly to allow for adequate ventilation and that the restrained person can breathe normally. Officers should provide assistance during the movement of restrained individuals due to the potential for impaired or

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distorted vision on the part of the individual. Officers should avoid comingling individuals wearing spit hoods with other detainees.

Spit hoods should not be used in situations where the restrained person is bleeding profusely from the area around the mouth or nose, or if there are indications that the person has a medical condition, such as difficulty breathing or vomiting. In such cases, prompt medical care should be obtained. If the person vomits while wearing a spit hood, the spit hood should be promptly removed and discarded. Persons who have been sprayed with oleoresin capsicum (OC) spray should be thoroughly decontaminated including hair, head and clothing prior to application of a spit hood.

Those who have been placed in a spit hood should be continually monitored and shall not be left unattended until the spit hood is removed. Spit hoods shall be discarded after each use.

306.6 APPLICATION OF AUXILIARY RESTRAINT DEVICES

Auxiliary restraint devices include transport belts, waist or belly chains, transportation chains, leg irons and other similar devices. Auxiliary restraint devices are intended for use during long-term restraint or transportation. They provide additional security and safety without impeding breathing, while permitting adequate movement, comfort and mobility.

Only department-authorized devices may be used. Any person in auxiliary restraints should be monitored as reasonably appears necessary.

306.7 APPLICATION OF LEG RESTRAINT DEVICES

Leg restraints may be used to restrain the legs of a violent or potentially violent person when it is reasonable to do so during the course of detention, arrest or transportation. The RIPP Hobble manufactured by RIPP Restraints, Inc., Orange City, Florida is the only leg restraint device (except auxiliary restraint devices) authorized by this Department. Officers shall only use the RIPP Hobble restraint supplied by the Department.

In determining whether to use the leg restraint, officers should consider:

(a) Whether the officer or others could be exposed to injury due to the assaultive or resistant behavior of a suspect.

(b) Whether it is reasonably necessary to protect the suspect from his/her own actions (e.g., hitting his/her head against the interior of the patrol unit, running away from the arresting officer while handcuffed, kicking at objects or officers).

(c) Whether it is reasonably necessary to avoid damage to property (e.g., kicking at windows of the patrol unit).

Immobilization Procedures Defined

(a) Partial Immobilization - A person is considered partially immobilized when they are handcuffed, their legs are held together with a RIPP Hobble restraint device and the clip end of that device is not connected to the handcuffs.

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(b) Full Immobilization - A full immobilization procedure consists of simultaneously securing all of the person's limbs (arms and legs). The individual's arms (wrists) are immobilized with handcuffs and their legs (normally the ankles) are immobilized with the RIPP Hobble restraint device. The clip end of the hobble restraint is then connected to the chain of the handcuffs, or the RIPP Sit-belt. There will be adequate strap length between the handcuffs and the ankles to allow the restrained person to sit in an upright position.

306.7.1 GUIDELINES FOR USE OF LEG RESTRAINTS
When applying leg restraints the following guidelines should be followed:

(a) If practicable, officers should notify a supervisor of the intent to apply the leg restraint device. In all cases, a supervisor shall be notified as soon as practicable after the application of the leg restraint device.

(b) Once applied, absent a medical or other emergency, restraints should remain in place until the officer arrives at the jail or other facility or the person no longer reasonably appears to pose a threat.

(c) Once secured, the person should be placed in a seated or upright position, secured with a seat belt, and shall not be placed on his/her stomach for an extended period, as this could reduce the person's ability to breathe.

(d) The restrained person should be continually monitored by an officer while in the leg restraint. The officer should ensure that the person does not roll onto and remain on his/her stomach.

(e) The officer should look for signs of labored breathing and take appropriate steps to relieve and minimize any obvious factors contributing to this condition.

(f) When transported by ambulance/paramedic unit, the restrained person should be accompanied by an officer when requested by medical personnel. The transporting officer should describe to medical personnel any unusual behaviors or other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

306.8 SUPERVISOR RESPONSIBILITIES
The application of the RIPP Hobble when fully immobilizing a person is considered a use of force and therefore a Use of Force report will be written by a field supervisor. The following information should be included in the supervisory review of the incident:

(a) The original reason for applying the RIPP Hobble.

(b) How long the subject was restrained and in what position(s).

(c) The emergency medical agency, if any, that responded.

(d) How the person was transported and in what body position they were placed during the transport.

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(e) The observations of the subject's psychological/physical condition while restrained and during the transport phase.

(f) Any recent drug usage by the subject (alleged or sustained) or any indications that the subject may suffer from cardiac or respiratory diseases.

306.9 REQUIRED DOCUMENTATION

If an individual is restrained and released without an arrest, the officer may document the details of the detention and the need for handcuffs.

If an individual is arrested, the use of restraints other than handcuffs shall be documented in the related report. The officer should include, as appropriate:

(a) The amount of time the suspect was restrained.

(b) How the suspect was transported and the position of the suspect.

(c) Observations of the suspect's behavior and any signs of physiological problems.

(d) Any known or suspected drug use or other medical problems.

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Policy
308

Salinas Police Department
Policy Manual

Control Devices and Techniques

308.1 PURPOSE AND SCOPE
This policy provides guidelines for the use and maintenance of control devices that are described in this policy.

308.2 POLICY
In order to control subjects who are violent or who demonstrate the intent to be violent, the Salinas Police Department authorizes officers to use control devices in accordance with the guidelines in this policy and the Use of Force Policy.

308.3 ISSUING, CARRYING AND USING CONTROL DEVICES
Control devices described in this policy may be carried and used by members of this department only if the device has been issued by the Department or approved by the Chief of Police or the authorized designee.

Only officers who have successfully completed department-approved training in the use of any control device are authorized to carry and use the device.

Control devices may be used when a decision has been made to control, restrain or arrest a subject who is violent or who demonstrates the intent to be violent, and the use of the device appears reasonable under the circumstances. When reasonable, a verbal warning and opportunity to comply should precede the use of these devices.

When using control devices, officers should carefully consider potential impact areas in order to minimize injuries and unintentional targets.

308.4 RESPONSIBILITIES

308.4.1 WATCH COMMANDER RESPONSIBILITIES
The Watch Commander may authorize the use of a control device by selected personnel or members of specialized units who have successfully completed the required training.

308.4.2 RANGEMASTER RESPONSIBILITIES
The Lead Defensive Tactics Instructor and Personnel and Training Sergeant shall control the inventory and issuance of all control devices and shall ensure that all damaged, inoperative, outdated or expended control devices or munitions are properly disposed of, repaired or replaced.

Every control device will be periodically inspected by the Lead Defensive Tactics Instructor or the designated instructor for a particular control device. The inspection shall be documented.

308.4.3 USER RESPONSIBILITIES
All normal maintenance, charging or cleaning shall remain the responsibility of personnel using the various devices.

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Any damaged, inoperative, outdated or expended control devices or munitions, along with documentation explaining the cause of the damage, shall be returned to the Rangemaster for disposition. Damage to City property forms shall also be prepared and forwarded through the chain of command, when appropriate, explaining the cause of damage.

308.5 BATON GUIDELINES

The need to immediately control a suspect must be weighed against the risk of causing serious injury. The head, neck, throat, spine, heart, kidneys and groin should not be intentionally targeted except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

When carrying a baton, uniformed personnel shall carry the baton in its authorized holder on the equipment belt. Plainclothes and non-field personnel may carry the baton as authorized and in accordance with the needs of their assignment or at the direction of their supervisor.

Department Issued/Approved Batons

(a) ASP Baton

1. The Department shall provide all sworn officers with a collapsible baton (ASP), which measures 10 inches closed and 26 inches expanded. The ASP collapsible baton is currently the standard issued impact weapon. Plainclothes personnel may utilize the collapsible baton, which measures 8 inches closed and 21 inches expanded.
2. The baton shall be carried in an approved belt holder attached to the duty belt of uniformed personnel, and carried securely on the person of plainclothes officers/detectives. Any officer may choose to purchase his/her own alternative baton at his/her own expense, which conforms to the batons listed under "Optional Styles of Batons."

(b) Optional Styles of Batons

1. Collapsible Baton
   (a) Any officer wishing to carry a collapsible baton other than the ASP brand may utilize a similar baton of good quality manufacture, subject to approval by the Personnel and Training Sergeant, after a favorable recommendation from the defensive tactics instruction staff and which has the same closed and expanded dimensions listed in the section above regarding Department issued batons.
2. Straight Baton
   (a) Any officer wishing to carry a straight baton may utilize a baton that does not exceed 29 inches in length or 1-1/4 inches in diameter.

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(b) The straight baton may be made from any hard wood. The entire baton must be constructed of wood. No other material may be inserted or attached, other than a rubber grommet.

(c) The straight baton shall be a natural wood grain finish or black in color.

3. Side Handle Baton

(a) Any officer wishing to carry a side handle baton may utilize either:

1. Monadnock PR-24 (non-expandable)
2. Monadnock Expandable PR-24
3. Any side handle baton of good quality manufacture, subject to approval by the Personnel and Training sergeant, after a favorable recommendation from the defensive tactics instruction staff. Purchase, maintenance, repair, and replacement of the Monadnock PR-24/Monadnock Expandable PR-24 or other approved side handle baton is strictly the officer's personal responsibility.
4. Any sworn officer wishing to carry the Monadnock Expandable PR-24 should take caution. The company that manufactures the baton does NOT guarantee the joint of the baton against breakage.

4. Mounted Police Baton

(a) The Mounted Police Baton shall be the standard issue impact weapon for the Salinas Police Mounted Unit while working on horseback.

(b) The Mounted Police Baton specifications:

(a) Material: Wood and shall be a natural wood grain finish or black in color.

(b) Length: 40 inches

(c) Width: 1 x inches (oval shaped)

(d) Handle: Wooden, approximately 10 inches

(e) Weight: Approximately 24 ounces (varies with wood used)

(c) The baton must be carried in the approved ring attached to the mounted saddle.

(d) Mounted Officers must have received training from the P.O.S.T. approved mounted school in addition to any ordered supplemental Department training.

(e) Authorization to carry the Mounted Police Baton is granted only to officers assigned to the Mounted Unit, and then only while deployed on horseback duty.

