California Department of Justice Recommendations
Phase II

The California Department of Justice's assessment and recommendations address the following six areas:

1. Less-Lethal Force
2. Use of Force Policy, Reporting, and Chain of Command Review
3. Personnel Complaints and Investigations
4. Early Intervention Program
5. Recruitment, Hiring and Retention
6. Data Management

Less-Lethal Force

1. **Recommendation #1:** SPD should affirmatively de-authorize the use of carotid restraint holds.

2. **Recommendation #2:** SPD should ensure that its foot pursuit policy sets clear guidelines for initiating and ending foot pursuits.

3. **Recommendation #3:** To ameliorate the unnecessary risk of injury, SPD should restrict officers from using a Taser on a fleeing suspect except when necessary to avoid more lethal uses of force.

4. **Recommendation #4:** As recommended in Phase I, SPD limit Taser use to three, standard five-second cycles and prohibit Taser use in drive stun mode.

5. **Recommendation #5:** SPD should continue its commitment to Crisis Intervention Training (CIT) for Officers.

6. **Recommendation #6:** SPD should transition its canine deployment strategy from "Find and Bite" to "Find and Bark."

7. **Recommendation #7:** SPD should make de-escalation an affirmative duty.

8. **Recommendation #8:** SPD should avoid the tactical approach that SPD officers refer to "overwhelming use of force".

Use of Force Policy, Reporting, and Chain of Command Review

9. **Recommendation #1:** SPD should further modify its use of force policy to better reflect the changes in policy and practice mandated by the Legislature in AB392, as well as to implement all the recommendations from DOJ's phase I report.

10. **Recommendation#2:** SPD should mandate that officers complete and submit detailed statements describing and explaining their use of force.

11. **Recommendation #3:** SPD should implement a policy that expresses clear and specific guidelines for how it categorizes and reviews force incidents.

12. **Recommendation #4:** SPD should conduct an analysis of potential racial disparities with respect to its use of force. If such a study identifies areas of disparate impact, SPD should explore effective, alternative approaches or strategies that could reduce the disparity while ensuring officer, subject, and public safety.

Bias Prevention

13. **Recommendation #1:** SPD should regularly review and update its implicit bias training lesson plans and materials to ensure that they reflect POST and SPD curricula and core principles.

14. **Recommendation #2:** SPD should continue to develop and provide robust training exercises that focus on de-escalation, tactical repositioning, and techniques that may reduce threat perception failures.

Personnel Complaints and Investigations

15. **Recommendation#1:** Every SPD misconduct investigation should include a comprehensive investigative summary.

16. **Recommendation#2:** SPD should clarify the process for classifying personnel complaints and assigning them for investigation.

17. **Recommendation #3:** SPD should ensure that Internal Affairs coordinates, tracks, and oversees all investigations to ensure investigation quality regardless of the source of the complaint.

18. **Recommendation#4:** SPD policy should clarify the difference between internal and external complaints.

19. **Recommendation#5:** SPD and its supervisors should meaningfully evaluate the classification of personnel misconduct to ensure accuracy and integrity.

20. **Recommendation #6:** SPD should train its investigators to thoroughly investigate all evidence/indications of personnel misconduct that arise during an investigation even if its not included in the original complaint.

21. **Recommendation #7:** SPD should train its investigators to avoid using leading questions when interviewing personnel and other witnesses.

22. **Recommendation #8:** SPD should require its investigators conduct in-person, videotaped interviews of all witnesses in all investigations.

23. **Recommendation #9:** SPD should ensure consistency with respect to timelines for completing investigations.

24. **Recommendation#10:** SPD should track consistency across chains of command and across cases with respect to imposed discipline.

25. **Recommendation #11:** If an officer resigns in lieu of termination, SPD should complete the investigation and refer the outcome, as applicable, to the state certification board.

26. **Recommendation #12:** SPD should periodically conduct compliance audits to determine whether its personnel complaint policy is being followed.

Discipline

27. **Recommendation #1:** To ensure the fairness and equity of discipline imposed across cases, incidents, and officers, and to promote predictability and transparency for officers and the public, SPD should codify and standardize its disciplinary recommendation process to ensure all recommended discipline is commensurate with the seriousness of the offense and is applied consistently.

