OAKLAND POLICE COMMISSION
SPECIAL MEETING AGENDA
May 28, 2020
5:30 PM

Pursuant to the Governor's Executive Order N-29-20, members of the Police Commission, as well as the Commission's Counsel and Community Police Review Agency staff, will participate via phone/video conference, and no physical teleconference locations are required.

OAKLAND POLICE COMMISSION
SPECIAL MEETING AGENDA
May 28, 2020
5:30 PM

PUBLIC PARTICIPATION

The Oakland Police Commission encourages public participation in the online board meetings. The public may observe and/or participate in this meeting in several ways.

OBSERVE:
• To observe, the public may view the televised video conference by viewing KTOP channel 10 on Xfinity (Comcast) or ATT Channel 99 and locating City of Oakland KTOP – Channel 10
• To observe the meeting by video conference, please click on this link:
https://us02web.zoom.us/j/87212045112 at the noticed meeting time. Instructions on how to join a meeting by video conference are available at: https://support.zoom.us/hc/en-us/articles/201362193, which is a webpage entitled "Joining a Meeting"
• To listen to the meeting by phone, please call the numbers below at the noticed meeting time: Dial (for higher quality, dial a number based on your current location):

+1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799 or +1 301 715 8592 or +1 312 626 6799 or +1 646 558 8656
For each number, please be patient and when requested, dial the following Webinar ID: 872 1204 5112

After calling any of these phone numbers, if you are asked for a participant ID or code, press #. Instructions on how to join a meeting by phone are available at: https://support.zoom.us/hc/en-us/articles/201362663, which is a webpage entitled "Joining a Meeting By Phone."

PROVIDE PUBLIC COMMENT: There are three ways to make public comment within the time allotted for public comment on an eligible Agenda item.

• Comment in advance. To send your comment directly to the Commission and staff BEFORE the meeting starts, please send your comment, along with your full name and agenda item number you are commenting on, to Juanito Rus at jrus@oaklandca.gov. Please note that eComment submissions close thirty (30) minutes before posted meeting time. All submitted public comment will be provided to the Commissioners prior to the meeting.

• By Video Conference. To comment by Zoom video conference, click the "Raise Your Hand" button to request to speak when Public Comment is being taken on a eligible agenda item at the beginning of the meeting. You will then be unmuted, during your turn, and allowed to participate in public comment. After the allotted time, you will then be re-muted. Instructions on how to "Raise Your Hand" are available at: https://support.zoom.us/hc/en-us/articles/205566129, which is a webpage entitled "Raise Hand In Webinar."

• By Phone. To comment by phone, please call on one of the above listed phone numbers. You will be prompted to "Raise Your Hand" by pressing STAR-NINE ("*9") to request to speak when Public Comment is being taken on a eligible agenda item at the beginning of the meeting. Once it is your turn, you will be unmuted and allowed to make your comment. After the allotted time, you will be re-muted. Instructions of how to raise your hand by phone are available at: https://support.zoom.us/hc/en-us/articles/201362663, which is a webpage entitled "Joining a Meeting by Phone."

If you have any questions about these protocols, please e-mail Juanito Rus, at jrus@oaklandca.gov.

PLEASE NOTE: DUE TO THE SUSPENSION OF THE SUNSHINE ORDINANCE AND THE CITY COUNCIL'S RULES OF PROCEDURES ALL PUBLIC COMMENT ON OPEN SESSION ITEMS WILL BE TAKEN AT THE BEGINNING OF THE PUBLIC SESSION UNDER ITEM VI. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA WILL BE TAKEN AT THE SAME TIME.

OAKLAND POLICE COMMISSION
SPECIAL MEETING AGENDA
May 28, 2020
5:30 PM

I.   **Call to Order**
Chair Regina Jackson

II.   **Roll Call and Determination of Quorum**
Chair Regina Jackson

III.   **Public Comment on Closed Session Items**

THE OAKLAND POLICE COMMISSION WILL ADJOURN TO CLOSED SESSION AND WILL REPORT ON ANY FINAL DECISIONS DURING THE POLICE COMMISSION'S OPEN SESSION MEETING AGENDA.

IV.   **Closed Session Closed Session**
CONFERENCE WITH LEGAL COUNSEL— ANTICIPATED LITIGATION: 1 CASE - Govt. Code § 54956.9(d)(2)

V.   **Report out of Closed Session**
       a.   The Commission will report on any actions taken during Closed Session, as required by law.

VI.   **Welcome, Purpose, and Open Forum/Public Comment** (2 minutes per speaker)
Chair Regina Jackson will welcome public speakers. The purpose of the Oakland Police Commission is to oversee the Oakland Police Department's (OPD) policies, practices, and customs to meet or exceed national standards of constitutional policing, and to oversee the Community Police Review Agency (CPRA) which investigates police misconduct and recommends discipline.

All public comment will be welcomed at this time. Speakers will be called on by the facilitator as speakers "raise their hand" through video conference by telephone.

VII.   **Update from Interim Police Chief**
OPD Interim Chief Manheimer will provide an update on the Department. Topics discussed in the update may include crime statistics; a preview of topics which may be placed on a future agenda; responses to community member questions sent in advance to the Police Commission Chair; and specific topics requested in advance by Commissioners. *This is a recurring item.* (**Attachment 7**).
       a.   Discussion
       b.   Action, if any

VIII.   **Update on City Auditor's Commission and CPRA Audits**
The Commission will provide an update on the status of the Police Commission and CPRA audits that are being conducted by the City Auditor's office. ***This item was discussed on 1.23.20, 4.9.20, and 4.23.20***.
    a.   Discussion
    b.   Action, if any

IX.   **Report on and Review of CPRA Pending Cases, Completed Investigations, Staffing, and Recent Activities**
To the extent permitted by state and local law, Executive Director John Alden will report on the Agency's pending cases, completed investigations, staffing, and recent activities. ***This is a recurring item***. (**Attachment 9**).
    a.   Discussion
    b.   Action, if any

X.   **Commission Discussion of, and Possible Action On, City Administration's Proposed Budget of May 26, 2020**
The Commission will discuss, and possibly take action on, the proposed City budget that is expected to be released on May 26. ***This item was discussed on 4.23.20 and 5.14.20***.
    a.   Discussion
    b.   Action, if any

XI.   **OPD Discipline Disparity Report**
The Commission will discuss the recent OPD Discipline Disparity Report and status of the RFP for the Oakland Black Officers Association (OBOA) investigation contract. ***This is a new item***. (**Attachment 11**).
    a.   Discussion
    b.   Action, if any

XII.   **Measure LL Ballot Measure Initiative**
The Commission will provide an update on the status of the ballot measure regarding changes to Measure LL. ***This is a new item***.
    a.   Discussion
    b.   Action, if any

XIII.   **Committee Reports**
Representatives from Standing and Ad Hoc Committees will provide updates on their work. ***This is a recurring item.***
    a.   Discussion
    b.   Action, if any

XIV.   **Meeting Minutes Approval**
The Commission will vote to approve minutes from May 14, 2020. ***This is a recurring item.*** (**Attachment 14**).
    a.   Discussion
    b.   Action, if any

XV. **Agenda Setting and Prioritization of Upcoming Agenda Items**
The Commission will engage in a working session to discuss and determine agenda items for the upcoming Commission meeting and to agree on a list of agenda items to be discussed on future agendas. ***This is a recurring item***. (**Attachment 15**).
   a.   Discussion
   b.   Action, if any

XVI.   **Adjournment**

OAKLAND
POLICE DEPARTMENT
455 7TH ST., OAKLAND, CA 94607 I OPDCRIMEANALYSIS@OAKLANDNET.COM

CRIME ANALYSIS

2020 COVID-19 Shelter-in-Place Crime Summary — Citywide
Updated 20 May, 2020

Robbery Before-and-After Comparison — 9 Weeks

Robbery Type	13 Jan to 15 Mar	16 Mar to 17 May	% Change
Firearm	153	85	-44%
Knife	48	29	-40%
Strong Arm	243	144	-41%
Other Weapon	10	9	-10%
Carjacking	34	41	21%
Home Invasion	11	17	55%
Total	**499**	**325**	**-35%**

Gunfire Before-and-After Comparison — 9 Weeks

Shooting Type	13 Jan to 15 Mar	16 Mar to 17 May	% Change
Assault with a Firearm - 245(a)(2)	43	61	42%
Occupied Home or Car - 246	45	50	11%
Unoccupied Home or Car - 247(b)	20	29	45%
Subtotal	**108**	**140**	**30%**
Negligent Discharge - 246.3	98	137	40%
Grand Total	**314**	**417**	**33%**

ShotSpotter Activations Before-and-After Comparison — 9 Weeks

ShotSpotter Activations	13 Jan to 15 Mar	16 Mar to 17 May	% Change
ShotSpotter Activations	605	837	38%

Burglary Before-and-After Comparison — 9 Weeks

Burglary Type	13 Jan to 15 Mar	16 Mar to 17 May	% Change
Auto			
Residential	Burglary comparisons are not yet available due to the delay in crime report processing.		
Commercial			
Total			

This report is hierarchy based. Crime totals reflect one charge (the most severe) per incident.
These statistics are drawn from the Oakland Police Dept. database. They are unaudited and not used to figure the crime numbers reported to the FBI's Uniform Crime Reporting (UCR) program. This report is run by the date the crimes occurred. Statistics can be affected by late reporting, the geocoding process, or the reclassification or unfounding of crimes. Because crime reporting and data entry can run behind, all crimes may not be recorded.

All data, except ShotSpotter activations, extracted via Coplink Analytics.
ShotSpotter activations extracted from ShotSpotter Investigator.

Produced by the Oakland Police Dept. Crime Analysis Unit.

ATTACHMENT B-1 Police Commission 5.28.20 Page 6

2020 COVID-19 Shelter-in-Place Crime Summary — Citywide

Updated 20 May, 2020

Robbery Before-and-After Comparison — 8 Weeks

Robbery Type	20 Jan to 15 Mar	16 Mar to 10 May	% Change
Firearm	131	76	-42%
Knife	46	27	-41%
Strong Arm	219	131	-40%
Other Weapon	6	8	33%
Carjacking	24	38	58%
Home Invasion	9	16	78%
Total	435	296	-32%

Gunfire Before-and-After Comparison — 8 Weeks

Shooting Type	20 Jan to 15 Mar	16 Mar to 10 May	% Change
Assault with a Firearm - 245(a)(2)	37	53	43%
Occupied Home or Car - 246	33	50	52%
Unoccupied Home or Car - 247(b)	16	26	63%
Subtotal	86	129	50%
Negligent Discharge - 246.3	90	129	43%
Grand Total	262	387	48%

ShotSpotter Activations Before-and-After Comparison — 8 Weeks

ShotSpotter Activations	20 Jan to 15 Mar	16 Mar to 10 May	% Change
ShotSpotter Activations	543	738	36%

Burglary Before-and-After Comparison — 8 Weeks

Burglary Type	20 Jan to 15 Mar	16 Mar to 10 May	% Change
Auto			
Residential	Burglary comparisons are not yet available due		
Commercial	to the delay in crime report processing.		
Total			

This report is hierarchy based. Crime totals reflect one charge (the most severe) per incident.

These statistics are drawn from the Oakland Police Dept. database. They are unaudited and not used to figure the crime numbers reported to the FBI's Uniform Crime Reporting (UCR) program. This report is run by the date the crimes occurred. Statistics can be affected by late reporting, the geocoding process, or the reclassification or unfounding of crimes. Because crime reporting and data entry can run behind, all crimes may not be recorded.

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POLICE DEPARTMENT
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CRIME ANALYSIS

Year to Date Crime Report
01 Jan. – 20 May, 2020

Part 1 Crimes *All totals include attempts except homicides.*	2019	2020	Percentage Change 2019 vs. 2020
Violent Crime Index (homicide, aggravated assault, rape, robbery)	2,147	2,118	-1%
Homicide – 187(a)PC	29	22	-24%
Homicide – All Other *	2	1	-50%
Aggravated Assault	1,035	1,065	3%
Assault with a firearm – 245(a)(2)PC	103	120	17%
Subtotal - Homicides + Firearm Assault	134	143	7%
Shooting occupied home or vehicle – 246PC	96	116	21%
Shooting unoccupied home or vehicle – 247(b)PC	48	55	15%
Non-firearm aggravated assaults	788	774	-2%
Rape	78	82	5%
Robbery	1,005	949	-6%
Firearm	344	277	-19%
Knife	44	83	89%
Strong-arm	457	445	-3%
Other dangerous weapon	33	25	-24%
Residential robbery – 212.5(a)PC	40	39	-3%
Carjacking – 215(a) PC	87	80	-8%
Burglary	4,969	4,392	-12%
Auto	3,994	3,515	-12%
Residential	679	484	-29%
Commercial	239	282	18%
Other (includes boats, aircraft, and so on)	46	61	33%
Unknown	11	50	355%
Motor Vehicle Theft	2,514	2,993	19%
Larceny	2,619	2,484	-5%
Arson	45	61	36%
Total	12,296	12,049	-2%

THIS REPORT IS HIERARCHY BASED. CRIME TOTALS REFLECT ONE OFFENSE (THE MOST SEVERE) PER INCIDENT.

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* *Justified, accidental, fœtal, or manslaughter by negligence. Traffic collision fatalities are not included in this report.*
PNC = Percentage not calculated — Percentage cannot be calculated.
All data extracted via Coplink Analytics.

OAKLAND
POLICE DEPARTMENT

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CRIME ANALYSIS

Year to Date Gunfire Summary
01 Jan. – 20 May, 2020

Citywide *All totals include attempts except homicides.*	YTD 2019	YTD 2020	YTD % Change 2019 vs. 2020
Homicide – 187(a)PC	29	22	-24%
Homicide – All Other *	2	1	-50%
Assault with a firearm – 245(a)(2)PC	103	120	17%
Subtotal - 187 + 245(a)(2)	134	143	7%
Shooting occupied home or vehicle – 246PC	96	116	21%
Shooting unoccupied home or vehicle – 247(b)PC	48	55	15%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	278	314	13%
Negligent discharge of a firearm – 246.3PC	269	258	-4%
Grand Total	547	572	5%

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Citywide — Homicides — Year-to-Date
01 Jan. to 17 May, 2020

*Excludes justified, accidental, fœtal, or manslaughter by negligence. Traffic collision fatalities are not included in this report.
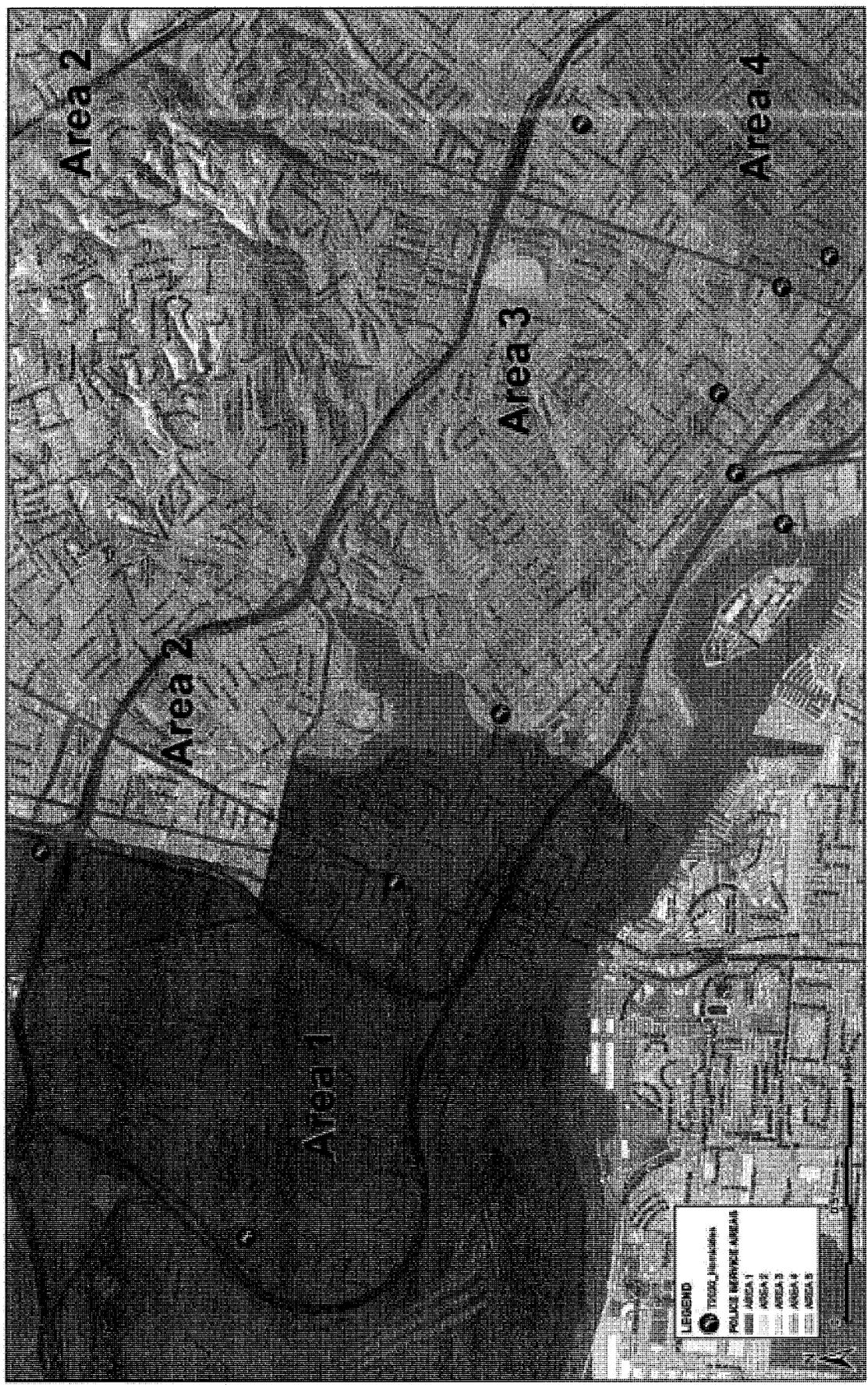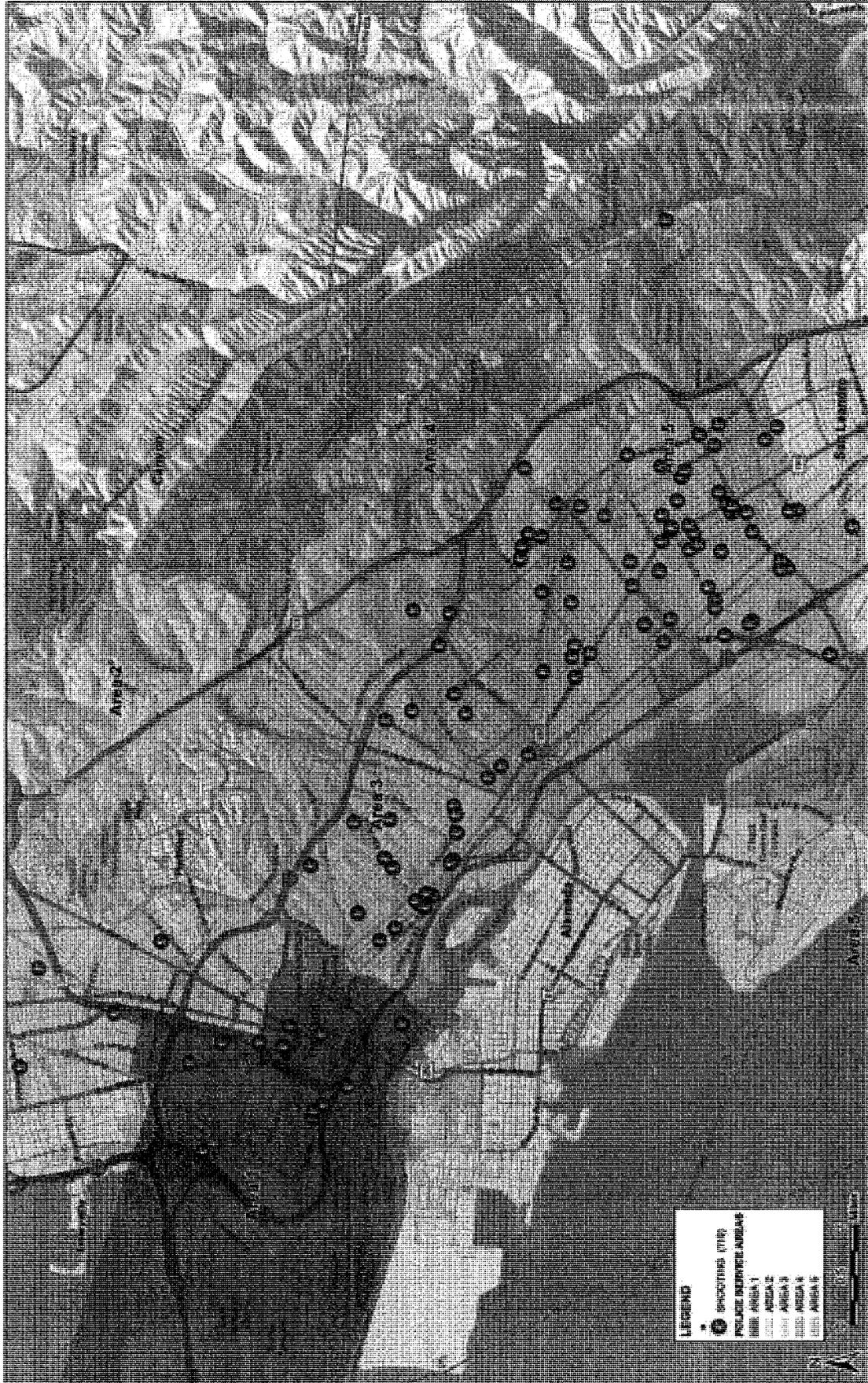
Produced by the Oakland Police Dept. Crime Analysis Unit.