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5. Riot Baton
   (a) Members of the Mobile Field Force (MFF) shall be issued and utilize a riot baton with the specifications listed below:
   (b) The riot baton specifications
      1. Material: Wood
      2. Length: 35 1/2 inches
      3. Width: 1 1/4" (circular shape)
      4. Handle: Wooden, 8 - 12 inches
      5. Weight: Approximately 1 - 3 lbs
   (c) The baton must be carried in the approved ring attached to the officers belt
   (d) Members of the MFF must have received training from a POST approved instructor in addition to any supplemental Department training
   (e) Authorization to carry the riot baton is granted only to officers assigned to the MFF, and then only where and while the MFF is deployed.

308.6 TEAR GAS GUIDELINES

Tear gas may be used for crowd control, crowd dispersal or against barricaded suspects based on the circumstances. Only the Watch Commander, Incident Commander or SWAT / HNT Commander may authorize the delivery and use of tear gas, and only after evaluating all conditions known at the time and determining that such force reasonably appears justified and necessary.

When practicable, fire personnel should be alerted or summoned to the scene prior to the deployment of tear gas to control any fires and to assist in providing medical aid or gas evacuation if needed.

308.7 OLEORESIN CAPSICUM (OC) GUIDELINES

As with other control devices, oleoresin capsicum (OC) spray and pepper projectiles may be considered for use to bring under control an individual or groups of individuals who are engaging in, or are about to engage in violent behavior. Pepper projectiles and OC spray should not, however, be used against individuals or groups who merely fail to disperse or do not reasonably appear to present a risk to the safety of officers or the public.

308.7.1 OC SPRAY

Uniformed personnel carrying OC spray shall carry the device in its holster on the equipment belt. Plainclothes and non-field personnel may carry OC spray as authorized, in accordance with the needs of their assignment or at the direction of their supervisor.

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308.7.2 TREATMENT FOR OC SPRAY EXPOSURE
Persons who have been sprayed with or otherwise affected by the use of OC should be promptly provided with clean water to cleanse the affected areas. Those persons who complain of further severe effects shall be examined by appropriate medical personnel.

308.8 POST-APPLICATION NOTICE
Whenever tear gas or OC has been introduced into a residence, building interior, vehicle or other enclosed area, officers should provide the owners or available occupants with notice of the possible presence of residue that could result in irritation or injury if the area is not properly cleaned. Such notice should include advisement that clean up will be at the owner's expense. Information regarding the method of notice and the individuals notified should be included in related reports.

308.9 KINETIC ENERGY PROJECTILE GUIDELINES
This department is committed to reducing the potential for violent confrontations. Kinetic energy projectiles, when used properly, are less likely to result in death or serious physical injury and can be used in an attempt to de-escalate a potentially deadly situation.

308.9.1 DEPLOYMENT AND USE
Only department-approved kinetic energy munitions shall be carried and deployed. Approved munitions may be used to compel an individual to cease his/her actions when such munitions present a reasonable option.

Officers are not required or compelled to use approved munitions in lieu of other reasonable tactics if the involved officer determines that deployment of these munitions cannot be done safely. The safety of hostages, innocent persons and officers takes priority over the safety of subjects engaged in criminal or suicidal behavior.

Circumstances appropriate for deployment include, but are not limited to, situations in which:

(a) The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.

(b) The suspect has made credible threats to harm him/herself or others.

(c) The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at people and/or officers.

(d) There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.

308.9.2 DEPLOYMENT CONSIDERATIONS
Before discharging projectiles, the officer should consider such factors as:

(a) Distance and angle to target.

(b) Type of munitions employed.

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(c) Type and thickness of subject's clothing.

(d) The subject's proximity to others.

(e) The location of the subject.

(f) Whether the subject's actions dictate the need for an immediate response and the use of control devices appears appropriate.

A verbal warning of the intended use of the device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to give the individual a reasonable opportunity to voluntarily comply and to warn other officers and individuals that the device is being deployed.

Officers should keep in mind the manufacturer's recommendations and their training regarding effective distances and target areas. However, officers are not restricted solely to use according to manufacturer recommendations. Each situation must be evaluated on the totality of circumstances at the time of deployment.

The need to immediately incapacitate the subject must be weighed against the risk of causing serious injury or death. The head and neck should not be intentionally targeted, except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

308.9.3 SAFETY PROCEDURES
Shotguns specifically designated for use with kinetic energy projectiles will be specially marked in a manner that makes them readily identifiable as such.

Officers will inspect the shotgun and projectiles at the beginning of each shift to ensure that the shotgun is in proper working order and the projectiles are of the approved type and appear to be free from defects.

When it is not deployed, the shotgun will be unloaded and properly and securely stored in the vehicle. When deploying the kinetic energy projectile shotgun, the officer shall visually inspect the kinetic energy projectiles to ensure that conventional ammunition is not being loaded into the shotgun.

Absent compelling circumstances, officers who must transition from conventional ammunition to kinetic energy projectiles will employ the two-person rule for loading. The two-person rule is a safety measure in which a second officer watches the unloading and loading process to ensure that the weapon is completely emptied of conventional ammunition.

308.10 TRAINING FOR CONTROL DEVICES
The Training Sergeant shall ensure that all personnel who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified as necessary.

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(a) Proficiency training shall be monitored and documented by a certified, control-device weapons or tactics instructor.

(b) All training and proficiency for control devices will be documented in the officer's training file.

(c) Officers who fail to demonstrate proficiency with the control device or knowledge of this agency's Use of Force Policy will be provided remedial training. If an officer cannot demonstrate proficiency with a control device or knowledge of this agency's Use of Force Policy after remedial training, the officer will be restricted from carrying the control device and may be subject to discipline.

308.11 REPORTING USE OF CONTROL DEVICES AND TECHNIQUES

Any application of a control device or technique listed in this policy shall be documented in the related incident report and reported pursuant to the Use of Force Policy.

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Policy
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Salinas Police Department
Policy Manual

Conducted Energy Device

309.1 PURPOSE AND SCOPE
This policy provides guidelines for the issuance and use of TASER devices.

309.2 POLICY
The TASER® device is intended to control a violent or potentially violent individual, while minimizing the risk of serious injury. The appropriate use of such a device should result in fewer serious injuries to officers and suspects.

309.3 ISSUANCE AND CARRYING TASER DEVICES
Only members who have successfully completed department-approved training may be issued and carry the TASER device.

TASER devices are issued for use during a member's current assignment. Those leaving a particular assignment may be required to return the device to the department's inventory.

Officers shall only use the TASER device and cartridges that have been issued by the Department. Uniformed officers who have been issued the TASER device shall wear the device in an approved holster on their person. Non-uniformed officers may secure the TASER device in the driver's compartment of their vehicle.

Members carrying the TASER device should perform a spark test on the unit prior to every shift.

When carried while in uniform officers shall carry the TASER device in a weak-side holster on the side opposite the duty weapon.

(a) All TASER devices shall be clearly and distinctly marked to differentiate them from the duty weapon and any other device.

(b) Whenever practicable, officers should carry two or more cartridges on their person when carrying the TASER device.

(c) Officers shall be responsible for ensuring that their issued TASER device is properly maintained and in good working order.

(d) Officers should not hold both a firearm and the TASER device at the same time.

309.4 VERBAL AND VISUAL WARNINGS
A verbal warning of the intended use of the TASER device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to:

(a) Provide the individual with a reasonable opportunity to voluntarily comply.

(b) Provide other officers and individuals with a warning that the TASER device may be deployed.

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If, after a verbal warning, an individual is unwilling to voluntarily comply with an officer's lawful orders and it appears both reasonable and feasible under the circumstances, the officer may, but is not required to, display the electrical arc (provided that a cartridge has not been loaded into the device), or the laser in a further attempt to gain compliance prior to the application of the TASER device. The aiming laser should never be intentionally directed into the eyes of another as it may permanently impair his/her vision.

The fact that a verbal or other warning was given or the reasons it was not given shall be documented by the officer deploying the TASER device in the related report.

309.5 USE OF THE TASER DEVICE

The TASER device has limitations and restrictions requiring consideration before its use. The TASER device should only be used when its operator can safely approach the subject within the operational range of the device. Although the TASER device is generally effective in controlling most individuals, officers should be aware that the device may not achieve the intended results and be prepared with other options.

309.5.1 APPLICATION OF THE TASER DEVICE

The TASER device may be used in any of the following circumstances, when the circumstances perceived by the officer at the time indicate that such application is reasonably necessary to control a person:

(a) The subject is violent or is physically resisting.

(b) The subject has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm officers, him/herself or others.

Mere flight from a pursuing officer, without other known circumstances or factors, is not good cause for the use of the TASER device to apprehend an individual.

309.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS

The use of the TASER device on certain individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the officer, the subject or others, and the officer reasonably believes that the need to control the individual outweighs the risk of using the device. This includes:

(a) Individuals who are known to be pregnant.

(b) Elderly individuals or obvious juveniles.

(c) Individuals with obviously low body mass.

(d) Individuals who are handcuffed or otherwise restrained.

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(e) Individuals who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.

(f) Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles).

Because the application of the TASER device in the drive-stun mode (i.e., direct contact without probes) relies primarily on pain compliance, the use of the drive-stun mode generally should be limited to supplementing the probe-mode to complete the circuit, or as a distraction technique to gain separation between officers and the subject, thereby giving officers time and distance to consider other force options or actions.

The TASER device shall not be used to psychologically torment, elicit statements or to punish any individual.

309.5.3 TARGETING CONSIDERATIONS
Reasonable efforts should be made to target lower center mass and avoid the head, neck, chest and groin. If the dynamics of a situation or officer safety do not permit the officer to limit the application of the TASER device probes to a precise target area, officers should monitor the condition of the subject if one or more probes strikes the head, neck, chest or groin until the subject is examined by paramedics or other medical personnel.

309.5.4 MULTIPLE APPLICATIONS OF THE TASER DEVICE
Officers should apply the TASER device for only one standard cycle and then evaluate the situation before applying any subsequent cycles. Multiple applications of the TASER device against a single individual are generally not recommended and should be avoided unless the officer reasonably believes that the need to control the individual outweighs the potentially increased risk posed by multiple applications.

If the first application of the TASER device appears to be ineffective in gaining control of an individual, the officer should consider certain factors before additional applications of the TASER device, including:

(a) Whether the probes are making proper contact.

(b) Whether the individual has the ability and has been given a reasonable opportunity to comply.

(c) Whether verbal commands, other options or tactics may be more effective.

Officers should generally not intentionally apply more than one TASER device at a time against a single subject.