28. **Recommendation #2:** SPD should clearly delineate the parameters and protocols for employing disciplinary alternatives, such as "education-based discipline" to ensure that the alternative process utilized effectively corrects the behavior leading to disciplinary action.

Early Intervention Program (EIP)

29. **Recommendation #1:** SPD should define and describe the EIP more specifically and thoroughly in General Order 570.06.

30. **Recommendation #2:** SPD should allow a supervisor to place an officer directly into the EIP.

31. **Recommendation #3:** SPD should consider integrating additional factors into the EIP.

32. **Recommendation #4:** SPD should determine if the use of ratios and / or peer groups can improve the accuracy of its EIP alerts.

33. **Recommendation #5:** SPD should take steps to ensure that the EIP contains accurate data and is being used in a standard and effective way.

34. **Recommendation #6:** SPD should connect the EIP with its officer wellness program.

35. **Recommendation #7:** SPD should permit officers to review their EIP files and raise issues with the accuracy of the EIP data.

36.   **Recommendation #8:** SPD should annually compile a comprehensive statistical report on its EIP.

Recruitment, Hiring, and Retention

37.   **Recommendation #1:** SPD should create and implement a formalized recruitment plan that codifies existing work and expands efforts toward attracting high-quality, diverse officer corps.

38.   **Recommendation #2:** SPD should look to incorporate elements from successful recruitment strategies employed by other departments and identified in best practices literature.

39.   **Recommendation #3:** SPD should consider establishing and maintaining an employee referral system.

40.   **Recommendation #4:** SPD should seek community input on the recruitment and hiring process.

41.   **Recommendation #5:** SPD should invest in strengthening or expanding its Law Enforcement Candidate Scholars Program.

42.   **Recommendation #6:** SPD should ensure that all of its recruitment messaging and materials emphasize the best messages to attract the ideal candidates.

43.   **Recommendation #7:** SPD should continue to regularly assess which parts of the hiring process disproportionately affect under-represented groups.

44.   **Recommendation #8:** The decision to suspend or not select a candidate based on his or her background should rest at the level of Deputy Chief or higher.

45.   **Recommendation #9:** SPD should prepare a quarterly recruitment and hiring report for the police chief analyzing critical data regarding each stage of the hiring process, including success-rate data about candidates who are not excluded during the background phase of the process.

46.   **Recommendation #10:** All recruiters and background investigators should receive periodic training in procedural justice and implicit bias focused on specific issues or strategies relevant to the hiring process.

47.   **Recommendation #11:** SPD should conduct periodic audits of background investigations to ensure that all standards are applied consistently, and that SPD is taking the steps necessary to obtain a well-qualified, diverse workforce.

48.   **Recommendation #12:** SPD should develop a formal officer retention plan.

49.   **Recommendation #13:** Internal procedural justice should be recognized as a key officer retention strategy.

50. **Recommendation #14:** SPD should examine its current officer wellness programs and initiatives, recommit to those that are working, and establish new initiatives to address identified opportunities.

51. **Recommendation #15:** SPD should regularly conduct structured exit interviews of departing personnel.

52. **Recommendation #16:** SPD should assess its evaluation process and ensure that it is substantive and valuable for all employees.

Data Management

53. **Recommendation #1:** To improve its data quality, SPD should create clear operational policies for collecting key data elements, such as information about interactions with homeless persons and persons with mental health and other disabilities.

54. **Recommendation #2:** SPD should regularly audit its critical data.

55. **Recommendation #3:** SPD should consider collecting additional data points regarding mental health and homelessness related incidents.

56. **Recommendation #4:** SPD should assess the usefulness of its regular reports and establish a feedback mechanism to increase their effectiveness.

57. **Recommendation #5:** SPD should ensure that officers receive proper training in data systems and provide refresher courses for experiences officers.

58. **Recommendation #6:** SPD should streamline the Crime Analysis Unit, Criminal Intelligence Unit, and Real Time Crime Center.

59. **Recommendation #7:** SPD should create a Technology Advisory Council comprised of police personnel, technologists, lawyers, researchers, and community representatives to advise the Chief on the purchase, implementation, and use of technology and data.

60. **Recommendation #8:** In adopting new technology, SPD should analyze how it could affect different racial and ethnic groups, consider conducting a formal cost-benefit analysis, and solicit public input.

61. **Recommendation #9:** SPD should ensure that there are operational policies that govern its RTCC and POD's.