ATTACHMENT B-2

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Bureau of Field Operations 1 — Homicides — Year-to-Date
01 Jan. to 17 May, 2020

* Excludes justified, accidental, foetal, or manslaughter by negligence. Traffic collision fatalities are not included in this report.

Produced by the Oakland Police Dept. Crime Analysis Unit.

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Bureau of Field Operations 1 — Homicides — Year-to-Date
01 Jan. to 17 May, 2020

Area 3

Area 4

Area 5

Excludes justified, accidental, foetal, or manslaughter by negligence. Traffic collision fatalities are not included in this report.

Produced by the Oakland Police Dept. Crime Analysis Unit.

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Citywide — Assault with a Firearm — Year-to-Date
01 Jan. to 17 May, 2020

This report is hierarchy based. Crime totals reflect one offense (the most severe) per incident.

Included assault-with-a-firearm statute codes: 245(a)(2), 245(b), 245(d)(1), 245(d)(2), 245(d)(3), 245.5(b), and 664/187(a) - firearm
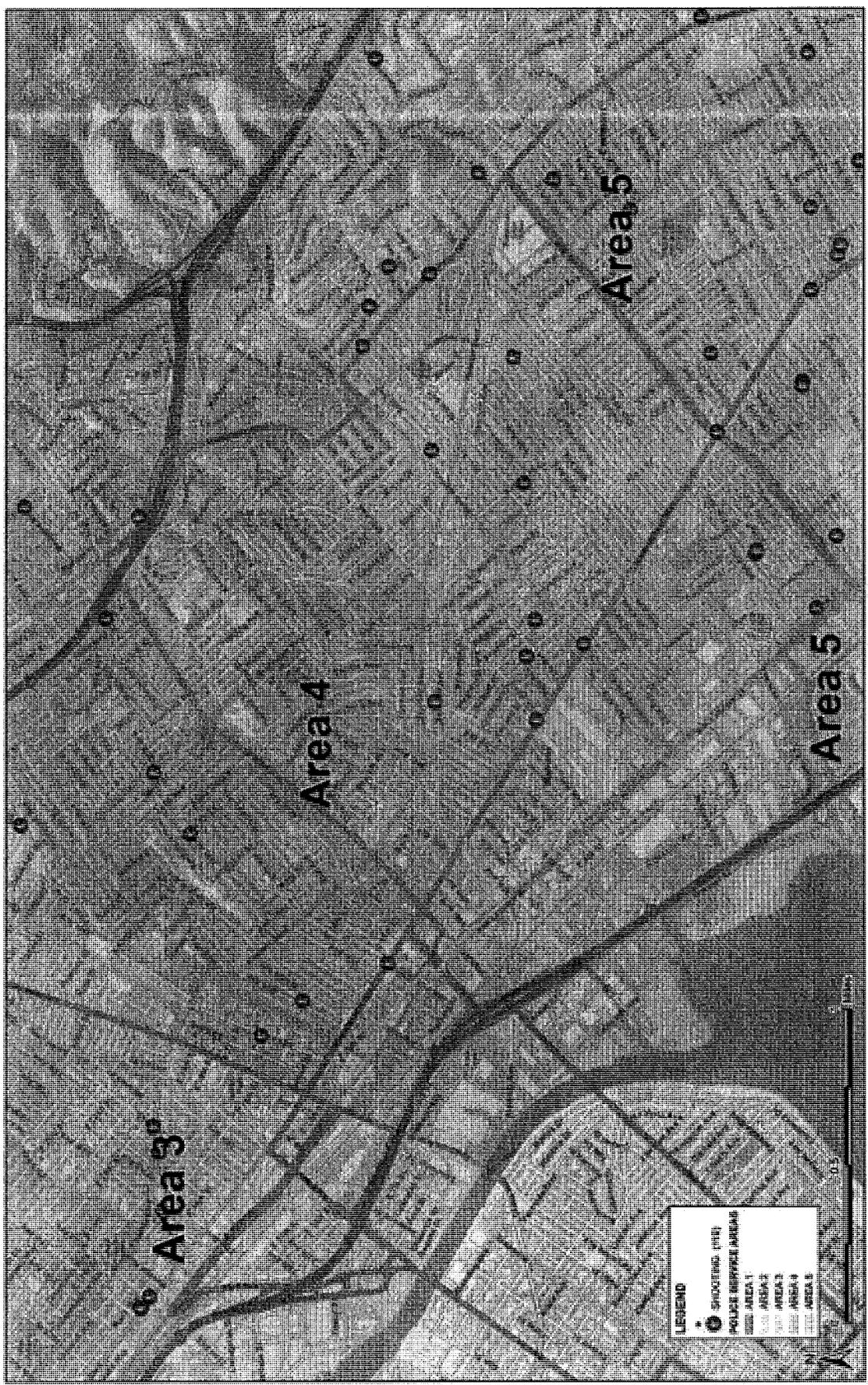
Produced by the Oakland Police Dept. Crime Analysis Unit.

Area 1 — Assault with a Firearm — Year-to-Date
01 Jan. to 17 May, 2020

This report is hierarchy based. Crime totals reflect one offense (the most severe) per incident.

Included assault-with-a-firearm statute codes: 245(a)(2), 245(b), 245(d)(1), 245(d)(2), 245(d)(3), 245.5(b), and 664/187(a) - firearm

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Area 2 — Assault with a Firearm — Year-to-Date
01 Jan. to 17 May, 2020

Area 2

Area 1

This report is hierarchy based. Crime totals reflect one offense (the most severe) per incident.

Included assault-with-a-firearm statute codes: 245(a)(2), 245(b), 245(d)(1), 245(d)(2), 245(d)(3), 245.5(b), and 664/187(a) - firearm

Produced by the Oakland Police Dept. Crime Analysis Unit.

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Area 3 — Assault with a Firearm — Year-to-Date
01 Jan. to 17 May, 2020

This report is hierarchy based. Crime totals reflect one offense (the most severe) per incident.

Included assault-with-a-firearm statute codes: 245(a)(2), 245(b), 245(d)(1), 245(d)(2), 245(d)(3), 245.5(b), and 664/187(a) - firearm

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Area 4 — Assault with a Firearm — Year-to-Date
01 Jan. to 17 May, 2020

Area 3

Area 4

Area 5

Area 5

This report is hierarchy based. Crime totals reflect one offense (the most severe) per incident.
Included assault-with-a-firearm statute codes: 245(a)(2), 245(b), 245(d)(2), 245(d)(1), 245(d)(3), 245.5(b), and 664/187(a) - firearm

Produced by the Oakland Police Dept. Crime Analysis Unit.

Area 5 — Assault with a Firearm — Year-to-Date
01 Jan. to 17 May, 2020

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Area 4

Area 5

Area 4

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Included assault-with-a-firearm statute codes: 245(a)(2), 245(b), 245(d)(1), 245(d)(2), 245(d)(3), 245.5(b), and 664/187(a) - firearm

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Citywide — Assault with a Firearm — Post Shelter-in-Place
16 Mar. to 17 May, 2020

This report is hierarchy based. Crime totals reflect one offense (the most severe) per incident.
Included assault-with-a-firearm statute codes: 245(a)(2), 245(b), 245(d)(1), 245(d)(2), 245(d)(3), 245.5(b), and 664/187(a) - firearm

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CRIME ANALYSIS

Area 1 — Assault with a Firearm — Post Shelter-in-Place
16 Mar. to 17 May, 2020

Area 2

Area 3°

Area 1

LEGEND
SHOOTING (#1)
POLICE BEAT/AREAS

This report is hierarchy based. Crime totals reflect one offense (the most severe) per incident.
Included assault-with-a-firearm statute codes: 245(a)(2), 245(b), 245(d)(1), 245(d)(2), 245(d)(3), 245.5(b), and 664/187(a) - firearm
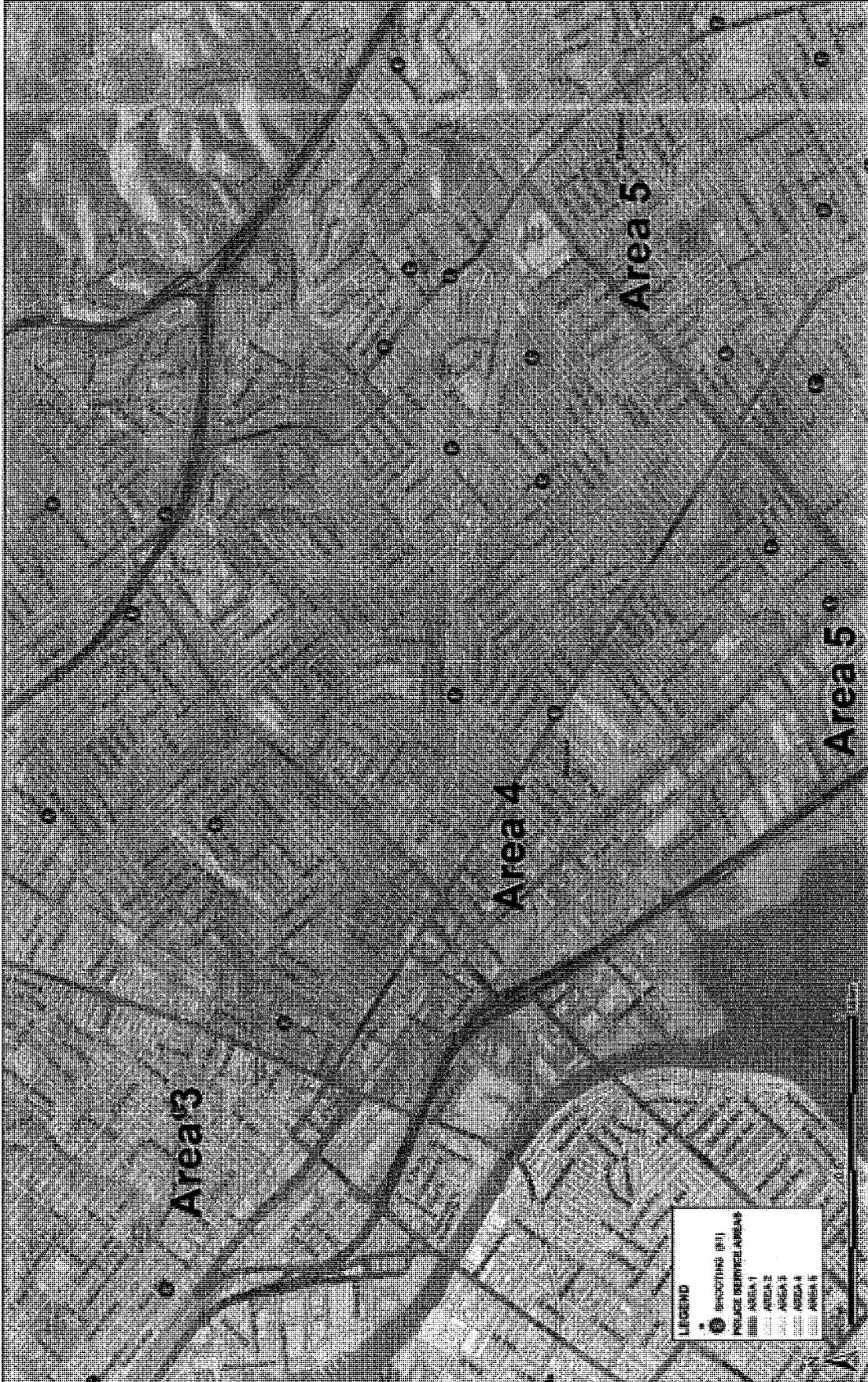
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Area 2 — Assault with a Firearm — Post Shelter-in-Place
16 Mar. to 17 May, 2020

Area 2

Area 1

LEGEND
- Shootings (FT)
- POLICE SERVICE AREAS
  - AREA 1
  - AREA 2
  - AREA 3
  - AREA 4
  - AREA 5
  - AREA 6

This report is hierarchy based. Crime totals reflect one offense (the most severe) per incident.

Included assault-with-a-firearm statute codes: 245(a)(2), 245(b), 245(d)(1), 245(d)(2), 245(d)(3), 245.5(b), and 664/187(a) - firearm
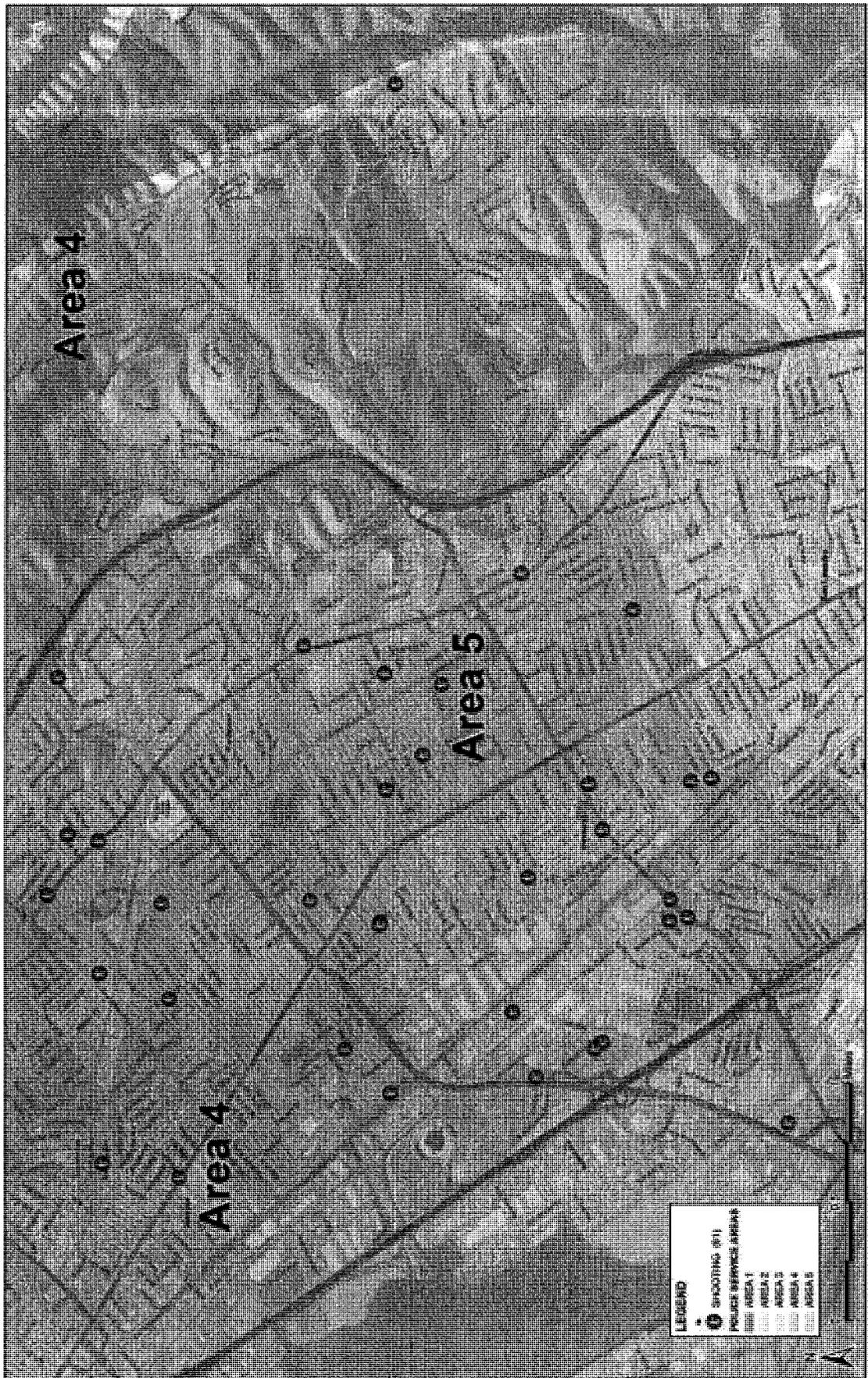
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Area 3 — Assault with a Firearm — Post Shelter-in-Place
16 Mar. to 17 May, 2020

Area 3

Area 4

This report is hierarchy based. Crime totals reflect one offense (the most severe) per incident.

Included assault-with-a-firearm statute codes: 245(a)(2), 245(b), 245(d)(1), 245(d)(2), 245(d)(3), 245.5(b), and 664/187(a) - firearm

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CRIME ANALYSIS

Area 4 — Assault with a Firearm — Post Shelter-in-Place
16 Mar. to 17 May, 2020

This report is hierarchy based. Crime totals reflect one offense (the most severe) per incident.

Included assault-with-a-firearm statute codes: 245(a)(2), 245(b), 245(d)(1), 245(d)(2), 245(d)(3), 245.5(b), and 664/187(a) - firearm

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CRIME ANALYSIS

Area 5 — Assault with a Firearm — Post Shelter-in-Place
16 Mar. to 17 May, 2020

This report is hierarchy based. Crime totals reflect one offense (the most severe) per incident.

Included assault-with-a-firearm statute codes: 245(a)(2), 245(b), 245(d)(1), 245(d)(2), 245(d)(3), 245.5(b), and 664/187(a) - firearm

Produced by the Oakland Police Dept. Crime Analysis Unit.