309.5.5 ACTIONS FOLLOWING DEPLOYMENTS
Officers shall notify a supervisor of all TASER device discharges. The expended cartridge, along with both probes and wire, should be submitted into evidence. The cartridge serial number should

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be noted and documented on the evidence paperwork. The evidence packaging should be marked "Biohazard" if the probes penetrated the subject's skin. The ranking supervisor on the scene will determine if the confetti tags should be collected. If the TASER device is discharged and the individual(s) sustains a minor injury or no injury, the supervisor will not be required to direct the collection the confetti tags. If the TASER device is discharged and the individual(s) sustains a major injury or the TASER device discharge is a part of an officer involved shooting, the supervisor will direct the collection of the confetti tags.

309.5.6 DANGEROUS ANIMALS
The TASER device may be deployed against an animal as part of a plan to deal with a potentially dangerous animal, such as a dog, if the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

309.5.7 OFF-DUTY CONSIDERATIONS
Officers are not authorized to carry department TASER devices while off-duty.

Officers shall ensure that TASER devices are secured while in their homes, vehicles or any other area under their control, in a manner that will keep the device inaccessible to others.

309.6 DOCUMENTATION
Officers shall document all TASER device discharges in the related arrest/crime report and the TASER device report form. Notification shall also be made to a supervisor in compliance with the Use of Force Policy. Unintentional discharges, pointing the device at a person, laser activation and arcing the device will also be documented on the report form.

309.6.1 TASER DEVICE FORM
Items that shall be included in the TASER device report form are:

(a) The type and brand of TASER device and cartridge and cartridge serial number.

(b) Date, time and location of the incident.

(c) Whether any display, laser or arc deterred a subject and gained compliance.

(d) The number of TASER device activations, the duration of each cycle, the duration between activations, and (as best as can be determined) the duration that the subject received applications.

(e) The range at which the TASER device was used.

(f) The type of mode used (probe or drive-stun).

(g) Location of any probe impact.

(h) Location of contact in drive-stun mode.

(i) Description of where missed probes went.

(j) Whether medical care was provided to the subject.

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(k) Whether the subject sustained any injuries.

(l) Whether any officers sustained any injuries.

The Internal Affairs Sergeant should periodically analyze the report forms to identify trends, including deterrence and effectiveness. The Internal Affairs Sergeant or Lead Taser Instructor should also conduct audits of data downloads and reconcile TASER device report forms with recorded activations. TASER device information and statistics, with identifying information removed, should periodically be made available to the public.

309.6.2 REPORTS
The officer should include the following in the arrest/crime report:

(a) Identification of all personnel firing TASER devices

(b) Identification of all witnesses

(c) Medical care provided to the subject

(d) Observations of the subject's physical and physiological actions

(e) Any known or suspected drug use, intoxication or other medical problems

309.7 MEDICAL TREATMENT
Consistent with local medical personnel protocols and absent extenuating circumstances, only appropriate medical personnel should remove TASER device probes from a person's body. Used TASER device probes shall be treated as a sharps biohazard, similar to a used hypodermic needle, and handled appropriately. Universal precautions should be taken.

All persons who have been struck by TASER device probes or who have been subjected to the electric discharge of the device shall be medically assessed prior to booking. Additionally, any such individual who falls under any of the following categories should, as soon as practicable, be examined by paramedics or other qualified medical personnel:

(a) The person is suspected of being under the influence of controlled substances and/or alcohol.

(b) The person may be pregnant.

(c) The person reasonably appears to be in need of medical attention.

(d) The TASER device probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).

(e) The person requests medical treatment.

Any individual exhibiting signs of distress or who is exposed to multiple or prolonged applications (i.e., more than 15 seconds) shall be transported to a medical facility for examination or medically evaluated prior to booking. If any individual refuses medical attention, such a refusal should be witnessed by another officer and/or medical personnel and shall be fully documented in related

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reports. If an audio recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

The transporting officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the TASER device.

309.8 SUPERVISOR RESPONSIBILITIES

When possible, supervisors should respond to calls when they reasonably believe there is a likelihood the TASER device may be used. A supervisor should respond to all incidents where the TASER device was activated.

A supervisor should review each incident where a person has been exposed to an activation of the TASER device. The device's onboard memory should be downloaded through the data port by the Lead Taser Instructor and saved with the related arrest/crime report. Photographs of probe sites should be taken and witnesses interviewed.

309.9 TRAINING

Personnel who are authorized to carry the TASER device shall be permitted to do so only after successfully completing the initial department-approved training. Any personnel who have not carried the TASER device as a part of their assignment for a period of six months or more shall be recertified by a department-approved TASER device instructor prior to again carrying or using the device.

Proficiency training for personnel who have been issued TASER devices should occur every year. A reassessment of an officer's knowledge and/or practical skill may be required at any time if deemed appropriate by the Personnel and Training Sergeant or any supervisor. All training and proficiency for TASER devices will be documented in the officer's training file.

Command staff, supervisors and investigators should receive TASER device training as appropriate for the investigations they conduct and review.

Officers who do not carry TASER devices should receive training that is sufficient to familiarize them with the device and with working with officers who use the device.

The Personnel and Training Sergeant is responsible for ensuring that all members who carry TASER devices have received initial and annual proficiency training. Periodic audits should be used for verification.

Application of TASER devices during training could result in injury to personnel and should not be mandatory for certification.

The Personnel and Training Sergeant should ensure that all training includes:

(a) A review of this policy.

(b) A review of the Use of Force Policy.

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(c) Performing weak-hand draws or cross-draws to reduce the possibility of accidentally drawing and firing a firearm.

(d) Target area considerations, to include techniques or options to reduce the accidental application of probes near the head, neck, chest and groin.

(e) Handcuffing a subject during the application of the TASER device and transitioning to other force options.

(f) De-escalation techniques.

(g) Restraint techniques that do not impair respiration following the application of the TASER device.

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Policy
310

Salinas Police Department
Policy Manual

Officer-Involved Shootings and Deaths

310.1 PURPOSE AND SCOPE

The purpose of this policy is to establish policy and procedures for the investigation of an incident in which a person is injured or dies as the result of an officer-involved shooting or dies as a result of other action of an officer.

In other incidents not covered by this policy, the Chief of Police may decide that the investigation will follow the process provided in this policy.

310.2 INVESTIGATION RESPONSIBILITY

(a) The Chief of Police has determined the lead agency in the investigation will be the Salinas Police Department. A team of investigators from the Investigation Division will be called to conduct the investigation as soon as possible following the incident. They will be in charge of all aspects of the case except for administrative responsibilities that will remain under the purview of the Chief of Police.

(b) As part of the team, the District Attorney's Office may provide a Deputy District Attorney to advise investigators on the various legal issues which may arise, including search and seizure, Miranda, identification procedures, arrests (including Ramey warrants), elements of crimes, etc. He or she may monitor the conduct of the investigation to ensure its integrity. The team is charged with making a criminal investigation of the incident for prosecution of the responsible party. This also includes possible criminal conduct on the part of the officer(s) involved.

(c) All investigations of shootings involving Salinas Police Department personnel, that result in the death or serious injury of any person, shall be submitted to the District Attorney's Office for determination as to whether criminal liability exists, and if prosecution is appropriate.

(d) Shootings by Salinas Police personnel occurring outside our jurisdiction, but in Monterey County, are normally monitored by the Administration Division. If the venue agency is unable to investigate, that agency can request assistance from the Monterey County Sheriff's Office, Monterey County District Attorney's Office, or the Salinas Police Department. For incidents occurring outside Monterey County, we will follow the venue agency's procedures with our Administration Division monitoring the investigation.

(e) If an outside agency requests our assistance in an officer involved shooting occurring outside our jurisdiction, immediate notification is to be made to the Chief of Police. A determination will be made as to our role, depending upon the nature of the request.

(f) If an officer from any outside agency is involved in a shooting within our jurisdiction, the incident will be investigated by the Salinas Police Department. The involved officer's agency may assign a member of their Department to monitor the investigation.

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310.3 TYPES OF INVESTIGATIONS

Officer-involved shootings involve several separate investigations. The investigations may include:

(a) A criminal investigation of the incident by the agency having jurisdiction where the incident occurred. The Salinas Police Department may relinquish its criminal investigation to an outside agency with the approval of the Chief of Police or a Division Chief

(b) A criminal investigation of the involved officer(s) conducted by members of the Investigation Division

(c) An administrative investigation conducted by the involved officer's agency.

310.4 INVESTIGATION PROCESS

The following procedures are guidelines used in the investigation of an officer-involved shooting or death.

310.4.1 DUTIES OF INITIAL ON SCENE SUPERVISOR

Upon arrival at the scene of an officer-involved shooting, the first uninvolved supervisor should:

(a) Take all reasonable steps to obtain emergency medical attention for all apparently injured individuals.

(b) Attempt to obtain a brief overview of the situation from any non-shooter officer(s).

    1. In the event that there are no non-shooter officers, the supervisor should attempt to obtain a brief voluntary overview from one shooter officer.

(c) If necessary, the supervisor may administratively order any officer from this Department to immediately provide public safety information necessary to secure the scene and pursue suspects.

    1. Public safety information shall be limited to such things as outstanding suspect information, number and direction of shots fired, parameters of the incident scene, identity of known witnesses and similar information.

(d) Absent a voluntary statement from any officer(s), the initial on scene supervisor should not attempt to order any officer to provide other than public safety information.

(e) Provide all available information to the Watch Commander and County Communications. If feasible, sensitive information should be communicated over secure networks.

(f) Take command of and secure the incident scene with additional personnel until relieved by a detective supervisor or other assigned personnel.

(g) As soon as practical, shooter officers should respond or be transported (separately, if feasible) to the station for further direction.

    1. Each involved officer should be given an administrative order not to discuss the incident with other involved officers pending further direction from a supervisor.

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2. When an officer's weapon is taken or left at the scene (e.g., evidence), the officer will be provided with a comparable replacement weapon or transported to the station by other officers.

(h) The supervisor at the scene should arrange for the identification of all witnesses, and should have them voluntarily transported to the station to be interviewed by investigators. Immediate family members of the wounded or deceased person who may be witnesses should be identified. If possible, considering the emotional impact of the situation, brief facts should be obtained to determine the extent of their knowledge of the incident. Attempt to record any of these types of statements. This information shall be furnished to the investigative team, who will have the responsibility of determining the need for interviewing family members.

310.4.2 WATCH COMMANDER DUTIES
Upon learning of an officer-involved shooting, the Watch Commander shall be responsible for coordinating all aspects of the incident until relieved by the Investigation Division Chief or designee.

310.4.3 NOTIFICATIONS
The following person(s) shall be notified as soon as practical:

- Chief of Police
- Investigation Division Chief
- Division Chiefs
- Professional Standards and Conduct Unit Supervisor
- Psychological/Peer support personnel (if requested)
- Officer representative (if requested)

All outside inquiries about the incident shall be directed to the Watch Commander.

310.4.4 SUPERVISOR RESPONSIBILITIES
Upon arrival at the scene, the first uninvolved SPD supervisor should ensure completion of the duties as outlined above, plus:

(a) Attempt to obtain a brief overview of the situation from any uninvolved officers.

1. In the event that there are no uninvolved officers who can supply adequate overview, the supervisor should attempt to obtain a brief voluntary overview from one involved officer.

(b) If necessary, the supervisor may administratively order any SPD officer to immediately provide public safety information necessary to secure the scene, identify injured parties and pursue suspects.

1. Public safety information shall be limited to such things as outstanding suspect information, number and direction of any shots fired, perimeter of the incident scene, identity of known or potential witnesses and any other pertinent information.
2. The initial on-scene supervisor should not attempt to order any involved officer to provide any information other than public safety information.

(c) Provide all available information to the Watch Commander and County Communications. If feasible, sensitive information should be communicated over secure networks.

(d) Take command of and secure the incident scene with additional SPD members until properly relieved by another supervisor or other assigned personnel or investigator.

(e) As soon as practicable, ensure that involved officers are transported (separately, if feasible) to a suitable location for further direction.

1. Each involved SPD officer should be given an administrative order not to discuss the incident with other involved officers or SPD members pending further direction from a supervisor.
2. When an involved officer's weapon is taken or left at the scene for other than officer-safety reasons (e.g., evidence), ensure that he/she is provided with a comparable replacement weapon or transported by other officers.

310.4.5 INVOLVED OFFICERS

The following shall be considered for the involved officer:

(a) Any request for legal or union representation will be accommodated.

1. Involved SPD officers shall not be permitted to meet collectively or in a group with an attorney or any representative prior to providing a formal interview or report.
2. Requests from involved non-SPD officers should be referred to their employing agency.

(b) Discussions with licensed attorneys will be considered privileged as attorney-client communications.

(c) Discussions with agency representatives/employee groups will be privileged only as to the discussion of non-criminal information (Government Code § 3303(i)).

(d) A licensed psychotherapist shall be provided by the Department to each involved SPD officer. A licensed psychotherapist may also be provided to any other affected SPD members, upon request.

1. Interviews with a licensed psychotherapist will be considered privileged.
2. An interview or session with a licensed psychotherapist may take place prior to the member providing a formal interview or report. However, involved members shall not be permitted to consult or meet collectively or in a group with a licensed psychotherapist prior to providing a formal interview or report.
3. A separate fitness-for-duty exam may also be required (see the Fitness for Duty Policy).

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(e) Although the Department will honor the sensitivity of communications with peer counselors, there is no legal privilege to such communications. Peer counselors are cautioned against discussing the facts of any incident with an involved or witness officer.

Care should be taken to preserve the integrity of any physical evidence present on the involved officer's equipment or clothing, such as blood or fingerprints, until investigators or lab personnel can properly retrieve it.

Each involved SPD officer shall be given reasonable paid administrative leave following an officer-involved shooting or death. It shall be the responsibility of the Watch Commander to make schedule adjustments to accommodate such leave.

310.5 THE SHOOTING INCIDENT CRIMINAL INVESTIGATION

310.5.1 REPORTS BY INVOLVED SPD OFFICERS
In the event that suspects remain outstanding or subject to prosecution for related offenses, this department shall retain the authority to require involved SPD officers to provide sufficient information for related criminal reports to facilitate the apprehension and prosecution of those individuals (Government Code § 3304(a)).

While the involved SPD officer may write the report, it is generally recommended that such reports be completed by assigned investigators, who should interview all involved officers as victims/witnesses. Since the purpose of these reports will be to facilitate criminal prosecution, statements of involved officers should focus on evidence to establish the elements of criminal activities by suspects. Care should be taken not to duplicate information provided by involved officers in other reports.

Nothing in this section shall be construed to deprive an involved SPD officer of the right to consult with legal counsel prior to completing any such criminal report.

Reports related to the prosecution of criminal suspects will be processed according to normal procedures but should also be included for reference in the investigation of the officer-involved shooting or death.

310.5.2 CRIMINAL INVESTIGATION
Once public safety issues have been addressed detectives will be given the next opportunity to interview involved officers in order to provide them with an opportunity to give a voluntary statement. The following shall be considered for the involved officer:

(a) Supervisors and Professional Standards and Conduct Unit personnel should not participate directly in any voluntary interview of officers. This will not prohibit such personnel from monitoring such interviews or indirectly providing areas for inquiry.

(b) If requested, any involved officer will be afforded the opportunity to consult individually with a representative of his/her choosing or an attorney, prior to speaking with criminal investigators. However, in order to maintain the integrity of each individual officer's

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statement, involved officers shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.

(c) Any voluntary statement provided by the officer(s) will be made available for inclusion in the administrative or other related investigations.

(d) Absent consent from the involved officer or as required by law, no administratively coerced statement(s) will be provided to any criminal investigators.

310.5.3 REPORTS BY INVOLVED OFFICERS

In the event that suspects remain outstanding or subject to prosecution for related offenses, this Department shall retain the authority to require involved officers to provide sufficient information for related criminal reports to facilitate the apprehension and prosecution of those individuals (Government Code § 3304(a)).

While the involved officer may write the report, it is generally recommended that such reports be completed by assigned investigators who should interview involved officers as victims/witnesses. Since the purpose of these reports will be to facilitate criminal prosecution, statements of involved officers should focus on evidence to establish the elements of criminal activities by involved suspects. Care should be taken not to duplicate information provided by involved officers in other reports.

Nothing in this section shall be construed to deprive an involved officer of the right to consult with legal counsel prior to completing any such criminal report.

Reports related to the prosecution of criminal suspects will be processed according to normal procedures, but should also be included for reference in the investigation of the officer-involved shooting.

310.5.4 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an officer-involved shooting or death may become unavailable or the integrity of their statements compromised with the passage of time, a supervisor should take reasonable steps to promptly coordinate with criminal investigators to utilize available personnel for the following:

(a) Identification of all persons present at the scene and in the immediate area.

1. When feasible, a recorded statement should be obtained from those persons who claim not to have witnessed the incident but who were present at the time it occurred.

2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, officers should attempt to identify the witness prior to his/her departure.

(b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by a member of the Department.

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1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transportation.

(c) Promptly contacting the suspect's known family and associates to obtain any available and untainted background information about the suspect's activities and state of mind prior to the incident.

310.5.5 MISCELLANEOUS LINE PROCEDURE

(a) Involved personnel should attempt to locate and identify any witnesses to the incident. Officers shall refrain from discussing the incident until the arrival of the first supervisor. The involved personnel will brief the supervisor of the circumstances surrounding the incident as it pertains to public safety, i.e., number and description of outstanding suspects, location of evidence, and number and direction of the shots that were fired.

(b) Except under exigent circumstances, an officer-involved shooting scene shall be kept intact and protected until released by the investigative team.

(c) Expended brass, cartridges, speed loaders, magazines, etc., shall be left undisturbed. Fired weapons should be holstered or secured, consistent with acceptable evidence retrieval and preservation methods. Once secured, they should not be handled or examined, except by investigative team personnel.

(d) Should a weapon be discarded during an incident, it shall be left undisturbed if at all possible.

310.6 ADMINISTRATIVE INVESTIGATION

In addition to all other investigations associated with an officer-involved shooting or death, this department will conduct an internal administrative investigation of SPD officers to determine conformance with department policy. The investigation will be conducted under the supervision of the Professional Standards and Conduct Unit and will be considered a confidential officer personnel file.

Interviews of members shall be subject to department policies and applicable laws (see the Personnel Complaints Policy).

(a) Any officer involved in a shooting or death may be requested or administratively compelled to provide a blood sample for alcohol/drug screening. Absent consent from the officer, such compelled samples and the results of any such testing shall not be disclosed to any criminal investigative agency.

(b) If any officer has voluntarily elected to provide a statement to criminal investigators, the assigned administrative investigator should review that statement before proceeding with any further interview of that involved officer.

1. If a further interview of the officer is deemed necessary to determine policy compliance, care should be taken to limit the inquiry to new areas with minimal, if any,

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duplication of questions addressed in the voluntary statement. The involved officer shall be provided with a copy of his/her prior statement before proceeding with any subsequent interviews.

(c) In the event that an involved officer has elected to not provide criminal investigators with a voluntary statement, the assigned administrative investigator shall conduct an administrative interview to determine all relevant information.

1. Although this interview should not be unreasonably delayed, care should be taken to ensure that the officer's physical and psychological needs have been addressed before commencing the interview.
2. If requested, the officer shall have the opportunity to select an uninvolved representative to be present during the interview . However, in order to maintain the integrity of each individual officer's statement, involved officers shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed (Government Code § 3303(i)).
3. Administrative interviews should be recorded by the investigator. The officer may also record the interview (Government Code § 3303(g)).
4. The officer shall be informed of the nature of the investigation. If an officer refuses to answer questions, he/she should be given his/her *Lybarger* or *Garrity* rights and ordered to provide full and truthful answers to all questions. The officer shall be informed that the interview will be for administrative purposes only and that the statement cannot be used criminally.
5. The Professional Standards and Conduct Unit shall compile all relevant information and reports necessary for the Department to determine compliance with applicable policies.
6. Regardless of whether the use of force is an issue in the case, the completed administrative investigation shall be submitted to the Use of Force Review Board, which will restrict its findings as to whether there was compliance with the Use of Force Policy.
7. Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.

310.7 AUDIO AND VIDEO RECORDINGS

1. In the event of a critical incident, media captured from audio/video recordings shall be uploaded as soon as practical. Depending on the circumstances and/or exigency, it may be necessary for personnel other than the involved officer to upload the audio/video data. This will be determined by the supervising officer on scene.

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A. Personnel actively assigned to investigate the incident (such as the case detective) may, with supervisory authorization, review the involved personnel's audio/video data as part of the ongoing investigation.

B. During the investigation, the initial interview of an involved officer should occur before the officer has reviewed any audio/video recordings of the incident. An involved officer will have the opportunity to review recordings in private (or with legal counsel if so requested) after the initial statement has been taken and provide a follow-up statement if needed.