Weekly Gunfire Summary
11 May — 17 May, 2020

Citywide All totals include attempts except homicides.	Weekly Total	YTD 2018	YTD 2019	YTD 2020	YTD % Change 2019 vs. 2020	3-Year YTD Average	YTD 2020 vs. 3-Year YTD Average
Homicide – 187(a)PC	1	19	29	22	-24%	23	-6%
Homicide – All Other*	–	6	2	1	-50%	3	-67%
Assault with a firearm – 245(a)(2)PC	8	96	101	115	14%	104	11%
Subtotal – 187 + 245(a)(2)	9	121	132	138	5%	130	6%
Shooting occupied home or vehicle – 246PC	1	86	93	115	22%	97	16%
Shooting unoccupied home or vehicle – 247(b)PC	3	27	46		17%	42	28%
Subtotal – 187 + 245(a)(2) + 246 + 247(b)	13	234	271	305	13%	270	13%
Negligent discharge of a firearm – 246.3PC	7	149	258	255	-1%	221	16%
Grand Total	20	383	529	560	6%	491	14%

Area 1 All totals include attempts except homicides.	Weekly Total	YTD 2018	YTD 2019	YTD 2020	YTD % Change 2019 vs. 2020	3-Year YTD Average	YTD 2020 vs. 3-Year YTD Average
Homicide – 187(a)PC		2		3	-57%	4	-25%
Homicide – All Other*		2			PNC	1	PNC
Assault with a firearm – 245(a)(2)PC	–	15	19		-37%	15	-22%
Subtotal – 187 + 245(a)(2)	–	19	26	15	-42%	20	-25%
Shooting occupied home or vehicle – 246PC	1	8	12		33%	12	33%
Shooting unoccupied home or vehicle – 247(b)PC	–	2	7		14%	6	41%
Subtotal – 187 + 245(a)(2) + 246 + 247(b)	1	29	45	39	-13%	38	4%
Negligent discharge of a firearm – 246.3PC		12	28	26	-7%	22	18%
Grand Total	1	41	73	65	-11%	60	9%

THIS REPORT IS HIERARCHY BASED. CRIME TOTALS REFLECT ONE OFFENSE (THE MOST SEVERE) PER INCIDENT.

Justified, accidental, foetal, or manslaughter by negligence. Traffic collision fatalities are not included in this report.
PNC = Percentage not calculated — Percentage cannot be calculated.
All data extracted via Coplink Analytics.

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CRIME ANALYSIS

Weekly Gunfire Summary
11 May — 17 May, 2020

Area 2 *All totals include attempts except homicides.*	Weekly Total	YTD 2018	YTD 2019	YTD 2020	YTD % Change 2019 vs. 2020	3-Year YTD Average	YTD 2020 vs. 3-Year YTD Average
Homicide – 187(a)PC	-	4	1	-	-100%	2	PNC
Homicide – All Other *	-	1	-	-	PNC	0	PNC
Assault with a firearm – 245(a)(2)PC	-	2	2	4	100%	3	50%
Subtotal - 187 + 245(a)(2)	-	7	3	4	33%	5	-14%
Shooting occupied home or vehicle – 246PC	-	4	4	5	25%	4	15%
Shooting unoccupied home or vehicle – 247(b)PC	-	2	6	1	-83%	3	-67%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	-	13	13	10	-23%	12	-17%
Negligent discharge of a firearm – 246.3PC	-	8	9	5	-44%	7	-32%
Grand Total	-	21	22	15	-32%	19	-22%

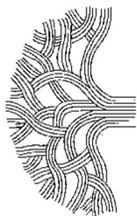| Area 3 *All totals include attempts except homicides.*	Weekly Total	YTD 2018	YTD 2019	YTD 2020	YTD % Change 2019 vs. 2020	3-Year YTD Average	YTD 2020 vs. 3-Year YTD Average
Homicide – 187(a)PC	-	4	9	6	-33%	6	-5%
Homicide – All Other *	-	3	-	-	PNC	1	PNC
Assault with a firearm – 245(a)(2)PC	-	12	20	21	5%	18	19%
Subtotal - 187 + 245(a)(2)	-	19	29	27	-7%	25	8%
Shooting occupied home or vehicle – 246PC	-	10	8	19	138%	12	54%
Shooting unoccupied home or vehicle – 247(b)PC	-	4	8	13	63%	8	56%
Subtotal - 187 + 245(a)(2) + 246 + 247(b)	-	33	45	59	31%	46	29%
Negligent discharge of a firearm – 246.3PC	4	25	44	58	32%	42	37%
Grand Total	4	58	89	117	31%	88	33%

THIS REPORT IS HIERARCHY BASED. CRIME TOTALS REFLECT ONE OFFENSE (THE MOST SEVERE) PER INCIDENT.

These numbers are drawn from the Oakland Police Dept. database. They are important but are not used to figure the crime numbers reported to the FBI's Uniform Crime Reporting (UCR) program. This report is run by the date the crimes occurred. Statistics can be affected by late reporting, the preceding revision, or the reclassification or unfounding of crimes. Due to late reporting and time lags, not the revision. All crimes may not be recorded.

* Justified, accidental, fœtal, or manslaughter by negligence. Traffic collision fatalities are not included in this report.
PNC = Percentage not calculated — *Percentage cannot be calculated.*
All data extracted via Coplink Analytics.

CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY
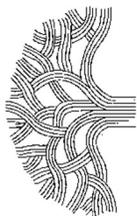*Recently Completed Investigations*
(Allegations in bold were discovered by CPRA investigators)

Assigned Inv.	Case #	Incident Date	Completion Date	1-year goal	Officer	Allegation	Finding
CS	19-1053	5/5/18	4/16/20	5/4/20	Subject Officer 1	1. Truthfulness	*Sustained*
ED	19-0497	5/14/19	4/20/20	5/13/20	Subject Officer 1	1. Performance of Duty – Unintentional/ Improper Search Seizure or Arrest	*Exonerated*
						2. Conduct Toward Others – Harassment and Discrimination	*Unfounded*
					Subject Officer 2	3. Conduct Toward Others – Harassment and Discrimination	*Unfounded*
					Subject Officer 3	**4. Performance of Duty – Unintentional/ Improper Search Seizure or Arrest**	***Exonerated***
						5. Performance of Duty – Unintentional/ Improper Search Seizure or Arrest	***Unfounded***
						6. Conduct Toward Others – Harassment and Discrimination	***Unfounded***
AL	19-0461	5/5/19	4/23/20	5/4/20	Subject Officer 1	1. Use of Force (Level 3)	*Sustained*
						2. Performance of Duty – General	***Sustained***
JS	19-0558	5/30/19	5/4/20	6/2/20	Subject Officer 1	1. Performance of Duty – Unintentional/ Improper Search Seizure or Arrest	*Exonerated*
						2. Performance of Duty – Unintentional/ Improper Search Seizure or Arrest	*Exonerated*
						3. Performance of Duty – Unintentional/ Improper Search Seizure or Arrest	*Exonerated*
						4. Performance of Duty – General	*Unfounded*

CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY
Recently Completed Investigations
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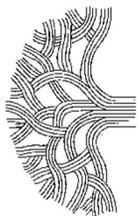| Assigned Inv.	Case #	Incident Date	Completion Date	1-year goal	Officer	Allegation	Finding
						5. Conduct Toward Others – Demeanor	*Not Sustained*
					Subject Officer 2	6. Performance of Duty – General	*Unfounded*
						7. Conduct Toward Others – Demeanor	*Unfounded*
AL	19-0515	5/20/19	5/8/20	5/19/20	Subject Officer 1	1. Use of Force (Level 3)	*Sustained*
						2. Performance of Duty – General	***Sustained***
						3. Performance of Duty – Unintentional/ Improper Search Seizure or Arrest	*Exonerated*
AN	19-0590	6/13/19	5/13/20	6/12/20	Subject Officer 1	1. Performance of Duty – General	*Sustained*
						2. Refusal to Accept or Refer Complaint	*Sustained*
						3. Conduct Toward Others – Harassment and Discrimination	*Unfounded*
					Subject Officer 2	4. Refusal to Accept or Refer Complaint	*Unfounded*
					Subject Officer 3	5. Refusal to Accept or Refer Complaint	*Not Sustained*
					Subject Officer 4	6. Refusal to Accept or Refer Complaint	*Not Sustained*
MB	20-0065	12/15/19	4/24/20	1/17/21	Officer Unknown	1. Peace Officer Status	*Unable to Identify Officer*
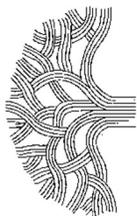
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Assigned Inv.	Case #	Incident Date	Completion Date	1-year goal	Officer	Allegation	Finding
MB	20-0119	1/31/20	4/30/20	1/29/21	Subject Officer 1	1. Use of Force	*Unfounded*
MB	19-1114	10/9/19	5/6/20	10/8/20	Subject Officer 1	1. Conduct Toward Others – Demeanor	*Unfounded*
MB	20-0201	2/10/20	5/7/20	2/8/21	Subject Officer 1	1. No Duty/No MOR Violation	*No MOR Violation*
MB	20-0085	1/10/20	5/7/20	1/22/21	Subject Officer 1	1. Performance of Duty – Unintentional/ Improper Search Seizure or Arrest	*Exonerated*
						2. Use of Force	*Unfounded*
					Subject Officer 2	3. Performance of Duty – Unintentional/ Improper Search Seizure or Arrest	*Exonerated*
					Officer Unknown	4. Performance of Duty – Care of Property	*Unfounded*
CD	19-1423	12/20/19	5/8/20	12/19/20	Subject Officer 1	1. Use of Force	*Unfounded*
CD	19-1446	12/17/19	5/7/20	12/15/20	Subject Officer 1	1. Performance of Duty – Unintentional/ Improper Search Seizure or Arrest	*Exonerated*
						2. Conduct Toward Others – Demeanor	*Unfounded*
					Subject Officer 2	3. Performance of Duty – Unintentional/ Improper Search Seizure or Arrest	*Exonerated*
						4. Conduct Toward Others – Demeanor	*Unfounded*
MB	20-0177	2/10/20	5/14/20	2/9/21	Unknown Officer	1. Use of Force	*Complainant Uncooperative*

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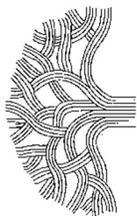*Recently Completed Investigations*
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Assigned Inv.	Case #	Incident Date	Completion Date	1-year goal	Officer	Allegation	Finding
MB	20-0200	2/19/20	5/14/20	2/17/21	Subject Officer 1	1. Performance of Duty – Unintentional/ Improper Search Seizure or Arrest	*Unfounded*
CD	20-0035	1/9/20	5/15/20	1/7/21	Subject Officer 1	1. Refusal to Accept or Refer Complaint	*Unfounded*
					Subject Officer 2	2. Performance of Duty – Unintentional/ Improper Search Seizure or Arrest	*Exonerated*
						3. Use of Force (Level 4)	*Exonerated*
					Subject Officer 3	4. Use of Force (Level 4)	*Exonerated*
					Subject Officer 4	5. Use of Force (Level 4)	*Exonerated*
					Subject Officer 5	6. Use of Force (Level 4)	*Exonerated*
					Subject Officer 6	7. Use of Force (Level 4)	*Exonerated*
					Subject Officer 7	8. Use of Force (Level 4)	*Exonerated*
					Subject Officer 8	9. Use of Force (Level 4)	*Exonerated*
					Subject Officer 9	10. Use of Force (Level 4)	*Exonerated*
					Subject Officer 10	11. Performance of Duty – Unintentional/ Improper Search Seizure or Arrest	*Exonerated*
						12. Use of Force (Level 4)	*Exonerated*

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Assigned Inv.	Case #	Incident Date	Completion Date	1-year goal	Officer	Allegation	Finding
					Unknown Officer	13. No Duty/No MOR Violation	*No MOR Violation*

CPRA Made the following Training Recommendations with Respect to Investigations in this Report

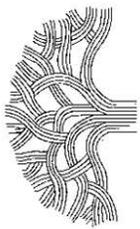|	
Training Recommendation(s)	The CPRA recommends that OPD consider instituting more specific policies and/or training regarding the handcuffing of pregnant women. In particular, CPRA staff recommend that OPD: • consider training officers on the specific risks associated with handcuffing pregnant women, so that officers are better positioned to evaluate the totality of the circumstances when presented with a pregnant detainee/arrestee; • consider training officers on modified restraint methods that would alleviate these risks, so that officers are better positioned to determine whether modified restraints would be appropriate in a given situation; and • consider developing more specific standards to inform officer discretion when presented with the choice of whether and how to handcuff pregnant detainees/arrestees, along the lines of the more specific instruction officers receive related to using certain types of force on pregnant women.
	The CPRA recommends additional training on tow and inventory procedures.
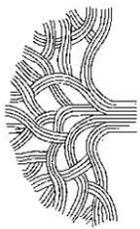
CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY
Pending Cases (Sorted by 1-year goal)
(Total Pending = 102)

Case #	Incident Date	Rcv'd CPRA	Rcv'd IAD	Intake or Investigator	Assigned Staff	180-day Goal	1-year Goal	Type (604(f)(1) or Other)	Class	Subject Officers	Allegation Count	Allegation(s)
19-0585	6/11/19	6/20/19	6/12/19	Investigator	JS	12/17/19	6/10/20	Use of Force	1	3	18	Demeanor; improper search; use of force; pointing of weapon
19-0593	6/15/19	6/20/19	6/15/19	Investigator	ED	12/17/19	6/13/20	Use of Force	1	3	14	Excessive Force, wrongful arrest
19-0597	6/12/19	6/20/19	6/15/19	Investigator	ED	12/17/19	6/13/20	Use of Force	1	3	9	Improper Search, Excessive Force, Performance of Duty
19-0601	6/17/19	6/20/19	6/17/19	Investigator	MM	12/17/19	6/15/20	Use of Force	1	4	7	Excessive force; demeanor
19-0628	6/20/19	6/21/19	6/20/19	Investigator	JS	12/18/19	6/19/20	Other	2	1	3	Performance of duty
19-1005	5/7/19	9/17/19	9/17/19	Investigator	MM	12/18/19	6/19/20	Other	2	2	2	Improper Investigation (Performance of Duty)
19-0619	6/24/19	7/18/19	6/24/19	Investigator	MM	1/14/20	6/22/20	Use of Force	1	2	11	Improper Search, Excessive Force, Performance of Duty
19-0878	6/27/19	8/21/19	8/20/19	Investigator	ED	2/17/20	6/26/20	Use of Force	1	5	21	Use of force, false arrest, performance of duty, demeanor, Miranda violation, custody of prisoners, failure to take a complaint
19-0651	7/1/19	7/8/19	7/1/19	Investigator	JS	1/4/20	6/30/20	Racial Profiling	1	1	6	Improper Stop, Failure to Provide Serial Number, Identity Profiling by Race or Ethnicity
19-0685	6/26/19	7/12/19	7/9/19	Investigator	AN	1/9/20	7/7/20	Other	2	3	12	Performance of Duty, Improper Search/Seizure
19-0693	6/24/19	11/6/19	7/11/19	Investigator	AN	5/4/20	7/9/20	Use of Force	1	8	15	Use of Force, Unlawful arrest
19-0753	7/26/19	8/6/19	7/26/19	Investigator	AL	2/2/20	7/24/20	Use of Force	1	1	2	Use of Force; performance of duty.
19-0775	7/31/19	8/5/19	8/5/19	Investigator	AL	2/1/20	7/30/20	Other	2	3	4	Service Complaint, No MOR, Demeanor, Performance of Duty
19-0869	8/18/19	8/21/19	8/21/19	Investigator	MM	2/17/20	8/16/20	Use of Force	1	2	2	Use of Force
19-0877	8/19/19	8/21/19	8/19/19	Investigator	AN	2/17/20	8/17/20	Use of Force	1	2	5	Harassment and Discrimination/Race, Unlawful arrest, Use of Force,
19-0906	8/26/19	8/28/19	8/26/19	Investigator	JS	2/24/20	8/24/20	Use of Force	1	1	3	Excessive force; handcuffing; demeanor
19-0911	8/27/19	8/29/19	8/27/19	Investigator	AL	2/25/20	8/25/20	Use of Force	1	2	3	Use of Force, Performance of Duty
20-0045	1/29/19	2/8/19	1/29/19	Investigator	AN	8/7/19	8/31/20	Other	1	1	5	Performance of Duty, Truthfulness
19-1068	9/30/19	10/2/19	10/2/19	Investigator	MM	3/30/20	9/29/20	Other	1	1	2	Performance of Duty
19-1091	10/4/19	10/9/19	10/4/19	Investigator	ED	4/6/20	10/2/20	Use of Force	1	3	5	Use of Force
19-1093	10/5/19	10/9/19	10/5/19	Investigator	AL	4/6/20	10/3/20	Use of Force	1	4	8	Performance of Duty
19-1123	10/10/19	10/15/19	10/11/19	Investigator	ED	4/12/20	10/9/20	Use of Force	1	8	27	Use of Force, demeanor, performance of duty
19-1153	10/17/19	10/17/19	10/17/19	Investigator	MM	4/15/20	10/15/20	Profiling	1	2	6	Identity Profiling by Race or Ethnicity; Unintentional/Improper Search or seizure, or arrest; Performance of Duty
19-1169	10/17/19	10/22/19	10/17/19	Investigator	ED	4/19/20	10/15/20	Use of Force, Profiling	1	3	11	Excessive force, false arrest, discrimination, Miranda violation
19-1311	11/14/19	11/26/19	11/14/19	Investigator	AL	5/24/20	11/13/20	Other	2	1	2	Performance of Duty
19-1320	11/24/19	11/26/19	11/24/19	Investigator	AL	5/24/19	11/22/20	Use of Force	1	2	4	Harassment and Discrimination, Use of Force,
19-1328	5/31/19	12/3/19	11/27/19	Investigator	MM	5/31/19	11/25/20	Profiling	1	1	2	Harassment and Discrimination, Performance of Duty; Truthfulness,
19-1390	12/8/19	12/13/19	12/12/19	Investigator	JS	6/10/20	12/10/20	Use of Force	1	1	3	Performance of Duty, Use of Force,
19-1391	12/13/19	12/19/19	12/13/19	Investigator	JS	6/14/20	12/11/20	Use of Force	1	2	4	Use of Force

* The Type (604(f) or Other) column addresses whether the investigation contains allegations for which a full investigation is mandated under Oakland City Charter Section 604 (Measure LL). The allegation types listed in this column are: DUI, Profiling, Use of Force, In Custody Death, 1st Amendment Assembly or Other.
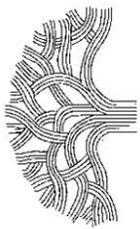
CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY
Pending Cases (Sorted by 1-year goal)

Case #	Incident Date	Rcv'd CPRA	Rcv'd IAD	Intake or Investigator	Assigned Staff	180-day Goal	1-year Goal	Type (604(f)(1) or Other)	Class	Subject Officers	Allegation Count	Allegation(s)
19-1398	12/15/19	12/17/19	12/15/19	Investigator	AL	6/14/20	12/13/20	Use of Force	1	1	1	Use of Force
19-1444	12/23/19	12/19/19	12/23/19	Intake	CD	6/16/20	12/22/20	General	2	1	1	Performance of Duty
19-1440	12/24/19	12/27/19	12/24/19	Intake	CD	6/24/20	12/22/20	Use of Force	1	1	1	Use of Force
19-1447	12/26/19	12/31/19	12/26/19	Intake	AN	6/28/20	12/24/20	Use of Force	1	1	2	Use of Force
20-0042	1/10/20	1/15/20	1/10/20	Intake	CD	7/13/20	1/8/21	General	2	1	1	Performance of Duty
20-0044	1/10/20	1/15/20	1/10/20	Intake	CD	7/13/20	1/8/21	Harassment/discrim.	1	3	3	Conduct towards others
20-0051	11/20/19	1/6/20	1/14/20	Investigator	JS	7/14/20	1/11/21	Other	1	1	1	Inaccurate report
20-0050	1/14/20	1/16/20	1/14/20	Investigator	ED	7/14/20	1/14/21	Use of Force	1	2	9	Use of force, false arrest, improper search, improper handcuffing, Miranda violation
20-0116	1/22/20	2/4/20	1/20/20	Intake	CD	8/2/20	1/20/21	Harassment/discrim.	1	2	2	Conduct Towards Others / Performance of Duty
20-0082	11/28/19	1/24/20	1/23/20	Intake	CD	7/22/20	1/21/21	Use of Force	1	1	1	Use of Force
20-0088	1/28/20	1/28/20	1/1/20	Intake	CD	7/26/20	1/27/21	Harassment/discrim.	1	1	1	Conduct towards others
20-0098	1/29/20	1/29/20	1/29/20	Intake	CD	7/27/20	1/28/21	General	2	2	2	Performance of Duty
20-0104	1/29/20	1/31/20	1/30/20	Intake	CD	7/29/20	1/28/21	Harassment/Dicrim.	1	1	1	Conduct towards others
20-0106	1/29/20	1/31/20	1/30/20	Investigator	ED	7/29/20	1/30/21	Use of Force	1	1	1	Use of Force
20-0125	2/1/20	2/4/20	1/30/20	Intake	CD	8/2/20	1/30/21	Harassment/Discrim.	1	1	3	Conduct Towards Others/Performance of Duty
20-0160	2/7/20	2/13/20	2/5/20	Intake	CD	8/11/20	2/5/21	Use of Force	1	1	1	Use of Force
20-0161	2/10/20	2/13/20	2/8/20	Intake	MB	8/11/20	2/7/21	Use of Force	1	1	1	Use of Force
20-0171	2/12/20	2/18/20	2/13/20	Intake	CD	8/16/20	2/11/21	Use of Force	1	1	1	Use of Force
20-0196	2/19/20	2/20/20	2/19/20	Intake	CD	8/18/20	2/17/21	Use of Force/Harassment	1	2	6	Use of Force; Conduct towards others;
20-0211	2/23/20	2/23/20	2/23/20	Intake	CD	8/21/20	2/21/21	Harassment/discrimination	1	4	4	Conduct towards others
20-0228	2/23/20	2/23/20	2/23/20	Intake	MB	8/21/20	2/21/21	Other	2	1	1	Performance of Duty
20-0206	2/23/20	2/25/20	2/23/19	Intake	CD	8/23/20	2/23/21	General	2	1	4	Performance of Duty, Conduct Towards Others
20-0218	10/28/18	2/25/20	2/25/20	Investigator	JA	8/23/20	2/24/21	Harassment/Discrimination	1	2	2	Harassment and Discrimination/Race, Failure to Investigate
20-0204	2/22/20	2/26/20	2/24/20	Intake	MB	8/24/20	2/24/21	Service Complaint	0	1	1	Service Complaint
20-0236	2/26/20	02//27/20	2/26/20	Intake	MB	8/25/20	2/25/21	Use of Force	1	2	5	Use of Force
20-0270	11/18/19	3/2/20	2/25/20	Intake	CD	8/29/20	2/25/21	General	2	1	1	Performance od Duty
20-0268	2/28/20	3/5/20	2/28/20	Intake	CD	9/1/20	2/26/21	Harassment/General	1	2	5	Performance of Duty/Harassment & Discrimination
20-0258	3/2/20	3/4/20	3/3/20	Intake	CD	8/31/20	3/2/21	General	2	2	4	Performance of Duty
20-0263	2/22/20	02//27/20	3/3/20	Intake	MB	8/25/20	3/3/21	Use of Force	2	1	1	Performance of Duty
20-0272	3/4/20	3/6/20	3/4/20	Intake	MB	9/2/20	3/3/21	Use of Force	1	1	1	Use of Force
20-0274	3/4/20	3/2/20	3/5/20	Intake	MB	8/29/20	3/6/21	Other	2	1	1	Performance of Duty
20-0281	7/2/19	3/9/20	3/9/20	Intake	MB	9/6/20	3/10/21	Other	2	1	4	Performance of Duty
20-0311	3/13/20	3/13/20	3/13/20	Intake	MB	9/9/20	3/14/21	Use of Force	1	1	3	Use of Force
20-0313	3/14/20	3/17/20	3/15/20	Intake	MB	9/13/20	3/15/21	Use of Force	1	3	9	Use of Force
20-0325	3/17/20	3/18/20	3/17/20	Intake	CD	9/14/2020	3/16/21	Use of Force	1	1	2	Use of Force/Performance of Duty

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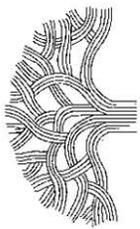
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Case #	Incident Date	Rcv'd CPRA	Rcv'd IAD	Intake or Investigator	Assigned Staff	180-day Goal	1-year Goal	Type (604(f)(1) or Other)	Class	Subject Officers	Allegation Count	Allegation(s)
20-0322	3/11/20	3/17/20	3/17/20	Intake	MB	9/13/20	3/18/21	Other	2	1	1	Performance of Duty
20-0334	3/19/20	3/20/20	3/19/20	Intake	CD	9/16/2020	3/18/21	Performance of Duty	2	2	2	Perfromance of Duty
20-0355	3/24/20	3/26/20	3/24/20	Intake	CD	9/22/20	3/23/21	Harassment/Discrim.	1	2	2	Condut towards others
20-0359	3/26/20	3/27/20	3/26/20	Intake	MB	9/23/20	3/26/21	Use of Force	1	1	1	Use of Force
20-0364	3/26/20	4/1/20	3/26/20	Intake	MB	9/28/20	3/26/21	Other	2	1	1	Performance of Duty
20-0361	2/28/20	3/26/20	3/26/20	Intake	MB	9/22/20	3/27/21	Other	2	1	4	Performance of Duty
20-0366	2/28/20	4/1/20	3/28/20	Intake	CD	9/28/20	3/27/21	Harassment/Discrim.	1	6	6	Conduct towards others
20-0367	3/28/20	4/1/20	3/29/20	Intake	CD	9/28/20	3/28/21	General	2	2	2	Performance of Duty
20-0374	3/29/20	4/1/20	3/29/20	Intaake	CD	9/28/20	3/28/21	Demeanor	2	1	1	Conduct towards others
20-0385	3/29/20	3/30/20	3/30/20	Investigator	MM	9/26/20	3/29/21	Use of Force	1	1	2	Use of Force
20-0375	3/0/20	4/1/20	3/20/20	Intake	CD	9/28/20	3/29/21	Use of Force/False arrest	1	2	4	Use of Force/Performance of Duty
20-0379	3/11/20	3/31/20	3/31/20	Intake	MB	9/28/20	4/1/21	Other	2	1	3	Performance of Duty
20-0391	4/3/20	4/7/20	4/3/20	Intake	CD	10/4/20	4/2/21	Use of Force	1	3	3	Use of Force
20-0394	4/5/20	4/7/20	4/5/20	Intake	MB	10/4/20	4/6/21	Use of Force	1	3	6	Use of Force
20-0416	4/10/20	4/16/20	4/10/20	Intake	MB	10/13/20	4/10/21	Other	2	1	1	Demeanor
20-0426	2/16/19	4/14/20	4/14/20	Intake	CD	10/11/20	4/13/21	General	2	1	1	Perfromance of Duty
20-0413	4/12/20	4/16/20	4/13/20	Intake	MB	10/13/20	4/14/21	Use of Force	1	2	8	Use of Force
20-0431	3/18/20	4/15/20	4/15/20	Intake	CD	10/14/20	4/14/21	Use of Force	1	1	1	Use of Force
20-0438	4/16/20	4/16/20	4/16/20	Investigator	AN	10/13/20	4/15/21	Use of Force	1	5	5	Use of Force
20-0423	4/14/20	4/17/20	4/16/20	Intake	CD	10/14/20	4/15/21	Use of Force	1	2	2	Use of Force
20-0432	4/15/20	4/17/20	4/15/20	Intake	MB	10/14/20	4/15/21	Use of Force	1	3	6	Use of Force
20-0455	4/21/20	4/23/20	4/21/20	Intake	CD	10/20/20	4/20/21	Harassment/discrim.	1	2	2	Conduct towards others
20-0466	4/24/20	4/25/20	4/24/20	Investigator	ED	10/26/20	4/23/21	Use of Force, Profiling	1	4	7	Use of Force, Discrimination
20-0471	4/26/20	4/29/20	4/26/20	Intake	CD	10/26/20	4/25/21	Harassment/General	1	1	2	Conduct towards other/Performance of Duty
20-0492	4/28/20	4/28/20	4/28/20	Intake	MB	10/25/20	4/28/21	Other	2	1	2	Performance of Duty
20-0480	4/28/20	4/29/20	4/28/20	Intake	CD	10/26/20	4/28/21	General	2	1	2	Performance of Duty
20-0483	4/27/2020	4/29/2020	4/27/2020	Intake	MB	10/26/2020	4/28/2021	Use of Force	1	1	1	Use of Force
20-0498	5/1/20	5/6/20	5/1/20	Intake	CD	11/2/20	4/30/21	Discrimination/ False arrest	1	1	2	Conduct Towards Others/Performance of Duty
20-0501	5/1/20	5/6/20	5/2/20	Intake	MB	11/2/20	5/2/21	Use of Force	1	1	1	Use of Force
20-0512	5/4/20	5/6/20	5/4/20	Intake	MB	11/2/20	5/5/21	Other	2	1	3	Performance of Duty
20-0522	5/6/20	5/8/20	5/6/20	Intake	CD	11/4/20	5/5/21	Service Complaint/Discrimination	1	2	2	Service Complaint/Conduct towards others
20-0523	5/6/20	5/8/20	5/7/20	Intake	CD	11/4/20	5/6/21	Use of Force	1	1	1	Use of Force
20-0528	5/7/20	5/13/20	5/7/20	Intake	MB	11/9/20	5/7/21	Profiling	1	4	1	Profiling
20-0544	5/8/20	5/13/20	5/8/20	Intake	MB	11/9/20	5/9/21	Profiling	1	3	3	Profiling
20-0548	5/11/20	5/13/20	5/11/20	Intake	MB	11/9/20	5/11/21	Use of Force	1	1	1	Use of Force
20-0196	5/5/20	5/13/20	5/11/20	Intake	MB	11/9/20	5/12/21	Use of Force	1	1	3	Use of Force

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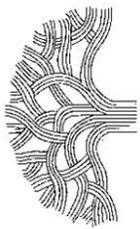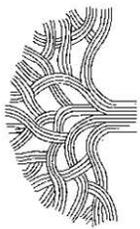
CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY
Pending Cases (Sorted by 1-year goal)

Case #	Incident Date	Rcv'd CPRA	Rcv'd IAD	Intake or Investigator	Assigned Staff	180-day Goal	1-year Goal	Type (604(f)(1) or Other)	Class	Subject Officers	Allegation Count	Allegation(s)
20-0277	2/22/20	3/10/20	3/6/20	Intake	CD	9/6/20	9/6/21	Use of Force	1	1	3	Use of Force
18-0335	4/4/18	4/12/18	4/4/18	Investigator	JS	10/4/18	Tolled	Use of Force	1	1	1	Use of Taser; PDRD violation.

* The Type (604(f) or Other) column addresses whether the investigation contains allegations for which a full investigation is mandated under Oakland City Charter Section 604 (Measure LL). The allegation types listed in this column are: DUI, Profiling, Use of Force, In Custody Death, 1st Amendment Assembly or Other.

CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY
Pending Cases (Sorted by Assigned Staff)

Case #	Incident Date	Rcv'd CPRA	Rcv'd IAD	Intake or Investigator	Assigned Staff	180-day Goal	1-year Goal	Type (604(f)(1) or Other)	Class	Subject Officers	Allegation Count	Allegation(s)
19-0753	7/26/19	8/6/19	7/26/19	Investigator	AL	2/2/20	7/24/20	Use of Force	1	1	2	Use of Force; performance of duty.
19-0775	7/31/19	8/5/19	8/5/19	Investigator	AL	2/1/20	7/30/20	Other	2	3	4	Service Complaint, No MOR, Demeanor, Performance of Duty
19-0911	8/27/19	8/29/19	8/27/19	Investigator	AL	2/25/20	8/25/20	Use of Force	1	2	3	Use of Force, Performance of Duty
19-1093	10/5/19	10/9/19	10/5/19	Investigator	AL	4/6/20	10/3/20	Use of Force	1	4	8	Performance of Duty
19-1311	11/14/19	11/26/19	11/14/19	Investigator	AL	5/24/20	11/13/20	Other	2	1	2	Performance of Duty
19-1320	11/24/19	11/26/19	11/24/19	Investigator	AL	5/24/19	11/22/20	Use of Force	1	2	4	Harassment and Discrimination, Use of Force,
19-1398	12/15/19	12/17/19	12/15/19	Investigator	AL	6/14/20	12/13/20	Use of Force	1	1	1	Use of Force
19-0685	6/26/19	7/12/19	7/9/19	Investigator	AN	1/9/20	7/7/20	Other	2	3	12	Performance of Duty, Improper Search/Seizure
19-0693	6/24/19	11/6/19	7/11/19	Investigator	AN	5/4/20	7/9/20	Use of Force	1	8	15	Use of Force, Unlawful arrest
19-0877	8/19/19	8/21/19	8/19/19	Investigator	AN	2/17/20	8/17/20	Use of Force	1	2	5	Harassment and Discrimination/Race, Unlawful arrest, Use of Force,
20-0045	1/29/19	2/8/19	1/29/19	Investigator	AN	8/7/19	8/31/20	Other	1	1	5	Performance of Duty, Truthfulness
20-0438	4/16/20	4/16/20	4/16/20	Investigator	AN	10/13/20	4/15/21	Use of Force	1	5	5	Use of Force
19-0593	6/15/19	6/20/19	6/15/19	Investigator	ED	12/17/19	6/13/20	Use of Force	1	3	14	Excessive Force, wrongful arrest
19-0597	6/12/19	6/20/19	6/15/19	Investigator	ED	12/17/19	6/13/20	Use of Force	1	3	9	Improper Search, Excessive Force, Performance of Duty
19-0878	6/27/19	8/21/19	8/20/19	Investigator	ED	2/17/20	6/26/20	Use of Force	1	5	21	Use of force, false arrest, performance of duty, demeanor, Miranda violation, custody of prisoners, failure to take a complaint
19-1091	10/4/19	10/9/19	10/4/19	Investigator	ED	4/6/20	10/2/20	Use of Force	1	3	5	Use of Force
19-1123	10/10/19	10/15/19	10/11/19	Investigator	ED	4/12/20	10/9/20	Use of Force	1	8	27	Use of Force, demeanor, performance of duty
19-1169	10/17/19	10/22/19	10/17/19	Investigator	ED	4/19/20	10/15/20	Use of Force, Profiling	1	3	11	Excessive force, false arrest, discrimination, Miranda violation
20-0050	1/14/20	1/16/20	1/14/20	Investigator	ED	7/14/20	1/14/21	Use of Force	1	2	9	Use of force, false arrest, improper search, improper handcuffing, Miranda violation
20-0106	1/29/20	1/31/20	1/30/20	Investigator	ED	7/29/20	1/30/21	Use of Force	1	1	1	Use of Force
20-0466	4/24/20	4/25/20	4/24/20	Investigator	ED	10/26/20	4/23/21	Use of Force, Profiling	1	4	7	Use of Force, Discrimination
20-0218	10/28/18	2/25/20	2/25/20	Investigator	JA	8/23/20	2/24/21	Harassment/Discrimination	1	2	2	Harassment and Discrimination/Race, Failure to Investigate
19-0585	6/11/19	6/20/19	6/12/19	Investigator	JS	12/17/19	6/10/20	Use of Force	1	3	18	Demeanor; improper search; use of force; pointing of weapon
19-0628	6/20/19	6/21/19	6/20/19	Investigator	JS	12/18/19	6/19/20	Other	2	1	3	Performance of duty
19-0651	7/1/19	7/8/19	7/1/19	Investigator	JS	1/4/20	6/30/20	Racial Profiling	1	1	6	Improper Stop, Failure to Provide Serial Number, Identity Profiling by Race or Ethnicity
19-0906	8/26/19	8/28/19	8/26/19	Investigator	JS	2/24/20	8/24/20	Use of Force	1	1	3	Excessive force; handcuffing; demeanor
19-1390	12/8/19	12/13/19	12/12/19	Investigator	JS	6/10/20	12/10/20	Use of Force	1	1	3	Performance of Duty, Use of Force,
19-1391	12/13/19	12/19/19	12/13/19	Investigator	JS	6/14/20	12/11/20	Use of Force	1	2	4	Use of Force
20-0051	11/20/19	1/6/20	1/14/20	Investigator	JS	7/14/20	1/11/21	Other	1	1	1	Inaccurate report
18-0335	4/4/18	4/12/18	4/4/18	Investigator	JS	10/4/18	Tolled	Use of Force	1	1	1	Use of Taser; PDRD violation.
19-0601	6/17/19	6/20/19	6/17/19	Investigator	MM	12/17/19	6/15/20	Use of Force	1	4	7	Excessive force; demeanor

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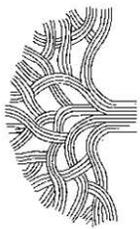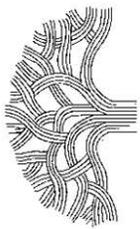
CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY
Pending Cases (Sorted by Assigned Staff)

Case #	Incident Date	Rcv'd CPRA	Rcv'd IAD	Intake or Investigator	Assigned Staff	180-day Goal	1-year Goal	Type (604(f)(1) or Other)	Class	Subject Officers	Allegation Count	Allegation(s)
19-1005	5/7/19	9/17/19	9/17/19	Investigator	MM	12/18/19	6/19/20	Other	2	2	2	Improper Investigation (Performance of Duty)
19-0619	6/24/19	7/18/19	6/24/19	Investigator	MM	1/14/20	6/22/20	Use of Force	1	2	11	Improper Search, Excessive Force, Performance of Duty
19-0869	8/18/19	8/21/19	8/21/19	Investigator	MM	2/17/20	8/16/20	Use of Force	1	2	2	Use of Force
19-1068	9/30/19	10/2/19	10/2/19	Investigator	MM	3/30/20	9/29/20	Other	1	1	2	Performance of Duty
19-1153	10/17/19	10/17/19	10/17/19	Investigator	MM	4/15/20	10/15/20	Profiling	1	2	6	Identity Profiling by Race or Ethnicity; Unintentional/Improper Search or seizure, or arrest; Performance of Duty
19-1328	5/31/19	12/3/19	11/27/19	Investigator	MM	5/31/19	11/25/20	Profiling	1	1	2	Harassment and Discrimination, Performance of Duty; Truthfulness,
20-0385	3/29/20	3/30/20	3/30/20	Investigator	MM	9/26/20	3/29/21	Use of Force	1	1	2	Use of Force
19-1447	12/26/19	12/31/19	12/26/19	Intake	AN	6/28/20	12/24/20	Use of Force	1	1	2	Use of Force
19-1444	12/23/19	12/19/19	12/23/19	Intake	CD	6/16/20	12/22/20	General	2	1	1	Performance of Duty
19-1440	12/24/19	12/27/19	12/24/19	Intake	CD	6/24/20	12/22/20	Use of Force	1	1	1	Use of Force
20-0042	1/10/20	1/15/20	1/10/20	Intake	CD	7/13/20	1/8/21	General	2	1	1	Performance of Duty
20-0044	1/10/20	1/15/20	1/10/20	Intake	CD	7/13/20	1/8/21	Harassment/discrim.	1	3	3	Conduct towards others
20-0116	1/22/20	2/4/20	1/20/20	Intake	CD	8/2/20	1/20/21	Harassment/discrim.	1	2	2	Conduct Towards Others / Performance of Duty
20-0082	11/28/19	1/24/20	1/23/20	Intake	CD	7/22/20	1/21/21	Use of Force	1	1	1	Use of Force
20-0088	1/28/20	1/28/20	1/1/20	Intake	CD	7/26/20	1/27/21	Harassment/discrim.	1	1	1	Conduct towards others
20-0098	1/29/20	1/29/20	1/29/20	Intake	CD	7/27/20	1/28/21	General	2	2	2	Performance of Duty
20-0104	1/29/20	1/31/20	1/30/20	Intake	CD	7/29/20	1/28/21	Harassment/Dicrim.	1	1	1	Conduct towards others
20-0125	2/1/20	2/4/20	1/30/20	Intake	CD	8/2/20	1/30/21	Harassment/Dicrim.	1	1	3	Conduct Towards Others/Performance of Duty
20-0160	2/7/20	2/13/20	2/5/20	Intake	CD	8/11/20	2/5/21	Use of Force	1	1	1	Use of Force
20-0171	2/12/20	2/18/20	2/13/20	Intake	CD	8/16/20	2/11/21	Use of Force	1	1	1	Use of Force
20-0196	2/19/20	2/20/20	2/19/20	Intake	CD	8/18/20	2/17/21	Use of Force/Harassment	1	2	6	Use of Force; Conduct towards others;
20-0211	2/23/20	2/23/20	2/23/20	Intake	CD	8/21/20	2/21/21	Harrasment/discrimination	1	4	4	Conduct towards others
20-0206	2/23/20	2/25/20	2/23/19	Intake	CD	8/23/20	2/23/21	General	2	1	4	Performance of Duty, Conduct Towards Others
20-0204	2/22/20	2/26/20	2/24/20	Intake	CD	8/24/20	2/24/21	Service Complaint	0	1	1	Service Complaint
20-0270	11/18/19	3/2/20	2/25/20	Intake	CD	8/29/20	2/25/21	General	2	1	1	Performance od Duty
20-0268	2/28/20	3/5/20	2/28/20	Intake	CD	9/1/20	2/26/21	Harassment/General	1	2	5	Performance of Duty/Harassment & Discrimination
20-0258	3/2/20	3/4/20	3/3/20	Intake	CD	8/31/20	3/2/21	General	2	2	4	Performance of Duty
20-0325	3/17/20	3/18/20	3/17/20	Intake	CD	9/14/20	3/16/21	Use of Force	1	1	2	Use of Force/Performance of Duty
20-0334	3/19/20	3/20/20	3/19/20	Intake	CD	9/16/20	3/18/21	Performance of Duty	2	2	2	Perfromance of Duty
20-0355	3/24/20	3/26/20	3/24/20	Intake	CD	9/22/20	3/23/21	Harassment/Discrim.	1	2	2	Condut towards others
20-0366	2/28/20	4/1/20	3/28/20	Intake	CD	9/28/20	3/27/21	Harassment/Discrim.	1	6	6	Conduct towards others
20-0367	3/28/20	4/1/20	3/29/20	Intake	CD	9/28/20	3/28/21	General	2	2	2	Performance of Duty