C. Investigators should be mindful that audio/video recordings have limitations and may depict events differently than the events recalled by an involved officer. If the Investigator shows any audio/video recordings to an involved officer after the initial interview, the Investigator should advise the involved officer about the scope of audio/video recordings.

D. The following is an example of an appropriate advisement in a case involving video evidence:

"In this case, there is video evidence that you will have an opportunity to view after you have given your initial statement. Video evidence has limitations and may depict the event differently than you recall, and may not depict all of the events as seen or heard by you. Video has a limited field of view and may not capture events normally seen by the human eye. The frame rate of video may limit the camera's ability to capture movements normally seen by the human eye. Videos are a two-dimensional medium and may not capture depth, distance or positional orientation as well as the human eye."

2. Upon request, non-law enforcement witnesses who are able to verify their presence and their ability to contemporaneously perceive events at the scene of an incident may also be permitted to review available MAV or other video or audio recordings with approval of assigned investigators or a supervisor.

3. Any MAV and other known video or audio recordings of an incident should not be publicly released during an ongoing investigation without consulting the District Attorney or City Attorney's Office as appropriate

310.8 MEDIA RELATIONS

Any media release shall be prepared with input and concurrence from the supervisor and department representative responsible for each phase of the investigation. Releases will be available to the Watch Commander, Investigation Division Chiefand Press Information Officer in the event of inquiries from the media.

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The Department shall not subject any involved SPD officer to visits by the media (Government Code § 3303(e)). No involved SPD officer shall make any comment to the media unless he/she is authorized by the Chief of Police or a Division Chief. Department members receiving inquiries regarding officer-involved shootings or deaths occurring in other jurisdictions shall refrain from public comment and will direct those inquiries to the agency having jurisdiction and primary responsibility for the investigation.

310.9 DEBRIEFING

Following an officer-involved shooting or death, the Salinas Police Department should conduct both a critical incident/stress debriefing and a tactical debriefing.

310.9.1 TACTICAL DEBRIEFING

A tactical debriefing should take place to identify any training or areas of policy that need improvement. The Chief of Police should identify the appropriate participants. This debriefing should not be conducted until all involved members have provided recorded or formal statements to criminal and/or administrative investigators.

310.9.2 CRITICAL INCIDENT/STRESS DEBRIEFING

A critical incident/stress debriefing should occur as soon as practicable. The Administration Division Chief is responsible for organizing the debriefing. Notes and recorded statements should not be taken because the sole purpose of the debriefing is to help mitigate the stress-related effects of a traumatic event.

The debriefing is not part of any investigative process. Care should be taken not to release or repeat any communication made during a debriefing unless otherwise authorized by policy, law or a valid court order.

Attendance at the debriefing shall only include those members of the Department directly involved in the incident, which can include support personnel (e.g., dispatchers, other non-sworn). Family or other support personnel may attend with the concurrence of those involved in the incident. The debriefing shall be closed to the public and should be closed to all other members of the Department, including supervisory and Professional Standards and Conduct Unit personnel.

310.10 CIVIL LIABILITY RESPONSE

A member of this department may be assigned to work exclusively under the direction of the legal counsel for the Department to assist in the preparation of materials deemed necessary in anticipation of potential civil litigation.

All materials generated in this capacity shall be considered attorney work product and may not be used for any other purpose. The civil liability response is not intended to interfere with any other investigation but shall be given reasonable access to all other investigations.

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310.11 REPORTING

If the death of an individual occurs in the Salinas Police Department jurisdiction and qualifies to be reported to the state as a justifiable homicide or an in-custody death, the Field Operations Division Chief will ensure that the Records Coordinator is provided with enough information to meet the reporting requirements (Penal Code § 196; Penal Code § 13022; Government Code § 12525).

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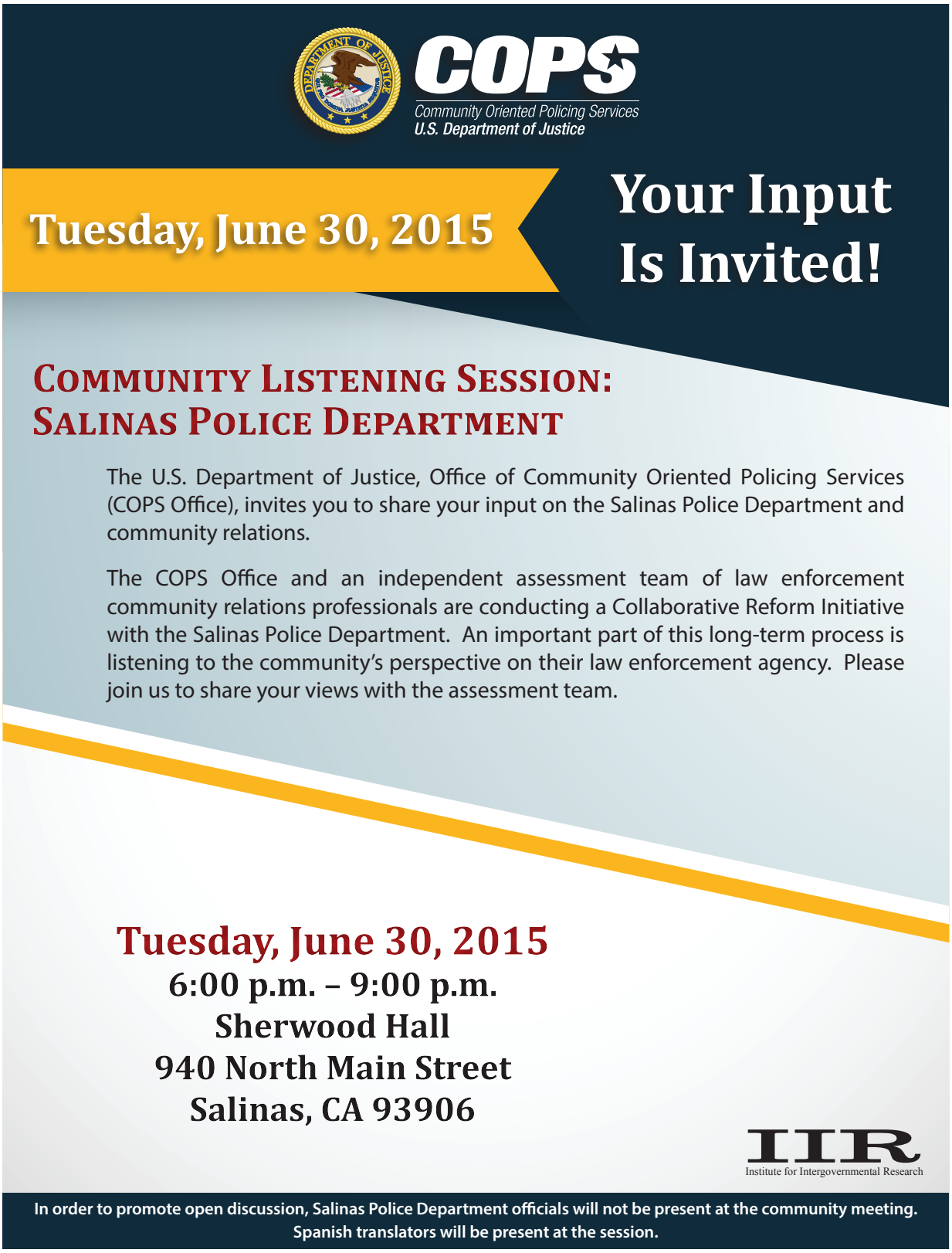
Appendix B—Community Listening Session Flyers



COPS
Community Oriented Policing Services
U.S. Department of Justice

Martes, 30 de junio de 2015

¡Lo invitamos a que opine!

SESIÓN PAR ESCUCHAR A LA COMUNIDAD DEPARTAMENTO DE POLICÍA DE SALINAS

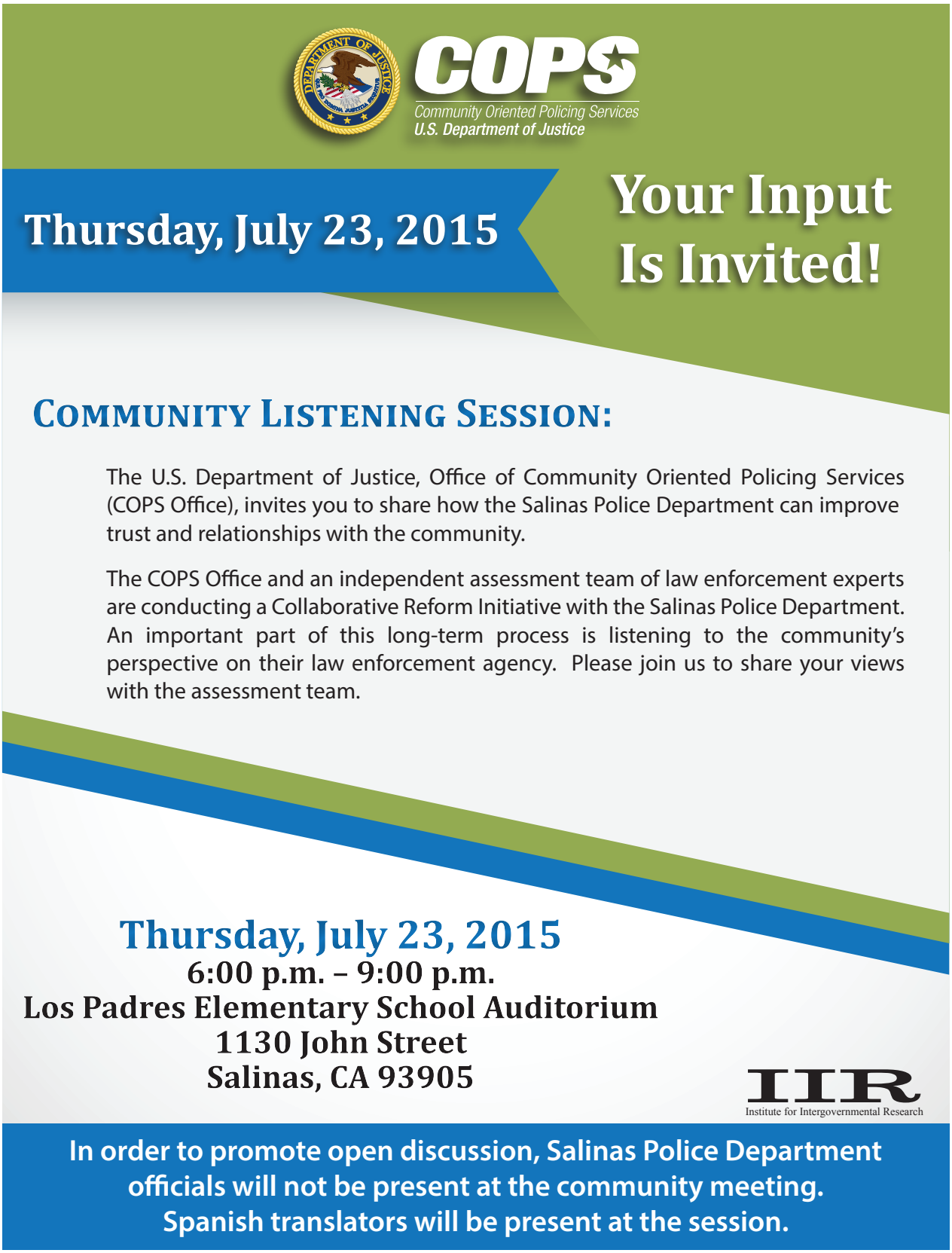
La Oficina de Servicios Policiales Orientados hacia la Comunidad del Departamento de Justicia de EE. UU. (Oficina COPS). le invita a compartir su opinión respecto al Departamento de Policía de Salinas y sus relaciones con la comunidad.