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CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY
Pending Cases (Sorted by Assigned Staff)

Case #	Incident Date	Rcv'd CPRA	Rcv'd IAD	Intake or Investigator	Assigned Staff	180-day Goal	1-year Goal	Type (604(f)(1) or Other)	Class	Subject Officers	Allegation Count	Allegation(s)
20-0375	3/0/20	4/1/20	3/20/20	Intake	CD	9/28/20	3/29/21	Use of Force/False arrest	1	2	4	Use of Force/Performance of Duty
20-0391	4/3/20	4/7/20	4/3/20	Intake	CD	10/4/20	4/2/21	Use of Force	1	3	3	Use of Force
20-0426	2/16/19	4/14/20	4/14/20	Intake	CD	10/11/20	4/13/21	General	2	1	1	Performance of Duty
20-0431	3/18/20	4/17/20	4/15/20	Intake	CD	10/14/20	4/14/21	Use of Force	1	1	1	Use of Force
20-0423	4/14/20	4/17/20	4/16/20	Intake	CD	10/14/20	4/15/21	Use of Force	1	2	2	Use of Force
20-0455	4/21/20	4/23/20	4/21/20	Intake	CD	10/20/20	4/20/21	Harassment/discrim.	1	2	2	Conduct towards others
20-0471	4/26/20	4/29/20	4/26/20	Intake	CD	10/26/20	4/25/21	Harassment/General	1	1	2	Conduct towards other/Performance of Duty
20-0480	4/28/20	4/29/20	4/28/20	Intake	CD	10/26/20	4/28/21	General	2	1	2	Performance of Duty
20-0498	5/1/20	5/6/20	5/1/20	Intake	CD	11/2/20	4/30/21	Discrimination/ False arrest	1	1	2	Conduct Towards Others/Performance of Duty
20-0522	5/6/20	5/8/20	5/6/20	Intake	CD	11/4/20	5/5/21	Service Complaint/Discrimination	1	2	2	Service Complaint/Conduct towards others
20-0523	5/6/20	5/8/20	5/7/20	Intake	CD	11/4/20	5/6/21	Use of Force	1	1	1	Use of Force
20-0277	2/22/20	3/10/20	3/6/20	Intake	CD	9/6/20	9/6/21	Use of Force	1	1	3	Use of Force
20-0374	3/29/20	4/1/20	3/29/20	Intake	CD	9/28/20	3/28/21	Demeanor	2	1	1	Conduct towards others
20-0161	2/10/20	2/13/20	2/8/20	Intake	MB	8/11/20	2/7/21	Use of Force	1	1	1	Use of Force
20-0228	2/23/20	2/23/20	2/23/20	Intake	MB	8/21/20	2/21/21	Other	2	1	1	Performance of Duty
20-0236	2/26/20	02//27/20	2/26/20	Intake	MB	8/25/20	2/25/21	Use of Force	1	2	5	Use of Force
20-0263	2/22/20	02//27/20	3/3/20	Intake	MB	8/25/20	3/3/21	Use of Force	2	1	1	Performance of Duty
20-0272	3/4/20	3/6/20	3/4/20	Intake	MB	9/2/20	3/3/21	Use of Force	1	1	1	Use of Force
20-0274	3/4/20	3/2/20	3/5/20	Intake	MB	8/29/20	3/6/21	Other	2	1	1	Performance of Duty
20-0281	7/2/19	3/9/20	3/9/20	Intake	MB	9/6/20	3/10/21	Other	2	1	4	Performance of Duty
20-0311	3/13/20	3/13/20	3/13/20	Intake	MB	9/9/20	3/14/21	Use of Force	1	1	3	Use of Force
20-0313	3/14/20	3/17/20	3/15/20	Intake	MB	9/13/20	3/15/21	Use of Force	1	3	9	Use of Force
20-0322	3/11/20	3/17/20	3/17/20	Intake	MB	9/13/20	3/18/21	Other	2	1	1	Performance of Duty
20-0359	3/26/20	3/27/20	3/26/20	Intake	MB	9/23/20	3/26/21	Use of Force	1	1	1	Use of Force
20-0364	3/26/20	4/1/20	3/26/20	Intake	MB	9/28/20	3/26/21	Other	2	1	1	Performance of Duty
20-0361	2/28/20	3/26/20	3/26/20	Intake	MB	9/22/20	3/27/21	Other	2	1	4	Performance of Duty
20-0379	3/11/20	3/31/20	3/31/20	Intake	MB	9/28/20	4/1/21	Other	2	1	3	Performance of Duty
20-0394	4/5/20	4/7/20	4/5/20	Intake	MB	10/4/20	4/6/21	Use of Force	1	3	6	Use of Force
20-0416	4/10/20	4/16/20	4/10/20	Intake	MB	10/13/20	4/10/21	Other	2	1	1	Demeanor
20-0413	4/12/20	4/16/20	4/13/20	Intake	MB	10/13/20	4/14/21	Use of Force	1	2	8	Use of Force
20-0432	4/15/20	4/17/20	4/15/20	Intake	MB	10/14/20	4/15/21	Use of Force	1	3	6	Use of Force
20-0492	4/28/20	4/28/20	4/28/20	Intake	MB	10/25/20	4/28/21	Other	2	1	2	Performance of Duty
20-0483	4/27/20	4/29/20	4/27/20	Intake	MB	10/26/20	4/28/21	Use of Force	1	1	1	Use of Force

* The Type (604(f) or Other) column addresses whether the investigation contains allegations for which a full investigation is mandated under Oakland City Charter Section 604 (Measure LL). The allegation types listed in this column are: DUI, Profiling, Use of Force, In Custody Death, 1st Amendment Assembly or Other.

CITY OF OAKLAND
COMMUNITY POLICE REVIEW AGENCY
Pending Cases (Sorted by Assigned Staff)

Case #	Incident Date	Rcv'd CPRA	Rcv'd IAD	Intake or Investigator	Assigned Staff	180-day Goal	1-year Goal	Type (604(f)(1) or Other)	Class	Subject Officers	Allegation Count	Allegation(s)
20-0501	5/1/20	5/6/20	5/2/20	Intake	MB	11/2/20	5/2/21	Use of Force	1	1	1	Use of Force
20-0512	5/4/20	5/6/20	5/4/20	Intake	MB	11/2/20	5/5/21	Other	2	1	3	Performance of Duty
20-0528	5/7/20	5/13/20	5/7/20	Intake	MB	11/9/20	5/7/21	Profiling	1	4	1	Profiling
20-0544	5/8/20	5/13/20	5/8/20	Intake	MB	11/9/20	5/9/21	Profiling	1	3	3	Profiling
20-0548	5/11/20	5/13/20	5/11/20	Intake	MB	11/9/20	5/11/21	Use of Force	1	1	1	Use of Force
20-0196	5/5/20	5/13/20	5/11/20	Intake	MB	11/9/20	5/12/21	Use of Force	1	1	3	Use of Force

*The Type (604(f) or Other) column addresses whether the investigation contains allegations for which a full investigation is mandated under Oakland City Charter Section 604 (Measure LL). The allegation types listed in this column are: DUI, Profiling, Use of Force, In Custody Death, 1st Amendment Assembly or Other.

News from: **Oakland Police Department**

FOR IMMEDIATE RELEASE

May 15, 2020

The Oakland Police Department is Releasing the Police Discipline Disparity Study along with The Department's Response.

In March 2019, the Oakland Police Department contracted risk management consulting firm Hillard Heintze due to concerns brought forward from within the Oakland Police Department regarding racial disparities related to internal officer discipline. Hillard Heintze was tasked with conducting a review of the discipline process and administrative investigation of complaints of misconduct for sworn personnel of all ranks, Police Officer Trainees in the Academy, and probationary officers in the Field Training Program for the five-year period from January 1, 2014, through December 31, 2018.

This study identified racial disparities and the Department affirms that these findings are unacceptable. The guiding principles of the Department embrace fairness and procedural justice; it is vital that those tenets are adhered to both internally and externally. We are committed to mitigating race and gender disparities within our systems and processes to ensure our employees regain a sense of trust and equitable treatment.

The Oakland Police Department owns the results of the study and will engage in an aggressive process designed to identify and mitigate the disparities, and advance internal equity, diversity, and procedural justice. To help achieve this goal, the Oakland Police Department has partnered with the City's Race and Equity Director Darleen Flynn to conduct a *Race and Equity Impact Analysis* on the Department's disciplinary process and the Academy and Field Training program. This Race Equity Impact Analysis will work to identify what aspects of the investigative process may be leading to disparate outcomes and design an action plan to remedy racial or gender disparities to cover areas not addressed by the Hillard Heintze recommendations. To conduct this *Analysis*, we have engaged noted experts in the field of racial disparities as well as the involved stakeholder groups and our employees in this important endeavor.

Media Contact:

Manager Paul Chambers
Officer Felicia Aisthorpe
Officer Johnna Watson
Media Relations Office
510-238-7230
opdmedia@oaklandca.gov

City of
OAKLAND
California

We want to thank our employees and stakeholders for their invaluable input, and we look forward to continued engagement as we make progress to further equity and diversity within our ranks while building trust and credibility with all stakeholders.

To read the report and the Department's response click on the link provided.
https://www.oaklandca.gov/documents/oakland-police-discipline-disparity-study

For more information, please contact the Media Relations Office at (510) 238-7230 or opdmedia@oaklandca.gov. Visit Nixle.com to receive Oakland Police Department alerts, advisories, and community messages, or follow OPD on Twitter @oaklandpoliceca

#   #   #

Oakland Police Department

POLICE DISCIPLINE DISPARITY STUDY

Final Report

April 23, 2020

Confidential and Proprietary

HILLARD ◆ HEINTZE
A JENSEN HUGHES COMPANY

Protecting What Matters®

HILLARD ◆ HEINTZE®

April 23, 2020

Darren Allison
Acting Chief of Police
Oakland Police Department
455 7th Street
Oakland, California 94607

Dear Acting Chief Allison:

Please find attached our final report on police discipline disparities in the Oakland Police Department (OPD). Our report reflects a thorough and independent assessment of the OPD's internal investigations and discipline processes, including a review of recruits released from probation while at the police academy or in the field training program. It also includes a statistical analysis of the OPD's internal investigations and disciplinary outcomes for sworn employees from 2014 to 2018. We provide recommendations to improve the internal affairs and discipline process to help ensure fair and consistent investigation and discipline.

This revision is a result of the OPD's staff and stakeholders' reviews. One of the most significant aspects of this revision is limiting the statistical analysis to sworn Department employees. It should be noted that the overall disparity among sworn employees varied little from the analysis of the disparity among all employees.

We commend the commitment of the City and the OPD for opening the department to an independent assessment. We know that you have already made great strides in improving many aspects of the OPD and believe that this assessment and our associated recommendations can help you to continue that progress.

This report is a confidential and proprietary work document between Hillard Heintze and the Oakland Police Department.

Sincerely,
HILLARD HEINTZE LLC

Arnette Heintze

Arnette F. Heintze
President, Jensen Hughes Global Security
Founder, Hillard Heintze

Table of Contents

Executive Summary

STRATEGIC CONTEXT: THE NEED TO CONDUCT THIS ASSESSMENT

The Oakland Police Department (OPD) has been operating under a Negotiated Settlement Agreement (NSA) since 2003, which was intended to resolve allegations of police misconduct by plaintiffs in a civil lawsuit. The NSA called for reforms in several areas, including internal affairs and training. To date, the OPD has addressed many of the tasks outlined in the NSA, but it continues to be subject to some of its provisions including those related to internal investigations.

Amid concerns the public voiced about potential racial disparities in the OPD's disciplinary process, Chief Anne Kirkpatrick and the OPD command staff sought an independent review of the data to determine whether the perception of disparity was accurate. They stated that if a disparity existed, they wanted to determine why it is occurring and how to prevent it in the future. Their stated goal was to ensure that the Department's disciplinary systems are legitimate and recognized as such.

ASSIGNMENT: WHAT YOU ASKED US TO DO

The City of Oakland contracted Hillard Heintze to conduct a comprehensive study to determine if a racial and/or gender bias existed in the OPD administrative discipline process, including in resignations and removals of recruits from the Oakland Police Academy and the Field Training Program. The City asked Hillard Heintze to focus the study on five years of data taken from administrative investigations of sworn personnel and police officer trainees in the Oakland Police Academy and its Field Training Program. As part of the study, Hillard Heintze conducted reviews of the following.

- Existing Department policies, procedures and practices regarding misconduct investigations and discipline

- The Department's historical data on misconduct investigations and discipline to determine if the data shows patterns of disparity in the treatment of minority officers and/or in relation to an officer's gender

- The Department's data on attrition from the academy and field training programs to see if the data shows patterns of disparity in the treatment of minority recruits and/or in relation to a recruit's gender.

METHODOLOGY AND APPROACH: A HIGHLY INTEGRATED PROCESS

Six Key Principles

Emerging from our experiences as leaders in a variety of law enforcement-related fields, the Hillard Heintze methodology is based on the following six strategic principles.

1   Independent and objective analysis

2   Solicitation of multiple perspectives and viewpoints

3   An acute focus on collaboration and partnership

4   An information-driven, decision-making mindset

5   A structured and highly disciplined engagement approach

6   Clear and open lines of communication.

An Intensive Approach

During this engagement, the Hillard Heintze assessment team performed the following tasks.

- Conducted interviews with the following individuals.

  - OPD Chief and command staff members

  - Internal Affairs Department (IAD) Captain and staff, including investigators

  - Sergeants responsible for division-level Investigations

  - Training section staff

  - Department stakeholders including representatives from the Oakland Black Officers' Association, the Oakland Asian Police Officers' Association and the Oakland Police Officers' Association

- Observed a meeting of the Independent Monitoring Team

- Conducted file reviews of a random selection of Internal Affairs files back to 2014

- Completed an analysis of OPD investigation and discipline data

- Observed a meeting of the Discipline Review Board

- Administered a Department-wide survey to measure member perception of bias in internal investigations and discipline.

ABOUT HILLARD HEINTZE: THE ASSESSMENT TEAM

Hillard Heintze is one of this nation's foremost strategic advisory firms specializing in independent ethics, integrity and oversight services – with a special focus on federal, state and local law enforcement agencies, including police departments, sheriff's departments and internal affairs bureaus. We provide strategic thought leadership, trusted counsel and implementation services that help leading organizations target and achieve strategic and transformational levels of excellence in law enforcement, security and investigations. Many of our team members have been responsible for leading the significant transformation of many major city police departments and law enforcement agencies.

Rob Davis, Senior Vice President, Law Enforcement Consulting, Project Oversight

Robert Davis is a highly regarded and innovative national leader in policing and public safety with extensive experience assessing federal, state and local law enforcement agencies across the U.S. Rob served in a variety of capacities during his 30 years' career with the San Jose Police Department, including as the Chief of Police for seven years. During his time as chief, Rob also served as the President of the Major Cities Chiefs Association. He provided consulting services for the U.S. State Department, traveling on numerous occasions to Central and South America to provide training in community policing methods addressing gang prevention, intervention and suppression. Since retiring from San Jose, Rob has been involved in numerous assessments of police departments across the nation, including serving as the Project Director for Hillard Heintze's U.S. Department of Justice Collaborative Reform Initiative for Technical Assistance contract.

Robert Boehmer, Esq., Vice President, Law Enforcement Consulting

Robert Boehmer is an experienced facilitator, trainer and public speaker, with expertise in collaborative problem solving, community policing, partnership development and information sharing. For the past several years, he has been facilitating sessions for the Department of Homeland Security's Building Communities of Trust Initiative, focusing on developing trust among law enforcement, fusion centers and the communities they serve. As a Vice President in the Law Enforcement Consulting practice at Hillard Heintze, Robert manages complex law enforcement assessments and helps police agencies transform their organizations and adopt national best practices and industry standards central to improving accountability, transparency and community trust.

Dr. Alexander Weiss, Lead Researcher
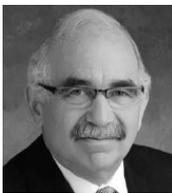
Dr. Alexander Weiss (Ph.D., Northwestern University) has over 30 years' experience as a public safety practitioner, researcher, trainer, and consultant. For nine years he was director of the Northwestern University Center for Public Safety and Professor of Management and Strategy at the J.L. Kellogg Graduate School of Management at Northwestern. He currently is adjunct professor of criminal justice at Michigan State University. Prior to his appointment at Northwestern, Alex was a member of the faculty of the department of criminal justice at Indiana University, Bloomington. During that time, he also served as a senior advisor to the Indianapolis Police Department. Dr. Weiss has 12 years of experience with law enforcement agencies in Colorado. During his

tenure with the Colorado Springs Police Department, he served as a field supervisor and directed the then newly created operations analysis unit. Weiss earned a Doctorate in Political Science from Northwestern University in 1992, a Master of Public Administration from the University of Colorado in 1984 and a Bachelor of Arts from Colorado Technical College in 1978.

Michael Dirden, Esq., Subject Matter Expert

Michael Dirden joined Hillard Heintze following a long and successful career with the Houston Police Department. As the Executive Assistant Chief of Police, Michael provided leadership and oversight for the department's Investigative, Strategic and Field Operations, including accountability for Patrol Operations, Traffic Enforcement, the Mental Health Division, Apartment Enforcement and Differential Police. Michael's body of work in law enforcement highlights an enduring commitment to advancing the profession through community engagement. He has served on numerous national committees focused on use of force, internal affairs and community building with trust. Within the Houston Police Department, Michael developed a strong understanding of the collective bargaining practices used by departments to maximize efficiencies. Working through the department ranks, he rose from Sergeant, Organizational Development Unit, where he helped review and redesign the department's core processes and structure, to the role of Assistant Chief of Police, where he was instrumental in providing Professional Standards and Criminal Investigations oversight.