La Oficina COPS y un equipo independiente de evaluación de profesionales en materia de relaciones de las fuerzas del orden público con la comunidad realizarán una Iniciativa de Reforma Colaborativa con el Departamento de Policía de Salinas. Parte importante de ese proceso a largo plazo consiste en escuchar la perspectiva de la comunidad respecto a su organismo de aplicación de la ley. Por favor únase a nosotros para compartir su punto de vista con el equipo de evaluación.

Martes, 30 de junio de 2015
De 6:00 a 9:00 p.m.
Sherwood Hall,
940 North Main Street
Salinas, CA 93906

IIR
Institute for Intergovernmental Research

A fin de promover el diálogo abierto, los oficiales del Departamento de Policía de Salinas no se encontrarán presentes en la reunión comunitaria. Habrá intérpretes de español en la sesión.


COPS
Community Oriented Policing Services
U.S. Department of Justice
Thursday, July 23, 2015
Your Input Is Invited!
COMMUNITY LISTENING SESSION:
The U.S. Department of Justice, Office of Community Oriented Policing Services (COPS Office), invites you to share how the Salinas Police Department can improve trust and relationships with the community.
The COPS Office and an independent assessment team of law enforcement experts are conducting a Collaborative Reform Initiative with the Salinas Police Department. An important part of this long-term process is listening to the community's perspective on their law enforcement agency. Please join us to share your views with the assessment team.
Thursday, July 23, 2015
6:00 p.m. – 9:00 p.m.
Los Padres Elementary School Auditorium
1130 John Street
Salinas, CA 93905
IIR
Institute for Intergovernmental Research
In order to promote open discussion, Salinas Police Department officials will not be present at the community meeting.
Spanish translators will be present at the session.

COPS
Community Oriented Policing Services
U.S. Department of Justice

Jueves, 23 de junio de 2015

¡Lo invitamos a que opine!

SESIÓN PAR ESCUCHAR A LA COMUNIDAD

La Oficina de Servicios de Vigilancia Orientados hacia la Comunidad (Oficina de COPS) del Departamento de Justicia de Estados Unidos le invita a compartir cómo el Departamento de Policía de Salinas puede mejorar la confianza y las relaciones con la comunidad.

La Oficina de COPS y un equipo de evaluación independiente de expertos policiales están llevando a cabo una iniciativa de reforma de colaboración con el Departamento de Policía de Salinas. Parte importante de ese proceso a largo plazo consiste en escuchar la perspectiva de la comunidad respecto a su organismo de aplicación de la ley. Por favor únase a nosotros para compartir su punto de vista con el equipo de evaluación.

Jueves, 23 de julio de 2015

De 6:00 a 9:00 p.m.
Los Padres Elementary School Auditorium
1130 John Street
Salinas, CA 93905

IIR
Institute for Intergovernmental Research

A fin de promover el diálogo abierto, los oficiales del Departamento de Policía de Salinas no se encontrarán presentes en la reunión comunitaria. Habrá intérpretes de español en la sesión.

Appendix C—Community Outreach Activities

July 7 COPS Office press advisory

July 7 COPS Office released English/Spanish flyer and press advisory via social media (Facebook)

July 7 COPS Office posted press advisory and flyers on COPS Office website

July 7–10 IIR contacted all known community groups and leaders

- Included previous contacts and all new contacts generated from first community listening session
- Called/e-mailed and shared flyers

July 7 IIR requested that the Salinas School District notify parents about listening session

July 7 IIR requested that the Salinas Valley Chamber of Commerce distribute listening session flyer

July 7–10 IIR distributed flyer to faith-based violence suppression group

- IIR asked faith leaders to share with their respective congregations
- Invited the faith-based members to share e-mail address for follow-up

July 13 IIR placed follow-up calls to community leaders / faith-based leaders to remind and encourage attendance

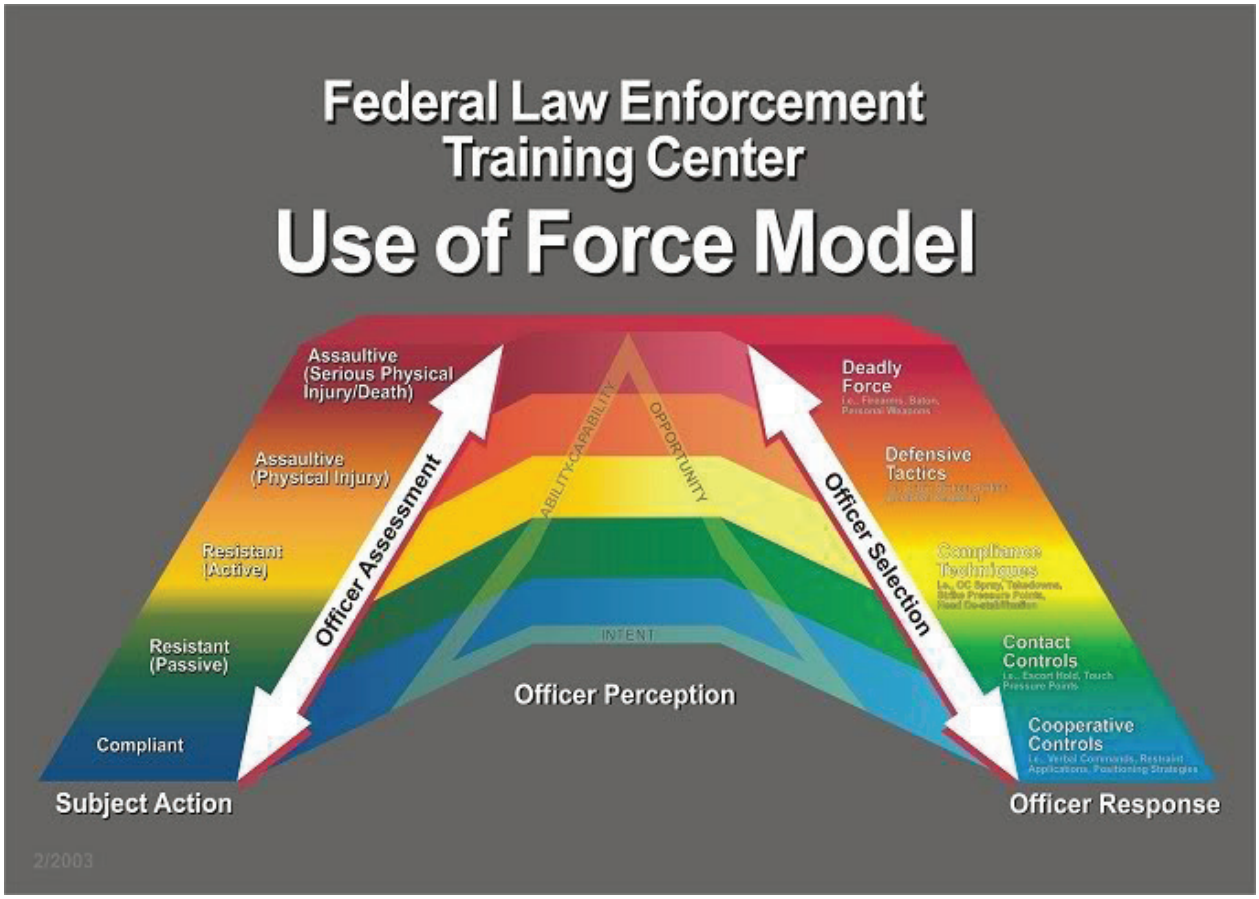
July 13 COPS Office PIO called/e-mailed media outlets in follow-up to press advisory

July 20–22 IIR placed follow-up calls to community leaders / faith-based leaders to remind and encourage attendance

July 20–21 COPS Office PIO called/e-mailed media outlets in follow-up to press advisory

The CRI-TA core assessment team, in partnership with the COPS Office, will continue its community outreach following the community listening session to include direct follow-up with community members upon request and via the project's direct e-mail address.

Appendix D—Federal Law Enforcement Training Centers: Use of Force Model



Source: Adapted from Federal Law Enforcement Training Center, *Introduction to Law and Justice: Unit 6 Use of Force* (Washington, DC: U.S. Department of Homeland Security, n.d.).

Appendix E—Findings and Recommendations

Finding 1

The SPD's policies 300 (Use of Force), 308 (Control Devices and Techniques), and 309 (Conducted Energy Device) are too vague in the description of use of force decision-making guidance, oversight, and accountability.

Recommendation 1.1

Overall, the SPD should revise policies 300, 308, and 309 to be more specific and more in line with policing best practices. In doing so, the SPD should consider all of the following recommendations for this finding.

Recommendation 1.2

The SPD should incorporate a matrix or a decision chart in the UOF policy.

Recommendation 1.3

The SPD should train officers to clearly and accurately articulate their reasons for any UOF in writing following an encounter.

Recommendation 1.4

The SPD should update and revise policies 300, 308, and 309 to describe the appropriate level of force to be applied under various circumstances.

Recommendation 1.5

The SPD should include and emphasize the importance of de-escalation in its UOF policies.

Recommendation 1.6

Specific de-escalation training should be administered, at a minimum, annually.

Recommendation 1.7

To maintain transparency with the community after a UOF incident, the UOF policies should clearly state what types of information will be released to the public, when, and in what situation in accordance with applicable state law.

Recommendation 1.8

The SPD should publish all UOF policies online to promote transparency.

Recommendation 1.9

The SPD should update and approve all UOF-related policies on an annual basis and in accordance with commonly accepted best practices.

Finding 2

SPD officers do not receive regular, consistent training on the department's UOF-related policies as directed by the department's policy.

Recommendation 2.1

The SPD should develop a training module to include instruction on all UOF-related policies to be delivered on an annual basis.

Finding 3

While the SPD provides officers with diverse training topics, the content areas related to UOF and de-escalation techniques are not specifically identified in the curricula.

Recommendation 3.1

The SPD should conduct a curricular review of all lesson plans and determine where content related to UOF and de-escalation techniques can be merged into the current lesson plans.

Finding 4

Policy 306 (Handcuffing and Restraints) does not address how often training should be conducted.

Recommendation 4.1

The SPD should include language in policy 306 stating that training on the policy and on proper use of all handcuffing and restraints will be given, at minimum, on an annual basis.

Finding 5

In policy 308 (Control Devices and Techniques), the language about required training, retraining, and remedial training is too vague.

Recommendation 5.1

SPD policy should mandate training on the proper use of all control devices on an annual basis.

Finding 6

The training currently described in policy 309 (Conducted Energy Device) should be mandatory and more comprehensive.

Recommendation 6.1

To reflect that the training is mandatory, the SPD should change the word "should" to "shall" as it pertains to when the training is administered.

Recommendation 6.2

The following areas should be included in the "training" section of the Electronic Control Weapons (ECW) policy: scenario- and judgment-based training, drawbacks on the use of dry stuns, competency and weapon retention, risk of positional asphyxia, and justification of each cycle (five seconds), as well as command and supervisor training as it pertains to investigation of ECW use.

Finding 7

The SPD is not adhering to policy 309 as it pertains to conducting audits of data downloads or providing ECW information and statistics to the public.

Recommendation 7.1

The SPD should adhere to its own policy 309 by conducting ECW deployment audits.

Recommendation 7.2

The SPD should include specific language in policy 309 about how often ECW audits should take place.

Recommendation 7.3

The SPD should adhere to its own policy 309 and release ECW UOF information to the public.

Recommendation 7.4

The SPD should include specific language in policy 309 about how often ECW information will be released to the public.

Finding 8

Policy 309 does not describe how ECWs should be properly tested.

Recommendation 8.1

The SPD should include the importance, purpose, and requirements of proper ECW testing in policy 309.

Finding 9

The SPD is not adhering to policy 309 and is failing to complete ECW onboard memory downloads.

Recommendation 9.1

The SPD should adhere to and enforce its own established policy pertaining to downloading an ECW's onboard memory.

Finding 10

SPD officers are not consistently warning subjects of ECW use prior to deployment.

Recommendation 10.1

The SPD should adhere to and enforce its own established policy pertaining to warning subjects prior to deploying an ECW.

Finding 11

The SPD officers are not consistently capturing the amount of electrical charge (i.e., cycles) deployed on subjects.

Recommendation 11.1

SPD officers should report and the supervisor investigating the UOF should confirm how many five-second cycles of electrical charge were administered on subjects.

Finding 12

The SPD's UOF-related policies are separated into three separate and independent policies.

Recommendation 12.1

The SPD should combine all three policies into one.

Finding 13

The SPD does not conduct UOF analysis to identify trends and patterns.

Recommendation 13.1

The SPD should collect, track, and analyze use of force data to identify trends and patterns on a monthly, quarterly, and yearly basis.

Finding 14

The SPD does not have an officer early warning/intervention system.

Recommendation 14.1

The SPD should purchase and use software that will provide a means to conduct analysis and that has an early warning/intervention system that provides UOF alerts.

Finding 15

The SPD does not have an adequate process to identify UOF training needs, policy needs, and compliance with policy and procedures.

Recommendation 15.1

The SPD should establish a formal UOF review board composed of the lead UOF/firearms instructor, a commander, and the training sergeant/coordinator to review all UOF incident investigations.

Recommendation 15.2

The SPD should develop a formal process to ensure that personnel who need remedial UOF training receive it.

Finding 16

Officers are inconsistently using or capturing their attempts to de-escalate situations.

Recommendation 16.1

In all UOF incidents, the SPD should review whether steps or actions were taken to de-escalate or why de-escalation was not appropriate or feasible as described in the report.

Finding 17

The SPD uses "distraction stuns/blows" on subjects when it may not be necessary or officers are not accurately documenting their use of force as it pertains to "distraction stuns/blows."

Recommendation 17.1

The SPD should limit the practice of officers' use of closed-hand strikes or fists to the subject's face.

Recommendation 17.2

The SPD should improve its documentation of officers' use of distraction techniques to the subject's face.

Recommendation 17.3

The SPD should re-emphasize the importance of the appropriate level of force based on level of resistance during UOF training.

Finding 18

The SPD does not follow its own policy and practice for the use of written statements or recording of suspects and witnesses of UOF incidents.

Recommendation 18.1

When possible, the SPD should include audio recordings of suspects, witnesses, and officers as part of the UOF investigation.

Finding 19

The supervisor investigating the UOF incident is not consistently gathering all the facts from officers.

Recommendation 19.1

SPD supervisors should interview all officers who were involved with or at the scene during a UOF incident or indicate why officers were not interviewed.

Finding 20

SPD supervisors are not identifying all possible witnesses of a UOF incident for inclusion into their investigation as required by policy.

Recommendation 20.1

The SPD should incorporate the use of written or recorded statements of a victim and witnesses as part of the investigation.

Finding 21

The SPD is not consistently photographing UOF subjects.

Recommendation 21.1

The SPD should take photographs of all individuals who were UOF subjects or indicate why photographs were not obtained.

Finding 22

The SPD is not consistently photographing the scene where the UOF incident took place.

Recommendation 22.1

The SPD should take photographs of all scenes where UOF was used or indicate why photographs were not obtained.

Finding 23

Supervisors' investigations into the officers' UOF are inconsistent.

Recommendation 23.1

All SPD supervisors should receive training on how to thoroughly investigate officers' UOF on an annual basis.

Recommendation 23.2

SPD supervisors should be consistent when gathering factors to determine whether reasonable force was applied, using a standardized reporting format and investigative process.

Recommendation 23.3

The SPD investigating supervisor should be more precise and direct when interviewing the officer about the UOF.

Recommendation 23.4

The SPD investigating supervisor should interview all officers involved in or who witnessed the UOF incident.

Recommendation 23.5

The SPD should develop a guide for supervisors to use in the investigation of a use of force.

Finding 24

The SPD does not have a practice or policy to require all OISs and in-custody deaths to be investigated by an outside agency.

Recommendation 24.1

The SPD should adopt the practice of retaining an outside independent agency to investigate all OISs and in-custody deaths.

Finding 25

The SPD is currently testing ECWs incorrectly.

Recommendation 25.1

The SPD should change the current testing of ECWs to more closely align with TASER International recommendations.

Finding 26

The SPD is limited in its ability to use less lethal weapons.

Recommendation 26.1

The SPD should train and outfit all first-line supervisors (sergeants) with less lethal shotguns.

Finding 27

The administrative investigations (i.e., internal affairs investigations) of the OISs were not completed in a timely manner.

Recommendation 27.1

The SPD should establish a 30-day timetable for all administrative reviews (i.e., internal affairs investigations) that are completed after an OIS incident has been reviewed and adjudicated by the Monterey County District Attorney's Office.

Recommendation 27.2

The SPD should create a formal process for OIS incidents to be assigned for an administrative review (i.e., internal affairs investigation).

Finding 28

The SPD is not adhering to policy 310 as it pertains to completed administrative investigations related to UOF incidents being reviewed by the UOF review board.

Recommendation 28.1

The SPD should adhere to its own policy 310.6 (C) 6 and have completed UOF-related administrative investigations reviewed by a UOF review board.

Finding 29

OIS crime scene logs are not being completed properly.

Recommendation 29.1

The SPD should provide training on the responsibility of persons maintaining the crime scene log.

Finding 30

The SPD lacks a unified, overarching community-collaborative policing philosophy and strategy.

Recommendation 30.1

The SPD should develop a community-collaborative policing strategy.

Recommendation 30.2

The SPD should identify and implement training for all staff in community policing.

Finding 31

The SPD has a fractured relationship with some in its community, particularly in the East Salinas area.

Recommendation 31.1

The SPD should routinely meet with and engage its Hispanic community via the formal organizations that exist in Salinas.

Recommendation 31.2

The SPD should develop an organizational approach to institutionalize a system of accountability to engage with community groups, formal organizations, and its community leaders on a regular basis.

Recommendation 31.3

The SPD should address the need for Spanish-speaking officers. The SPD should take specific steps to increase the number of Spanish-speaking officers within the next three years through Spanish-speaking training, hiring, and recruitment.

Recommendation 31.4

The SPD should implement a Spanish for Law Enforcement training program for both sworn and nonsworn members.

Finding 32

The SPD is not training its members regularly on implicit bias, cultural awareness, or procedural justice.

Recommendation 32.1

The SPD should provide sworn members with annual procedural justice training that embodies the following four pillars: fairness, impartiality, giving voice, and transparency.

Recommendation 32.2

The SPD should provide training such as the Fair and Impartial Policing training for all members of the department, including civilian staff.

Finding 33

The PCAC is not being used to assist the SPD with developing and maintaining a positive working relationship and open dialogue with the Hispanic community.

Recommendation 33.1

The SPD and city leaders should ensure that the PCAC is empowered by and representative of the whole community, including East Salinas, and that regular meetings of the SPD, PCAC, and other stakeholders pertaining to the community-police collaboration are occurring.

Finding 34

The SPD has no resident-based diversity advisory committee or group.

Recommendation 34.1

The chief of police should create a Community Diversity Advisory Committee to assist the SPD in developing strategies to improve community-police relationships and trust.

Recommendation 34.2

The SPD should seek the input from the Community Diversity Advisory Committee in its strategic plan development, recruitment and hiring efforts, and ongoing community outreach efforts.

Finding 35

The SPD does not offer resident police academies in Spanish for those community members who do not speak English.

Recommendation 35.1

The SPD should offer Spanish-speaking resident police academies in addition to the current English-speaking academy.

Finding 36

The SPD does not fully utilize its employees to communicate with the public about department procedures, policies, and programs.

Recommendation 36.1

The SPD should provide guidance and expectations for SPD members, enabling them to routinely and responsibly engage with community members and to identify community needs.