Marcia K. Thompson, Esq., Vice President, Law Enforcement Consulting

Marcia K. Thompson is an attorney and law enforcement practitioner with over 20 years working in the criminal justice field. As a Vice President within our Law Enforcement Consulting practice, she provides oversight, management and technical assistance on various law enforcement assessments, trainings and reviews. Marcia has served as a law enforcement administrator within the Department of Safety at the University of Chicago Police Department, where she oversaw professional standards, accreditation, compliance, training, records management, recruitment, field training, in-service training, leadership development, succession planning, community engagement, youth outreach and the community advisory committee in support of the universities transparency and inclusion initiative. Marcia is a Virginia Supreme Court certified mediator as well as a collaborative problem-solver, change management facilitator, and equal employment opportunity (EEO) and civil rights professional. For many years, Marcia has served as a federal fact finder, EEO counselor, trained EEO investigator and hearing officer, providing neutral hearings and drafting administrative appellate determinations.

OVERVIEW OF OUR ASSESSMENT: WHAT WE DISCOVERED

Our review of internal affairs processes included reviewing data for the last five years from 2014 to 2018, including complaints, investigations, academy files and various policies, practices and procedures. The OPD has experienced large leadership turnover within the last three years, which inherently affects the continuity of progress and the OPD's changing culture. Much of that turnover may be the result of high-profile incidents in 2015 and 2016 that put the OPD in the public spotlight regarding how personnel handled allegations made against officers and their ability to properly investigate those allegations.

However, during our current review of the cases, policies, procedures and the current leadership structure, we observed how the OPD has improved in areas that directly impact the ability to create a more consistent and fairer internal affairs process. We specifically reviewed the current policies largely implemented since 2016 regarding Internal Affairs investigations of Department members involved in misconduct and other interrelated policies. We are mindful that as recently as 2017, the Swanson report[1] and other outside investigations noted significant deficiencies in classifying, investigating and reporting serious allegations made against officers, which ultimately resulted in various terminations.

Those findings, investigations and court filings resulted in several recommendations to help improve the way internal investigations and disciplining Department members are handled. They specifically recommended that the OPD improve policies regarding the internal affairs process, procedures and how coordination occurs with the Criminal Investigation Division (CID). As noted above, OPD personnel amended many of these policies by the end of 2017 and changed some of the Internal Affairs Division processes.

We provide this historical context to emphasize the improvements OPD personnel have made since 2013 in embracing best practices in handling internal affairs cases and employee discipline. However, the investigative deficiencies in 2015 and 2016 highlighted a larger-scale problem within the Department. Our review of the processes and our findings reflect that the current checks and balances for investigations may not have existed and/or been strictly adhered to prior to 2017. This was noted based on our review and analysis of five years of recent data.

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[1]   At the request of the Independent Monitoring Team overseeing the Negotiated Settlement Agreement, the City hired an independent investigator to consider the quality and sufficiency of the OPD's investigation of potential officer sexual misconduct. This report has been referred to as the Swanson Report.

Key Findings

Key Finding #1: The OPD's current directives regarding how it conducts internal affairs investigations, makes disciplinary determinations and ensures fairness in its recruit training efforts are generally consistent with quality practices.

For example, the disciplinary review panel includes individuals from across the Department, which is a best practice. These individuals meet to provide input to the Chief to assist her in determining the proper level of discipline. This practice is consistent with promising practices widely recognized for agencies similar in size to the OPD.

We also commend OPD leadership's dedication to its trainees. The practice of allowing trainees struggling with the Police Academy program to join a later academy class is an accepted practice and reflects the OPD's commitment to providing trainees with opportunities to succeed.

Additionally, the Field Training Program's practice of rotating officers and trainees helps to prevent biased-based decision making by providing a variety of perspectives on the trainee's performance. The OPD's Field Training Program is consistent with quality practices in law enforcement.

Key Finding #2: Allegations that result in a sustained finding are more likely for black employees. After a complaint is sustained, race does not appear to affect disciplinary outcomes.

In our data analyses, we determined that race and outcome are statistically dependent for each year since 2014. Even after controlling for other factors — such as age, gender and years of service — black sworn employees were more likely to have their allegations result in a sustained finding than other employees. Over the five-year time period, black employees were 37 percent more likely to have an allegation against them result in a sustained finding.

Based on our assessment, we determined employee race and type of discipline are independent. Once a complaint is sustained, race does not appear to be a factor in disciplinary outcomes.

Key Finding #3: Class Two complaints are more likely to be sustained than Class One complaints. For Class One complaints, black individuals are almost 39 percent more likely to have the complaint sustained, while controlling for gender and years of service. For Class Two complaints, the biggest predictor is the class itself, but black individuals are still 25 percent more likely to have a complaint sustained.

Class Two complaints being more likely to be sustained could have several explanations. For example, these cases are less complex, and the evidence may be more readily attainable, or that since the consequences are less severe, the agency may be more inclined to sustain the complaint. Interestingly, even while controlling with the effects of MOR Class, black officers are still 25 percent more likely to have a complaint sustained.

Key Finding #4: Although our review revealed disparities based on race and gender in regard to probationary releases from the Academy and Field Training Programs, the data is too limited to draw further conclusions.

Our review of data and available documents regarding the probationary releases of recruits from the Academy and the Field Training Program indicated some disparities based on race and gender. The data was too limited, however, to permit any meaningful conclusions.

Key Finding #5: The IAD's policy that allows sergeants to be 'fact finders' and adjudicators has the potential to lessen an investigator's neutrality.

The OPD's IAD processes allow the sergeant investigating a misconduct complaint (also known as the 'fact finder') to determine, as the adjudicator, whether the case should be sustained. Though higher-level supervisors review and approve these findings, this practice is more common in smaller agencies and is not consistent with promising practices used in departments similar in size to Oakland.

This practice raises questions of investigator neutrality. Specifically, it could potentially contribute to biased decision making and the perception of investigator bias, as the investigators may pursue evidence that supports their theory of a case while ignoring evidence that does not support or fit the theory. In recent years, the IAD program has evolved, and the Department has created more checks and balances in this area to help minimize the perception. However, this practices of allowing sergeants to be 'fact finders' and adjudicators at the same time is still not aligned with best practices.

Key Finding #6: The inclusion of an employee's disciplinary history in IAD case files beyond the past five years could have a negative impact on OPD's ability to eliminate bias and enhance consistency in progressive discipline.

The OPD case file for an investigation includes the accused Department member's disciplinary history, such as sustained allegations and other investigations, that occurred prior to five years ago. According to a Department policy, cases greater than five years old should not be considered in determining discipline and should not be included in the case file used to determine discipline.

Though we did not see any indications that these records were used to determine discipline, including the Department member's entire history, whether cases are sustained or not, leaves the Department vulnerable, in that this older history could potentially be considered inappropriately when imposing corrective action or discipline.

Key Finding #7: More training is needed for field sergeants assigned to division-level investigations (DLIs). Additional training could allow DLI supervisors to conduct investigations more effectively and enhance the supervision they provide their officers in the field.

The OPD provides limited training on how to conduct internal investigations for field sergeants assigned to DLIs. This training is important to ensure that investigations are conducted thoroughly without violating OPD members' rights. The absence of comprehensive training can also contribute to inconsistent outcomes.

Supervisors conducting DLIs feel overburdened with the investigations and would benefit from greater support and training from IAD representatives. This is especially important because these supervisors also have a responsibility to engage with their officers proactively in the field while conducting these investigations.

Key Finding #8: The DLI Unit is understaffed for the size of its caseload.

The personnel in the IAD DLI Unit appear to be diligent but are managing a large caseload. The IAD previously had a lieutenant and a civilian manager overseeing the DLI process, but the previous civilian manager left, and the position has not been filled. This has resulted in a reduced level of supervision. Proper leadership and oversight are necessary to ensure a proper review of investigations and assessment of potential bias in investigations occurs.

Stakeholder Input

As part of our assessment, we conducted several interviews of Department personnel, including command staff members and members of the Oakland Police Officer's Association (OPOA), the Oakland Black Officer's Association (OBOA) and Oakland Asian Police Officers Association (OAPOA). These interviews helped us learn more about the OPD process and provided important additional context. The following summary reflects the higher-level themes gathered from the interviews and does not necessarily represent the views of all persons interviewed.

INTERVIEW SUMMARIES

During these interviews, members shared that the culture at the OPD contributes to the perception of internal unfair treatment in Department operations and that several factors beyond race contribute to this perception. Race was not ruled out as a factor, but the majority of those interviewed noted how power, cliques and the lack of accountability within the OPD structure affect the ability to stop, observe or avoid behaviors that reduce the fairness in discipline.

For example, "favored groups" consisting of individuals in specialty positions may receive different treatment in some administrative actions. Individuals considered to have good reputations — such as the "great street cop" or "good dope guy" — are reportedly favored over those in the investigation and disciplinary process. Friendships, past affiliations and belonging to specialized units such as Special Weapons and Tactics (SWAT) were also cited as impacting how a person would be treated in the disciplinary process. Many others believed that rank was a factor in determining whether a member should be investigated, whether a finding is sustained and how much discipline is imposed.

Many interviewees also indicated that they believe that the OPD receives few formal complaints about the disciplinary process because those who complain may be ostracized or not receive desired assignments.

Generally, the interviewees noted that while the perception of disparity exists, they were not sure as to whether the disparity was real or just a belief. They all expressed support for looking at the data and determining whether the system is fair for everyone. They said that if evidence of disparate treatment is found, they wanted to identify ways to stop it.

ANALYSIS OF STAKEHOLDER INPUT

The Equal Employment Opportunity Commission (EEOC) created a task force and conducted a study in 2016 on harassment in the workplace. The findings described the risk factors organizations should evaluate when trying to impede discriminatory behaviors.

In our interviews with stakeholders, we noted several of these risk factors when the interviewees explained the OPD's culture, processes and how the "favored group," "top producers" or "go-get-them" officers would be allowed to misbehave and not be held accountable nor receive the same level of discipline as those not involved in cliques.

Some of the top risk factors that may be present at OPD include the following.

- Workplaces with "high-value employees" [i.e.,SWAT team members or other favored groups]

- Workplaces with significant power disparities (i.e., organizational hierarchy overriding investigations or direction of investigations)

- Workplaces that are Isolated or decentralized (i.e., DLI investigations and autonomous divisions handling bulk of IAD cases inconsistently)

- Workplaces where some employees do not conform to workplace norms (i.e., various scandals involving poorly handled investigations such as those identified in the Swanson findings and other independent reviews)

In addition to determining whether bias based on race and/or gender exists, we attempted to holistically address bias and determine contributing factors to the overall perceptions of bias and whether these risk factors contribute to any disparities. Many of those we interviewed shared that leadership played a big role in allowing the culture to continue and not holding certain groups accountable for their behavior, which leads to perceptions of favoritism and perceived bias in the outcomes of investigations.

As with any police organization, accountability and values have to resonate from the top, and each level of supervision has to be held accountable to ensure the core values of the organization are being implemented fairly at every level with appropriate checks and balances, particularly regarding investigations, discipline and hiring.

Survey Results of OPD Members' Perceptions of Investigation and Discipline

We surveyed Department members to understand their perceptions of IAD investigations and disciplinary outcomes. The 22-question survey focused on internal procedural justice concepts addressing transparency and fairness. We asked specific questions about whether the respondents thought that race, gender or rank impacted the results of investigations and/or disciplinary determinations. We administered the survey, but we had the OPD's training division send the introduction and the survey link to its department-wide email list. The survey opened on August 6, 2019 and closed on August 15, 2019.

When reviewing the following survey results, it is important to keep the following caveats in mind.

- Because it was important to protect the identities of the respondents, we did not track the identity of the respondents. As a result, OPD employees could potentially respond more than once, which could impact the results.

- Ninety percent of the respondents indicated that they had been the subject of an internal investigation by the OPD and 70 percent of the respondents reported that they have been disciplined. While it is important to reflect the opinions of those who have experienced the investigative and disciplinary process, the results do not necessarily reflect the perceptions of those who have not been involved in the process.

- Though the results of the survey are not necessarily statistically significant and may not represent the opinions of all stakeholders, they still provide valuable insight into some stakeholders' perceptions of the OPD process and supplement the information already received from stakeholder interviews and our data analysis.

Below are the demographics of the 303 Department members who responded to the survey.

| Race	Percent of Respondents	Number of Respondents
White	24.09	73
Black or African American	14.19	43
Latino or Hispanic	14.19	43
Asian	6.93	21
Native Hawaiian or Other Pacific Islander	1.65	5
American Indian or Alaskan Native	0.33	1
Two or more races	8.25	25
Prefer not to answer	30.36	92
Total	**100**	**303**

Of the survey respondents, 68.9 percent identified themselves as men, 25.75 percent identified as women and 5.35 percent identified as "other." Over half of the respondents are assigned to field operations and slightly less than 20 percent are civilian staff. Almost 47 percent of the respondents are patrol officers. Of the respondents, 86.5 percent have been the subject of an IAD investigation, while the Department disciplined 65.5 percent.

As the focus of this report is discipline among the sworn officers of the department, we analyzed the overall results to focus on the 260 sworn members of the Department who responded to the survey.

Race	Percent of Respondents	Number of Respondents
White	26.92	70
Black or African American	10.00	26
Latino or Hispanic	15.38	40
Asian	3.85	10
Native Hawaiian or Other Pacific Islander	1.54	4
American Indian or Alaskan Native	0.38	1
Two or more races	7.69	20
Prefer not to answer	34.23	89
Total	**100**	**260**

Ninety percent of the sworn respondents have been the subject of an OPD internal investigation and 70 percent reported that the OPD has disciplined them. As indicated below, overall, 41.63 percent of the sworn respondents agreed or strongly agreed that the OPD treats employees with dignity and respect during internal investigations.
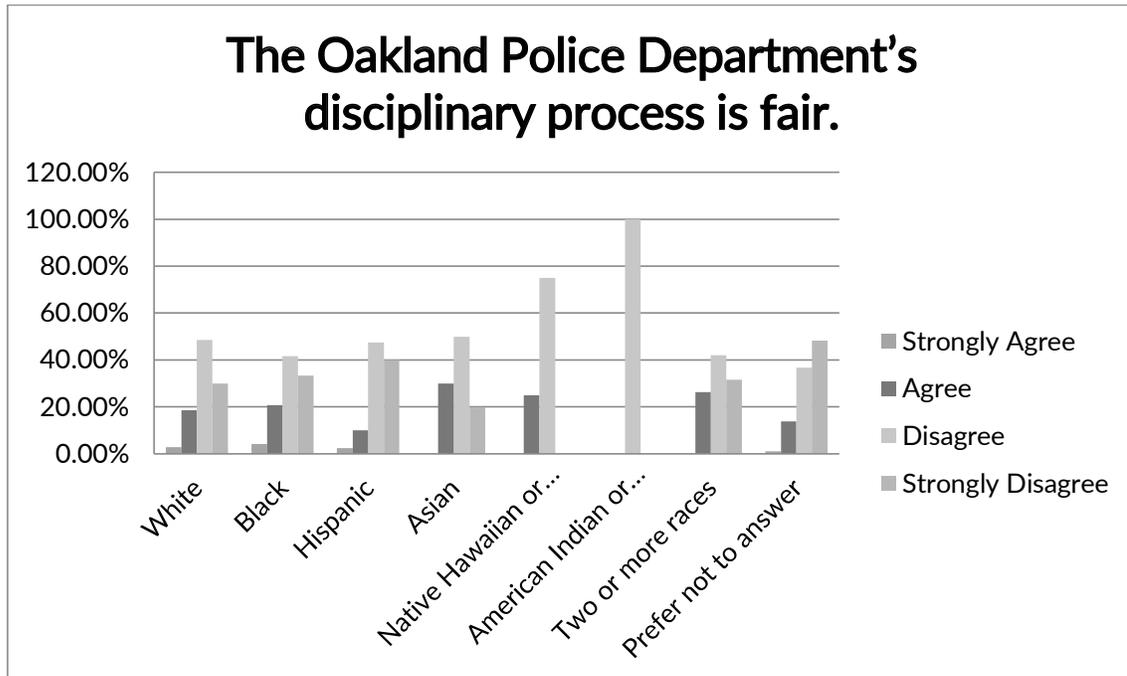
Oakland Police Department employees are treated with dignity and respect during internal investigations.
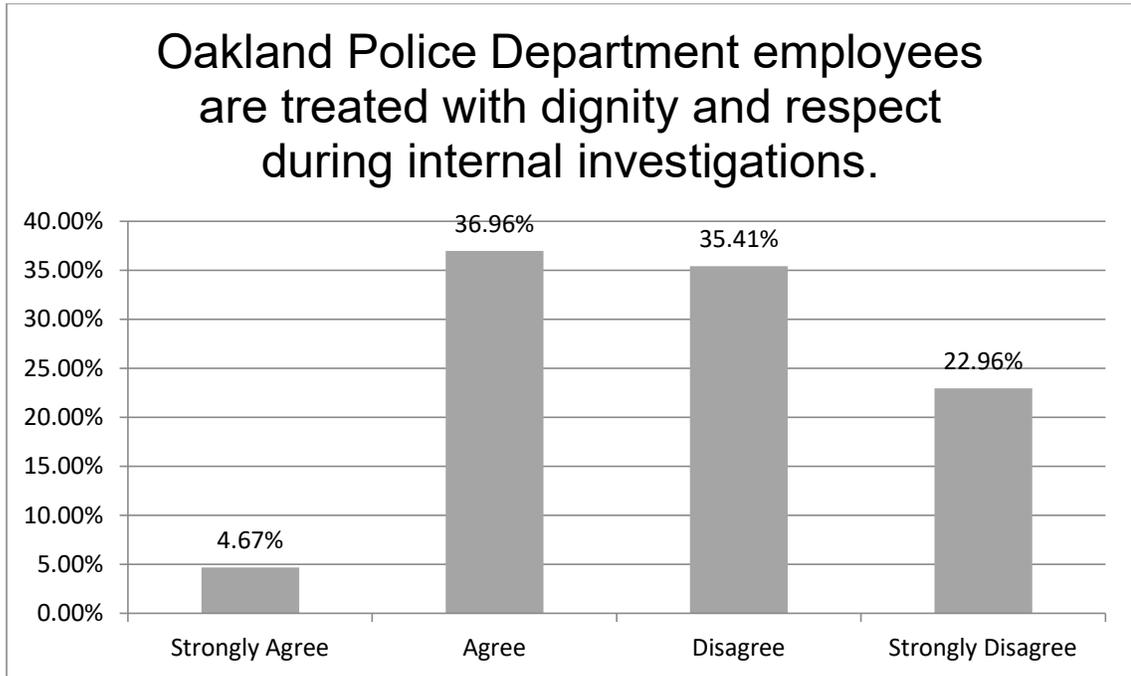
Only 18.68 percent of the sworn respondents agreed or strongly agreed that the disciplinary process is fair.

## The Oakland Police Department's disciplinary process is fair.
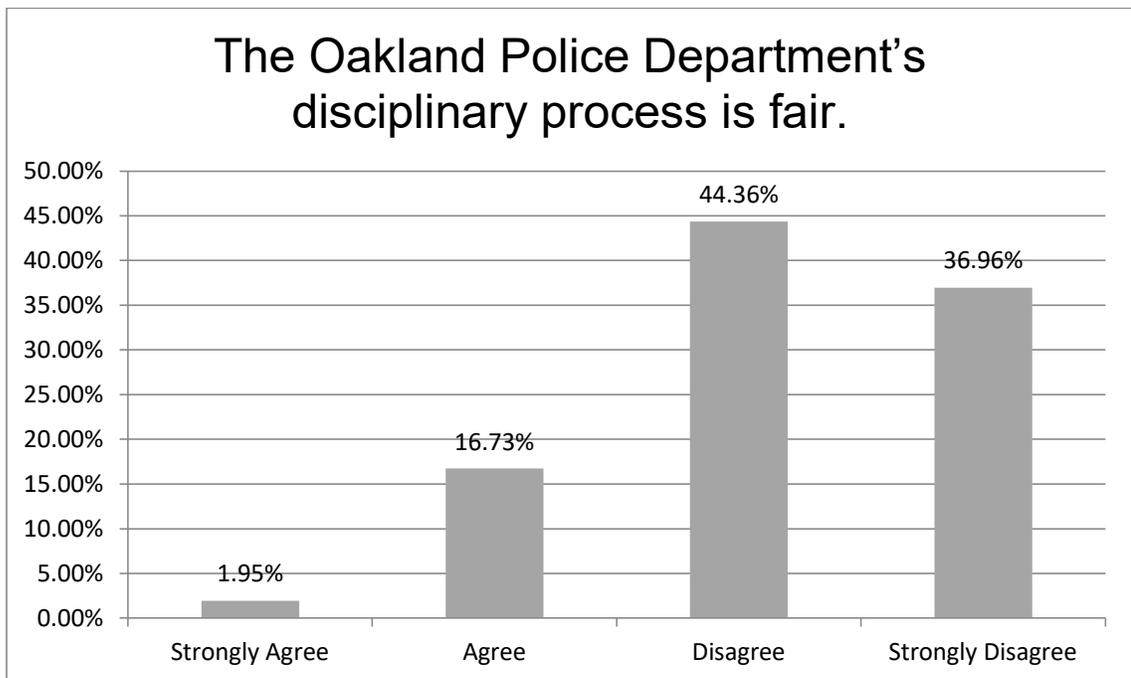
Only 12.50 percent of Hispanic respondents strongly agreed or agreed that the disciplinary process is fair as opposed to 30 percent of Asian respondents, 25 percent of black respondents, 25 percent of Native Americans and Pacific Islanders and 21.43 percent of white respondents.

The Oakland Police Department's disciplinary process is fair.

Only 17.94 percent of the sworn respondents felt that the disciplinary process is transparent and that Department members understand it well. Though gender did not account for a significant difference for many of the questions, 26.6 percent of female sworn respondents answered that the Department's disciplinary process was transparent and well understood, while only 16.34 percent of men agreed or strongly agreed with that statement.

The Oakland Police Department's disciplinary process is transparent and well understood by members of the department.
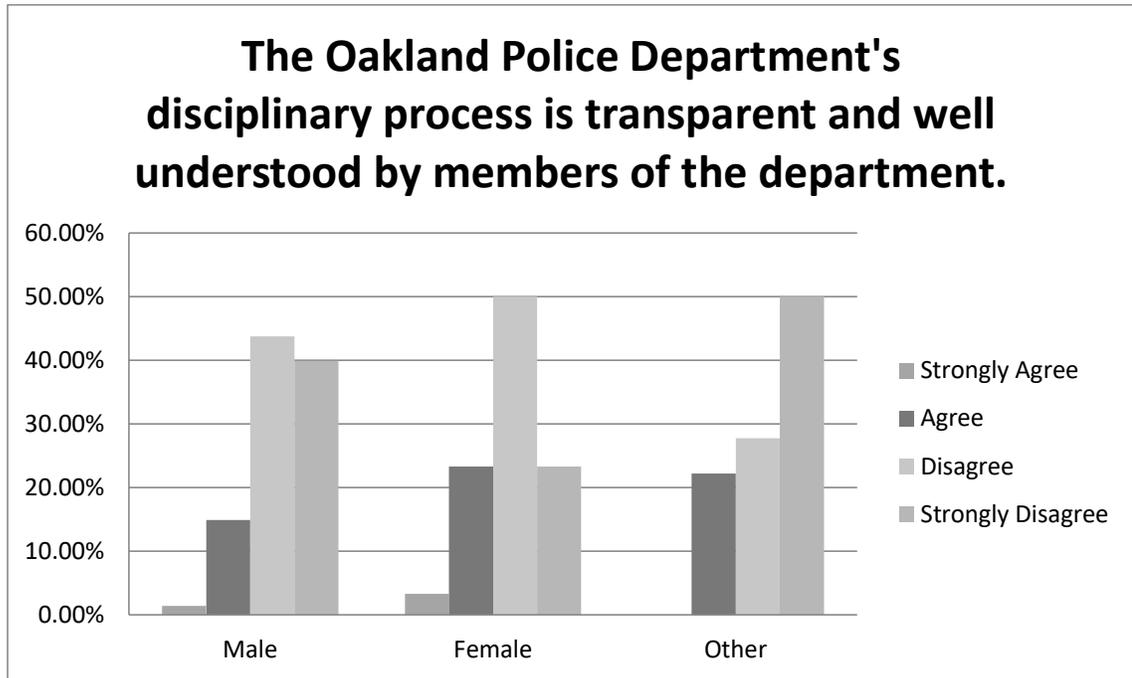
Responses to these questions were also analyzed based on race. Only 27.50 percent of Latino or Hispanic respondents agreed or strongly agreed that employees are treated with dignity and respect during IAD investigations, compared to 56 percent of black and 51.42 percent of white respondents.
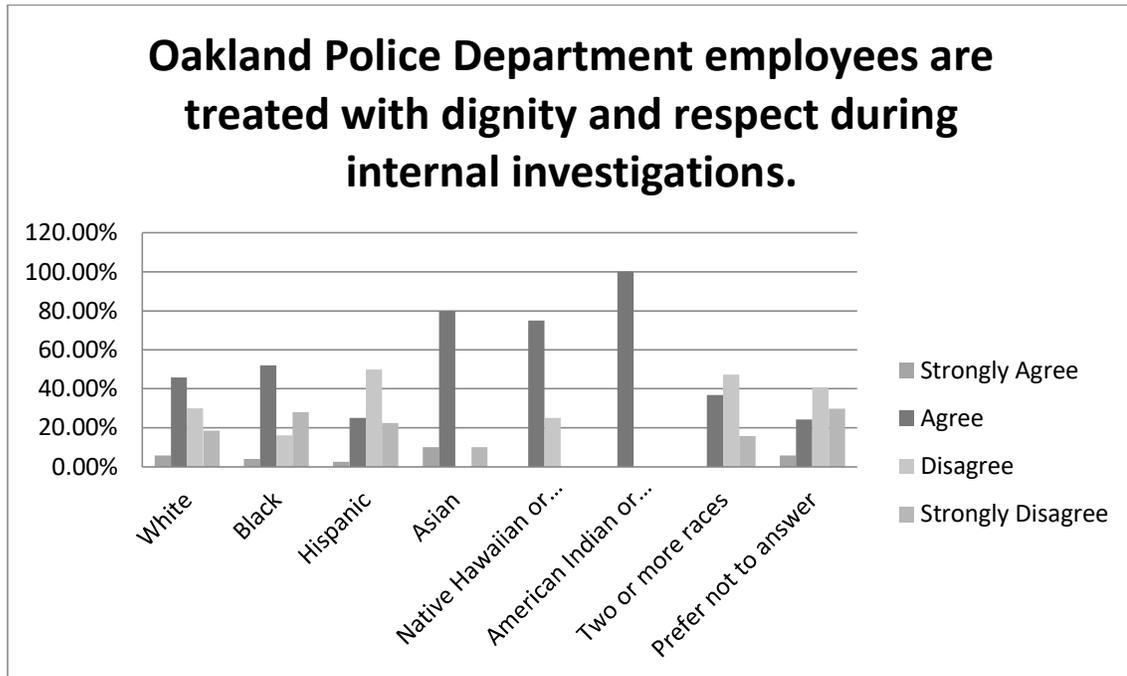

The survey asked a series of questions about whether the respondents thought that race, gender or rank played a factor in the outcome of investigations or the discipline imposed. Almost 36 percent of respondents said that race and gender are a factor in internal investigations and discipline. Responses varied based on the race of the respondent. For example, though around 25 percent of white respondents agreed or strongly agreed that race plays a factor, 35 percent of black respondents, 44 percent of Hispanics and 40 percent of Asian respondents agreed or strongly agreed that race plays a factor in the outcome of investigations or discipline imposed. Women (41 percent) were somewhat more likely to agree or strongly agree with the statement that gender played a role in investigations and discipline than men (32 percent).

Race plays a factor in determining the outcome of an internal investigation.

Race plays a factor in the department's determination of discipline.

Nearly 80 percent of respondents agreed or strongly agreed that rank plays a factor in determining the outcome of an internal investigation and the determination of discipline.
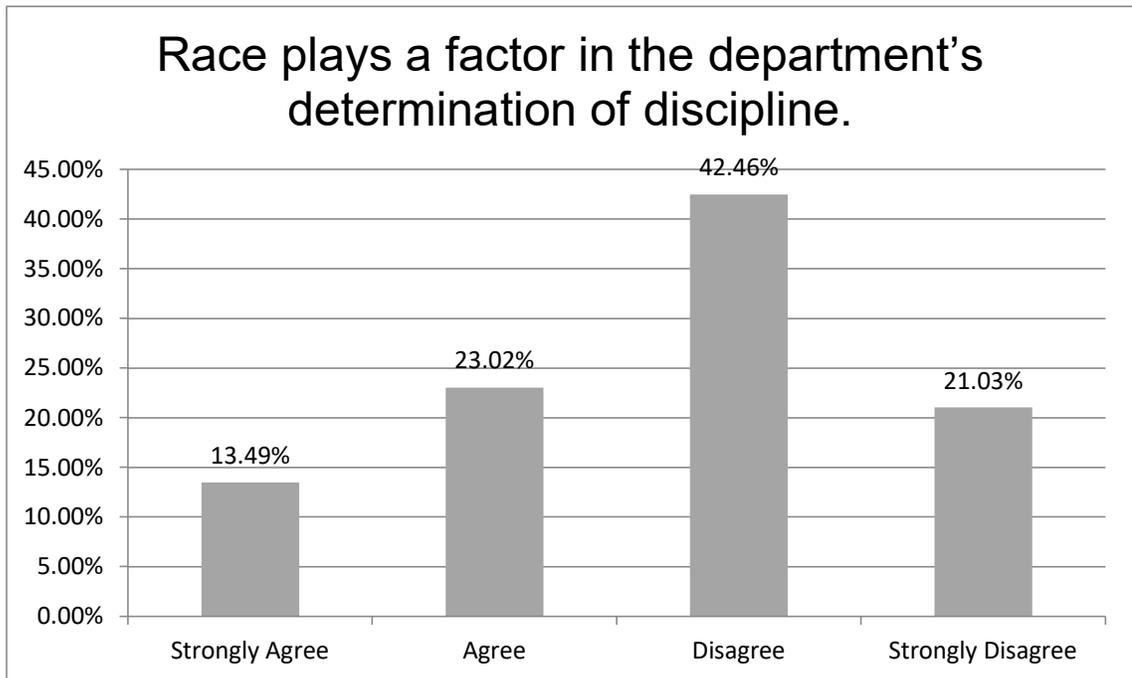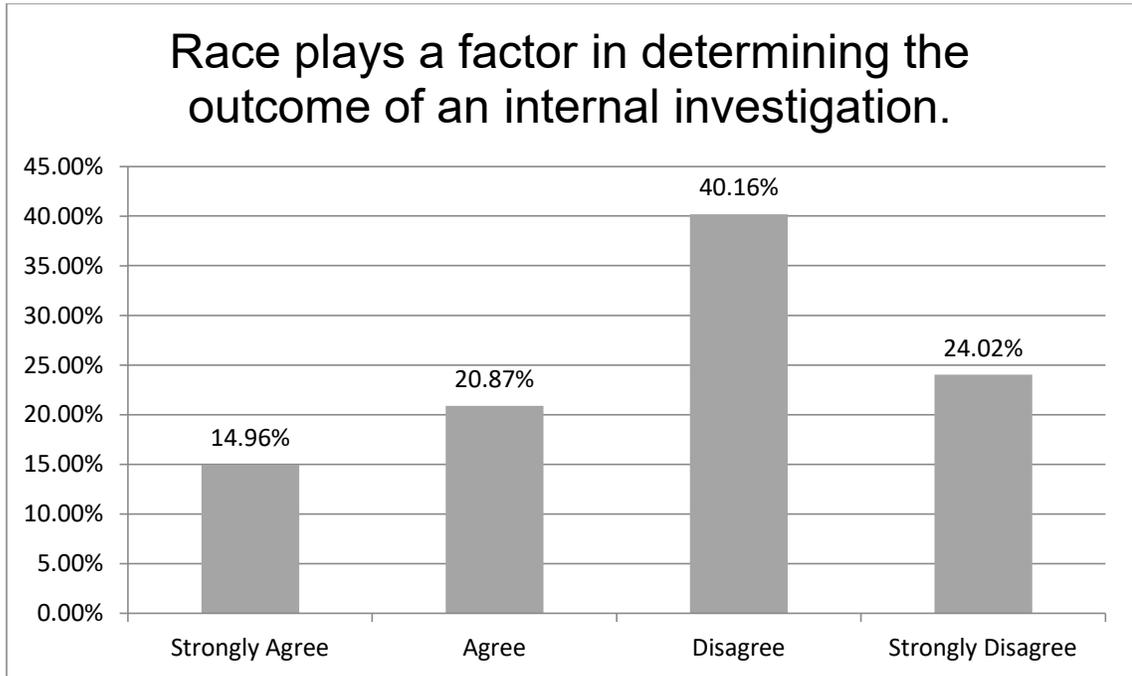
Rank plays a factor in determining the outcome of an internal investigation.

Rank plays a factor in the department's determination of discipline.
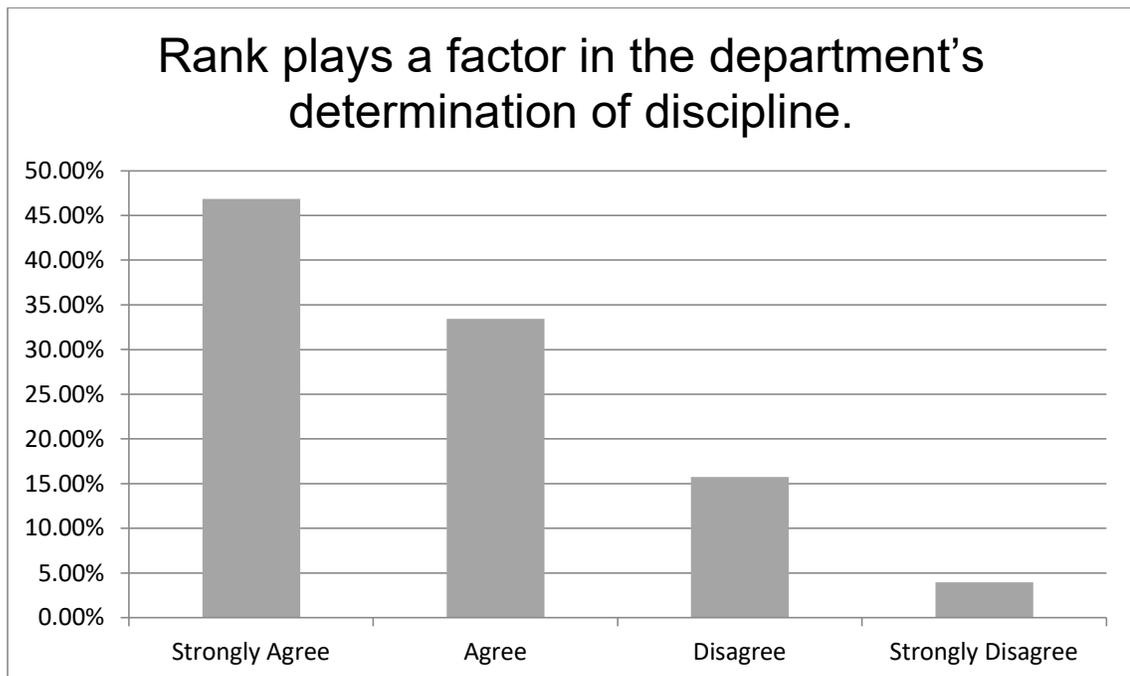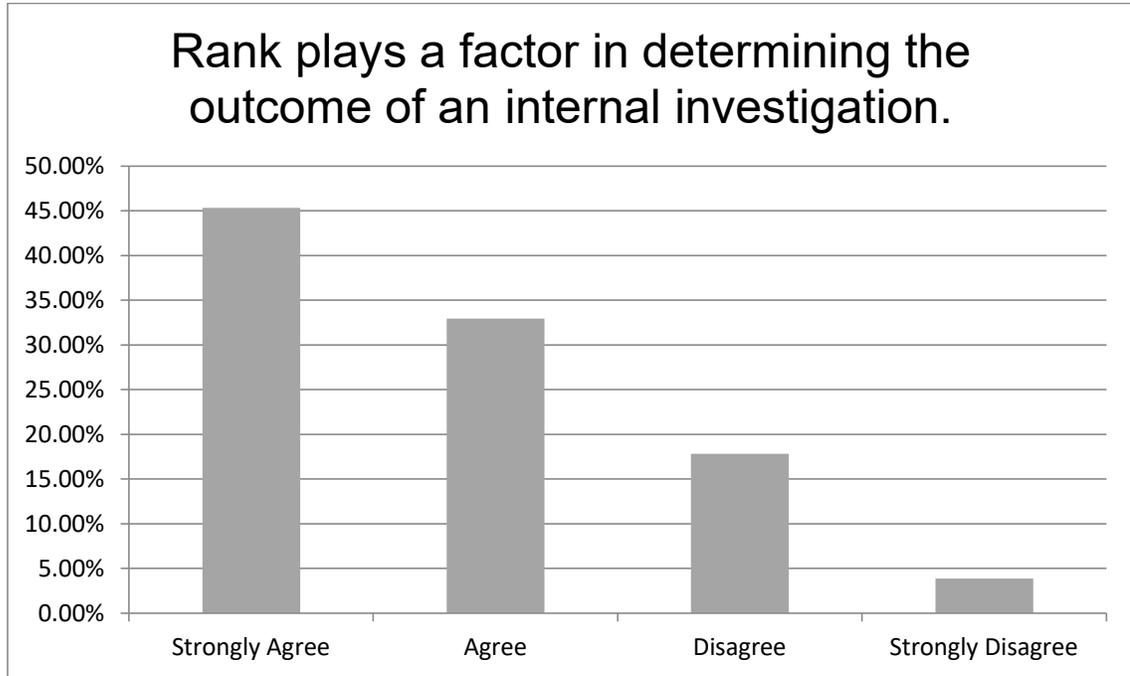
The survey also asked members if issues that concern race and gender are openly dealt with and resolved constructively in the OPD. Overall, 40.73 percent agreed or strongly agreed with that statement. We did not note significant differences based on race or gender of the respondent.

Summary of Survey Results

- Almost three-fifths of the sworn respondents believe that OPD employees are not treated with dignity and respect during internal investigations. Hispanics (72.5 percent) were more likely to report that employees are not treated with dignity and respect as compared to white (48.5 percent), black (44 percent) or Asian (10 percent) respondents.

- 83.2 percent of respondents reported that they believe that the disciplinary process is not fair. This response varied somewhat based on race, with 87.5 percent of Hispanics, 78.5 percent of white respondents, 75 percent of black respondents and 70 percent of Asian respondents responding that the disciplinary process was not fair.

- Around 75 percent of white respondents, 63 percent of black respondents, 60 percent of Asian respondents and 56 percent of Hispanics responded that race is not a factor in the outcome of an internal investigation or the determination of discipline.