Finding 37

The SPD should expand its use of social media as a tool for communicating with the community and other external stakeholders.

Recommendation 37.1

The SPD should seek to employ a full-time Public Information Officer (PIO) who dedicates some time to managing the department's social media efforts.

Recommendation 37.2

The SPD should share the accomplishments of its employees, including employee recognition and awards, with the community, various community groups, and organizations using the various forms of social media.

Recommendation 37.3

To further enhance transparency, the SPD should begin posting up-to-date crime and public safety information to its website and via social media so it is accessible to the Salinas community.

Finding 38

The SPD does not have significant interaction with the community-based programs that are represented on the CASP board.

Recommendation 38.1

The SPD should expand its involvement by assigning both civilian members and police officers to engage and interact with the applicable CASP programs.

Finding 39

The SPD's involvement and partnerships with the faith-based community and faith organizations are superficial.

Recommendation 39.1

In consultation with faith leaders and faith-based community members, the chief of police and executive staff and others within the organization need to develop a strategy that establishes a department-wide collaboration with faith-based institutions.

Finding 40

Internal communication is inconsistent and, in some cases, nonexistent.

Recommendation 40.1

SPD staff meetings should be held monthly and meeting minutes or summaries shared with all SPD members as appropriate.

Recommendation 40.2

The SPD should develop an employee focus group representing each unit and division within the department to meet monthly with the chief of police and executive staff.

Recommendation 40.3

The SPD chief of police and executive staff should establish quarterly meetings with all SPD civilian staff with an emphasis on developing an inclusive relationship.

Recommendation 40.4

The SPD should develop a consistent system to enable communication with department members at all levels of the organization.

Recommendation 40.5

The SPD should develop an e-newsletter housed on the department's intranet and make it available via the e-mail system.

Finding 41

SPD commanders do not meet and communicate on a regular or consistent basis.

Recommendation 41.1

Communication between all commanders and deputy chiefs should occur formally on a weekly basis.

Finding 42

On occasion, SPD members receive information about the department's activities through the local media and various department social media accounts.

Recommendation 42.1

The SPD chief of police and executive staff should inform SPD members about new programs, processes, and changes in an organized and timely fashion.

Finding 43

The SPD and the Salinas Police Officers Association (SPOA) are not communicating effectively.

Recommendation 43.1

During monthly meetings with the SPOA, the chief of police and executive staff should identify issues and concerns affecting SPD officers as well as the department and follow up on resolving those issues and concerns within a reasonable period of time.

Finding 44

The SPD does not have a formal process for communicating with various external community groups or organizations.

Recommendation 44.1

The chief of police should share more information with the PCAC, which is another outlet for enhanced communications with the community for both positive and negative information.

Recommendation 44.2

The chief should inform external stakeholders about SPD changes to the department's operations, especially when these changes impact its programs and services, prior to announcing these plans in the media.

Finding 45

The SPD currently follows a minimum staffing model for patrol resource deployment.

Recommendation 45.1

The SPD should update its staffing model using various contemporary data sources, including calls for service, crime reports, and input from officers and supervisors and the community.

Finding 46

The SPD does not assign officers to the same geographic area for an extended period of time.

Recommendation 46.1

The SPD should follow a data-driven approach as it develops a new model for patrol resources deployment emphasizing longer-term geographic assignment for officers.

Recommendation 46.2

After implementing the new staffing model with an emphasis on the geographic assignment of officers for extended periods, the SPD should evaluate the effectiveness of the new model and review impacts to its crime reduction efforts.

Finding 47

The SPD does not have an adequate crime analysis capability.

Recommendation 47.1

The SPD should hire at least one experienced full-time crime analyst.

Recommendation 47.2

The SPD should ensure that it is maximizing its use of available resources, such as the department's membership in Western States Information Network® (WSIN).

Finding 48

The SPD has no formal systematic accountability process that focuses on crime prevention and crime reduction, performance evaluation, and resource allocation.

Recommendation 48.1

The chief of police and his executive staff should conduct regular accountability meetings.

Recommendation 48.2

In its efforts to serve the residents of Salinas, the SPD should use the accountability meetings to engage external stakeholders in the region, such as other law enforcement agencies, social service providers, and community associations and other city leaders.

Finding 49

SPD patrol supervisors are not required to spend time in the field monitoring, supporting, and assessing patrol operations.

Recommendation 49.1

The SPD should require first-level supervisors assigned to patrol operations to spend time in the field assessing, supporting, and guiding subordinate personnel.

Recommendation 49.2

SPD patrol supervisors' (first-level) performance evaluations should include categories related to field-based work and patrol-level activities, including neighborhood problem-solving activities and community-policing initiatives.

Finding 50

The SPD should increase its use of civilian staff.

Recommendation 50.1

The SPD should consider increasing the number of civilian employees for the purposes of shifting nonpolice functions currently being handled by police officers to civilian employees.

Recommendation 50.2

The SPD should reevaluate its use of sworn staff serving as crime scene technicians and consider using civilian staff (or a mix of sworn and civilian staff), specifically trained as crime scene technicians, to relieve patrol officers and patrol supervisors of this burden.

Finding 51

The SPD does not have a department-wide and functional VIPS program.

Recommendation 51.1

The SPD should expand its use of volunteers in all three SPD divisions—the Investigations division, the Field Operations (patrol) division, and the Administration division.

Recommendation 51.2

The SPD should assign a supervisor to work with community members to develop a formal community volunteer program.

Finding 52

The SPD's Investigations division is divided between two sergeants primarily by priority and availability, not by different crime types.

Recommendation 52.1

The SPD should realign its Investigations division to divide its work by person crimes and property crimes.

Recommendation 52.2

The SPD should assign specific detectives to the homicide unit, reporting to the crimes-against-persons sergeant, relieving other, less experienced detectives of these complex investigations.

Finding 53

The SPD has no systematic accountability or investigative case review.

Recommendation 53.1

The SPD Investigations division should establish weekly meetings for case reviews.

Recommendation 53.2

Detectives should have case support and crime analysis support that provide basic link analysis, case deconfliction, and temporal analysis.

Finding 54

The SPD lacks a comprehensive crime reduction approach.

Recommendation 54.1

The SPD should develop and implement a comprehensive crime reduction approach that includes evidence-based crime reduction strategies, community partnerships, problem solving, and accountability (e.g., Stratified Policing).

Recommendation 54.2

The SPD's crime reduction strategy should include specific and quantifiable performance measures with regular reporting of goal attainment and overall strategy progress.

Finding 55

The SPD does not have a consistent process to track or review training lesson plans or individuals who attend training.

Recommendation 55.1

The SPD should create and establish an accountability process to systematically track and save all training lesson plans and track individuals' attendance.

Recommendation 55.2

The SPD should implement an inspection and audit of its training records.

Recommendation 55.3

The SPD should purchase appropriate training records software. It is critical that training be tracked accurately to ensure that all training requirements are appropriately completed.

Finding 56

The SPD's Training policy 208 indicates that a training plan will be developed and maintained by the Training unit.

Recommendation 56.1

The SPD should follow its policy 208 and develop a training plan that—at a minimum—addresses changes to the law, state-mandated training, and critical issues training. In addition, the SPD's training plan should include relevant training for the SPD's civilian staff.

Recommendation 562

The SPD's training plan should be developed on an annual basis by the training committee and shared throughout the department. The SPD should incorporate community partners or PCAC, or both, into the development of the training plan.

Finding 57

The SPD is not adhering to agency policy 208.5, "Training Needs Assessment."

Recommendation 57.1

The SPD training committee, under the guidance of the Training unit sergeant, should conduct a training needs assessment pursuant to policy 208.5 and gain the input and approval of the executive staff. The training needs assessment should be used as the basis for the SPD annual training plan.

Finding 58

The SPD is not adhering to policy 208.6 (Training Committee) and has not established a functional training committee.

Recommendation 58.1

The SPD should establish a training committee pursuant to policy 208.6, and in addition to sworn members, the SPD should add an SPD civilian member and an appropriate member of one of the public groups mentioned earlier.

Recommendation 58.2

The SPD training committee should review all UOF incidents for training-related purposes.

Finding 59

The SPD's FTO program provides training in UOF but does not incorporate community-policing training throughout its objectives.

Recommendation 59.1

The FTO program should infuse the concepts of community policing throughout the training objectives.

Recommendation 59.2

The SPD should consider a transition to the PTO program, which is a problem-based learning program for officers, in the FTO program or modifying the existing FTO program to incorporate elements of the PTO program.

Finding 60

The SPD has no formalized training program for those new hires who are precertified (lateral) police officers.

Recommendation 60.1

The SPD should develop an appropriate and consistent FTO program that incorporates the essential FTO-level training for an experienced police officer new hire. Specifically, the elements of this program should be developed by those within the department serving as FTOs and Training unit staff and command-level staff.

Finding 61

The SPD does not provide regular training on interactions with persons with mental disabilities and is not adhering to SPD policy 418, "Mental Illness Commitments."

Recommendation 61.1

The SPD should develop and implement a POST-approved training curriculum for all SPD sworn personnel and those civilian personnel dealing with the community directly in the response and handling of situations involving persons with mental challenges, those with mental illness, or individuals in crisis and deliver annually.

Recommendation 61.2

The SPD should leverage its partnership with the Monterey County Behavioral Health Unit and expand training for patrol officers and supervisors.

Recommendation 61.3

SPD patrol supervisors should periodically attend the monthly CIT meetings to enhance the partnerships with the CIT and the Monterey County Behavioral Health Unit.

As U.S. law enforcement leaders review their policies and address the issue of community trust, some agencies are taking proactive steps to improve police-community relations. Among them is the Salinas California Police Department, whose chief requested participation in the COPS Office Collaborative Reform Initiative for Technical Assistance (CRI-TA). A nonadversarial but rigorous process, CRI-TA requires an assessment of a police department's key operational areas. By identifying issues that affect public trust, agency effectiveness, and officer safety, CRI-TA helps agencies to develop long-term strategies for sustainable, positive change. The COPS Office, a CRI-TA technical assistance team, and the Salinas Police Department worked together to assess the department's policies and operations in areas such as internal and external communications, training, use of force, and community engagement. This publication summarizes their initial findings and recommendations.

COPS
Community Oriented Policing Services
U.S. Department of Justice

U.S. Department of Justice
Office of Community Oriented Policing Services
145 N Street NE
Washington, DC 20530

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IIR
Institute for Intergovernmental Research

Institute for Intergovernmental Research

Post Office Box 12729
Tallahassee, FL 32317

850-385-0600

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