- Women (41 percent) were somewhat more likely to agree or strongly agree with the statement that gender played a role in investigations and discipline than men (32 percent).

- Nearly 80 percent of respondents agreed or strongly agreed that rank plays a factor in determining the outcome of an internal investigation and the determination of discipline

The survey also asked an open-ended question: "Is there anything else that you would like to tell us about the Oakland Police Department's internal investigations and discipline process?" We received 151 responses to the question. These responses included specific instances of perceived mistreatment, general positive and negative comments about the fairness of the process, and specific policy suggestions, as summarized below.

- Several respondents indicated that under the current Chief, efforts have been made to improve the fairness and transparency of the process.

- Many were concerned that external politics and media attention impact investigations and discipline. Respondents noted that they felt public opinion and political ramifications heavily sway internal investigations for high-profile or emotional incidents.

- Like what we heard in our interviews, respondents said that who you know, and to which cliques you belong influence whether an investigation will be sustained and what level of discipline will be administered.

- Respondents reported that although improvement have been made, the IAD and disciplinary processes are not transparent.

- Some respondents indicated that too much time is spent on minor violations and that some of these minor violations should be addressed at the supervisory level rather than in the IAD process.

Analysis of a Sample of Complaint Investigations

Methodology

To gain a greater understanding of the OPD's internal affairs investigations process and to review cases for potential indicators of bias, we selected two sets of random samples of cases to review. The first set included five percent (45) of 2017 to 2018 DLIs, five percent (10) of 2017 to 2018 cases handled by internal affairs investigators and five percent (33) of sustained cases from 2014 to 2018, some of which had multiple allegations.

The second set of file reviews focused on cases that resulted in discipline. While we sought to sample five percent of all those cases, in instances where the number of cases for a type of discipline was smaller than 10, we sampled all those cases. The process resulted in sampling the following number of cases.

Type of Discipline	Number of Cases Reviewed
No Discipline	2
Counseling and Training	17
Held in Abeyance	3
Written Reprimand	12
Last Chance Agreement	1
Suspension	7
Released from Probation	7
Termination	5

We reviewed the cases to observe the processes used to investigate the cases in relation to demographic factors and attempted to identify any areas that could contribute to bias-based decision making. Based on our review, we made the following observations.

Improvement in Internal Investigations

Internal investigations have noticeably improved over the past two years. We observed additional documented layers of review and clear indications in the chronology logs and notes that DLI sergeants, as well as captains, are reviewing investigations and providing appropriate input, rather than simply signing off on investigations with minimal review. This is consistent with the Independent Monitoring Team (IMT) observation in its November 2018 report that "with respect to DLIs, chain of command reviews as well as reviews of these cases by IAD personnel are becoming more thorough" and "notes contained in these files indicate that cases are being returned to the initial investigator with greater frequency."

Internal Investigators Serving as Both Fact Finders and Adjudicators

Internal investigators act as both fact finders and adjudicators, in that they conduct the investigation and determine whether the complaint should be sustained. Though supervisors and command staff review this determination, this practice is inconsistent with recommended practices. In the current era of policing, leaders must be cognizant not only of concerns of external legitimacy, but internal legitimacy as well. Questions regarding objectivity and neutrality may be heightened when an investigator serves as both fact finder and adjudicator. Despite the availability of supervisory and command channel review, perceptions of bias may be attributable to the role given to investigators in the current internal investigation process.

Inclusion of a Complete Disciplinary History in Case Files

For cases that result in discipline, supervisors are required to review the accused Department member's history of sustained cases for the past five years. However, file review indicated that the index for the accused Department member's entire disciplinary history is included in the file. Keeping the entire history in the file creates the possibility that conduct outside of the past five years could be at least subconsciously considered in meting out corrective action or discipline.

Signatures for Approvals of Investigations and Disciplinary Recommendations

Approvals of investigations and disciplinary recommendations include signatures of approving officers; however, the signatures are often difficult to read. These signatures were often missing the reviewers' serial numbers, preventing subsequent reviewers from determining who reviewed and approved the investigations and/or discipline. Required signatures are a visible representation of review by all members of the chain of command. They provide additional evidence of unbiased decision-making that is consistent with procedural justice. It should be noted that the PRIME database does include a log of everyone touching and approving each case file.

Training for Assessing Credibility

We reviewed credibility assessments of accused Department members, witness officers and complainants. We noted that in almost all the cases, the officers were deemed credible. While that finding is not unusual, we have questions regarding the level of training investigators receive in assessing credibility. Assessing credibility is one area where bias can arise if investigators are not trained properly. This is particularly a concern when the person is known to the investigator.

Officer, complainant and witness statements were frequently written in the first person. Statements should be attributed properly to avoid charges that the investigator is biased and choosing a perspective to believe.

Policies and Procedures for Handling Complaints and Discipline

We reviewed OPD's internal affairs practices and policies to (1) understand the processes in greater detail, (2) compare these practices and policies to best and promising practices with other similarly sized police agencies and (3) determine existing areas where disparities can arise.

COMPARISON OF OPD POLICIES AND PROCEDURES TO BEST PRACTICES

The OPD practices governing internal investigations are established in the Department's internal directives, which primarily included the following.

- Department General Order M-03 Complaints Against Departmental Personnel or Procedures

- Department General Order M-3.1 Informal Complaint Resolution Process

- M-04.1: Criminal Investigation of Department Members and Outside Sworn Agency Personnel

DGO M-03 provides the basis for complaint processing and administration from inception to conclusion. Like policies in similarly sized agencies, the OPD policy includes directives that describe the following functions: intaking and receiving complaints; classifying complaints; determining complaint categories; and conducting preliminary inquiry and investigation of complaints.

Intake procedures are described in Section III Receiving and Processing Complaints. Importantly, this section establishes the Department's prevailing philosophy of accepting all complaints of violation of the Manual of Rules, including anonymous complaints. In addition, Department members are required to report instances of misconduct that come to their attention and follow the provided detailed instructions when a complaint is received. Employees are subject to discipline or corrective action for not ensuring such complaints are handled in accordance with policy.

Like comparably sized departments, complaints are classified as Class I or Class II depending on the nature of the alleged misconduct and categorized as misconduct or service complaint.

Section E of Oakland Department General Order DGO M-03
Complaints Against Department Personnel

1   Complaints against Departmental personnel shall be categorized as Class I or Class II offenses. Class I offenses are the most serious allegations of misconduct and, if sustained, shall result in disciplinary action up to and including dismissal and may serve as the basis for criminal prosecution.

The Class I offenses include but are not limited to:

a   Use of excessive, unnecessary and/or unlawful force;

b   Fabrication or destruction of evidence, including the planting of inculpatory evidence or the omission or destruction of exculpatory evidence;

c   Untruthfulness, including perjury;

d   Knowingly and intentionally filing a false police report or other work related documentation as specified in Manual of Rules (MOR) section 370.45. This includes but is not limited to video, photographs, diagrams, roster, etc., as well as the intentional omission of pertinent information or facts;

e   Insubordination;

f   Commission of a felony or serious misdemeanor;

g   Bias or harassment, actions of a retaliatory nature, or failure to take reasonable steps to prevent retaliation;

h   Solicitation or acceptance of gifts or gratuities as specified in MOR section 314.69;

i   Use of position for personal gain;

j   Knowingly or should have reasonably known that he/she made a false arrest or illegal detention;

k   Failure to report others, in accordance with MOR section 314.48, who commit any Class I offense or a Class II offense that indicates a pattern of misconduct or threatens the rights of private persons and/or the well-being and reputation of Department personnel and/or the Department;

l   Failure of a supervisor/manager to detect a pattern of misconduct;

m   Failure of a supervisor/manager to properly supervise, and/or take corrective action for misconduct that he/she knew or reasonably should have known about;

n   Failure to properly identify self, including refusing to provide name, deliberate concealment of a badge or name plate;

o   Knowingly and intentionally obstructing the Internal Affairs investigation process in any manner; and

p   Driving under the influence

2   II offenses shall include all minor misconduct offenses.

The guidance regarding preliminary inquiry and investigation of complaints is consistent with other similar policies at other departments. However, given the current perception of bias in the investigation and discipline of employees of color, the Department may consider providing stronger oversight of the preliminary inquiry process, since it is in this stage where personnel are determining whether the complaint is investigated, and if so, how the compliant is classified.

Upon conducting a preliminary inquiry, a supervisor and IAD intake personnel may make any of the following recommendations for handling a case

- **Conduct Further Investigation:** The complaint requires further investigation beyond steps already completed in the Preliminary Inquiry

- **Handle at the Supervisory Level:** The alleged offense is a Class II offense, which does not indicate a pattern of misconduct, was discovered during the Preliminary Inquiry, and the complainant is agreeable to the informal complaint resolution process.

- **Administrative Closure**: This occurs when a complaint is a service complaint that does not involve a violation of the Manual of Rules and was resolved without an Information Complaint Resolution; if personnel determined that the investigation cannot continue for a normal investigative conclusion; or under circumstances such as the complainant withdrawing the complaint or the subject is no longer employed by the Department.

- **Summary Finding**: This is an abbreviated form of internal investigation in which a finding can be reached without conducting a formal internal investigation as it can be determined with no or minimal follow-up based on the existing documentation, evidence, statements and crime data.

The Department appears to have adequate structure and processes for ensuring preliminary inquiry determinations are in accordance with policy; however, inadequate training and insufficient staffing may result in inadequate review, creating circumstances where favoritism may exist. Importantly, Department personnel indicated that being involved in the right clique, one's rank, or having favorable relations with a supervisor are key indicators of perceived bias, so training reviewers to recognize, understand and avoid these potential biases is important to help ensure a fair preliminary review.

The OPD policy providing detailed instructions for the proper handling of allegations of criminal misconduct is an example of a promising practice. Department General Order M-04.1 Criminal Investigation of Department Members and Outside Sworn Law Enforcement Personnel provides guidelines for notification of and handling of complaints based on articulable, reasonable suspicion. Pursuant to DGO M-03, an employee is subject to discipline for not reporting reasonable suspicion of criminal misconduct coming to their attention. If a decision to investigate is made, the Bureau of Investigation, Criminal Investigations Division conducts the investigation. Importantly, the policy contains appropriate oversight responsibilities and includes appropriate cautions regarding the use of information derived from a concurrent or tolled IAD investigation.

Departmental General Order M-3.1 is another policy that is consistent with recommended practices. Pursuant to this policy, service complaints or Class II misconduct allegations that do not indicate a pattern of misconduct may be resolved informally. While this policy illustrates a recommended practice, the practice should be closely monitored as it is potentially an area where favoritism or bias may occur.
The OPD is among a growing number of departments subject to outside review of internal investigations.

Unlike most agencies that imbed guidelines within their internal investigations general order, OPD has promulgated a specific, standalone policy governing Department member interaction with those conducting external reviews and the responsibility to cooperate with independent reviewers of internal affairs investigations.

The Citizens' Police Review Board (CPRB), which was active during a portion of our data review period, was an independent body with the authority to accept, investigate and review complaints regarding the conduct of Department members. While the Department exercises no authority over the CPRB, Department General Order M-3.2 Citizens' Police Review Board sets forth the Department's expectations regarding employee and citizen interaction with the CPRB by "encouraging private citizens to bring forward allegations of misconduct or inadequate police service" to the CPRB and by requiring Department members to "fully cooperate" with the CPRB whether providing assistance in processing or investigation of complaints or responding to civil processes.

As a result of a 2016 ballot initiative, the CPRB was disbanded and replaced by the Community Police Review Agency (CPRA), which the Oakland Police Commission oversees. In this assessment, we did not examine the activities of the CPRA or Oakland Police Commission.

INTERNAL AFFAIRS ORGANIZATIONAL STRUCTURE

The IAD is led by a Captain of Police, who has two lieutenants as direct reports: one for administration and one for investigations. The lieutenant in charge of administration oversees the Administrative Support Unit, Intake/Pitchess Unit and DLI Compliance. These units include a mix of sworn and civilian staff, including two sergeants assigned to the DLI Compliance Unit to monitor internal investigations conducted by field supervisors. The Lieutenant in charge of investigations oversees the Force Investigation Section while the Captain oversees the Integrity Unit.. These units are staffed primarily by sworn personnel.

Pitchess Motion

Pitchess Motion Contents of internal investigations are generally confidential by law. However, *California, Pitchess v. Superior Court 11 Cal.3d 531, 537, 538, 113 Cal.Rptr.897* provides that when a criminal defendant seeks information from a peace officer's personnel records concerning prior complaints, a motion showing good cause must be submitted to the court.

INTERNAL AFFAIRS AND DIVISION-LEVEL INVESTIGATIONS

The OPD's general order Complaints about Department Personnel (DGO M-03) informs "all employees and the public of procedures for accepting, processing and investigating complaints concerning allegations of member employee misconduct."

While this is the primary policy guiding complaint investigations, several other policies are applicable, including Informal Complaint Resolution (DGO M-3.1), Criminal Investigation of Department Members Outside Sworn Law Enforcement Personnel (DGO M-4.1) and the Department's discipline policy.

The Department's policy is to accept all complaints about employee misconduct to determine the validity of allegations and to impose disciplinary actions that are justified in a timely and consistent manner. Complaints alleging employee misconduct can be brought to the Department in a number of ways, including:

- Generated in the field – i.e., a call to a supervisor

- Calling the complaint phone number

- A transfer from one of the external review bodies, such as the CPRA

- Internally generated through a supervisory review of video or otherwise

Allegations of employee misconduct are categorized in the following ways.

- **Class I** offenses are the most serious allegations of misconduct and, if sustained, result in disciplinary action up to and including termination and may serve as the basis for criminal prosecution

- **Class II** allegations and Class I allegations approved by the IAD commander are assigned for DLIs

Most complaints are taken in the field, such as by a supervisor on a scene where a person makes an allegation of misconduct by a Department member. In these instances, the supervisor is required to complete preliminary work to take the complainant's statement, determine the nature of the violation and gather additional relevant information from the scene.

IAD personnel conduct a review of call logs every morning to determine whether any complaints have been filed. Generally, all cases start with review by the intake staff (three civilian and two sworn individuals, whom have taken the mandatory internal affairs course after they were assigned to the unit) and one sergeant. The Unit is in the process of adding an additional intake person.

Whether a complaint is initiated in the field or through the IAD intake process, a Preliminary Inquiry (PI) is completed on all complaints upon receipt by a supervisor or IAD intake personnel. The purpose of the PI is for the assigned investigator to do a preliminary investigation within 14 calendar days of receiving the complaint.

Minimum steps to be taken in a PI include, but are not limited to,:

- Obtain a briefing by directly involved members and employees

- Interview the complainant to determine the nature of the complaint

- Take a recorded statement from the complainant

- Visit the scene of the incident, if feasible, to look for evidence and canvass for potential witnesses

- Interview witnesses, if any, and take recorded statements, if appropriate

- Explain relevant policy, procedure and governing laws to the complainant, if applicable

- Review Portable Digital Recording Device (PDRD) recordings

- Confer with first-level commander/manager regarding recommendations and best course of action

After the PI, the supervisor or IAD intake personnel completes a Complaint Memorandum which minimally includes:

- Summary of complaint.

- Investigative steps taken

- Case file recommendation

The first-level commander or manager ensures the completed and reviewed Complaint Memorandum (including any dissenting memoranda) is hand-delivered to the IAD within seven calendar days.

This 21-day Preliminary Inquiry/Complaint Memorandum process does not constitute an internal investigation.

Complaints can be informally resolved if they are service complaints or Class II allegations and the Department member has not demonstrated a pattern of similar misconduct in the past. Informal resolutions may not be used if the complainant does not consent. A resolution involving the informal complaint resolution (ICR) process is not an admission of guilt or wrongdoing and cannot be used as a factor in determining progressive discipline but is not considered a sustained finding and is incorporated into the employee's complaint history. The ICR process also does not limit a supervisor from providing training or taking non-disciplinary corrective action (see DGO M-3.1).

Most investigations are DLIs, as they are related to Class II allegations. DLI sergeants and the intake staff assigned to internal affairs try to complete some of the initial work to get the investigation started. DLIs are assigned from IAD to the captain of the division where the alleged misconduct occurred or where the accused Department member is assigned. IAD typically provides the file associated with the case to the captain. This file typically contains the complaint paperwork, any associated police reports, the Department member's CIR index, references to the employee's PDRD footage if applicable and other information. Generally, IAD personnel attempt to assign cases to the field within 45 days of receipt

The commander, often through their lieutenant, assigns the investigation to a field supervisor, who is tasked with completing the investigation within 30 days. Captains report that they generally assign the investigation to the accused Department member's supervisor but remain aware of DLI caseloads for each supervisor to ensure that no supervisor is overloaded. These timeframes are important because according to California law, allegations of misconduct against a police officer must be adjudicated with one year of the discovery of the allegation.[2]

Once the field supervisor completes the investigation, they forward the DLI to a field lieutenant for review. The lieutenant may send the investigation back to the supervisor for corrections or further investigation. Once the lieutenant approves the investigation, the investigation is sent to the captain or commander for further review and approval. Once the captain or commander approves, the entire investigation, including the recommendation as to the finding, is returned to one of the DLI sergeants in the IAD, who then reviews the entire file.

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[2]   California Government Code Section 3304

The IAD is staffed with DLI sergeants who serve as liaisons to a division-level investigator, providing quality control at the back end of the process when the case is completed in the field. These sergeants review the investigations to make sure the field supervisor has conducted a thorough investigation. The sergeant looks for documents that need to be in the file and uses a checklist to make sure all the items are included.

If the DLI sergeant does not think the investigation is thorough, they may send it back to the field supervisor for corrections or clarifications before final approval. The DLI sergeants can serve as a resource to field supervisors if they have any questions about the investigative process. Our review of selected internal affairs case files indicated that DLI sergeants take an active role in reviewing investigations and are returning files for corrections and/or additional investigation.

The field sergeant conducting the investigation makes the initial recommendation regarding the findings of the investigation. As noted above, the captain must approve the finding prior to returning the investigation to the IAD. The potential findings are as follows.

- **Unfounded**: The investigation disclosed sufficient evidence to determine that the alleged conduct did not occur. This finding also applies when individuals named in the complaint were not involved in the alleged act.

- **Exonerated**: The investigation disclosed sufficient evidence to determine that the alleged conduct occurred but was in accordance with law and with all OPD rules, regulations or policies.

- **Not Sustained**: The investigation did not disclose sufficient evidence to determine whether the alleged conduct occurred.

- **Sustained**: The investigation disclosed sufficient evidence to determine that the alleged conduct occurred and was in violation of law and/or OPD rules, regulations or policies.

If the case results in a finding of exonerated or not sustained, the IAD captain reviews the case and can approve a final determination. Sustained investigations are approved by the IAD lieutenant and passed through the chain of command to the Chief for approval. In determining whether to approve a sustained finding, the chief convenes a roundtable of command staff and the field investigator to review the investigation, ask questions and decide the disciplinary outcome. If the Chief approves the sustained finding, the Chief sends the case back through the chain of command to the accused Department member's commander for recommendations to the Chief for the level of discipline appropriate for the case.

IAD investigators conduct Class I investigations. Internal guidelines provide that the investigator must complete the investigation within 180 days. IAD investigators develop an investigative plan and are assisted by their lieutenant, and, if required, a City attorney assigned to the Unit. All cases undergo command channel review and, if sustained, review by the Chief for concurrence with the findings of the case. Consistent with practices in most large police agencies, the IAD captain is the final reviewer on cases that are adjudicated as not sustained, unfounded or exonerated.

CORRECTIVE ACTION AND DISCIPLINE

The principle of progressive discipline guides corrective action or discipline in the Department, which is supported by a disciplinary matrix outlining the range of discipline for Manual of Rule violations. The matrix provides guidelines for disciplinary recommendations and includes the type of misconduct, the class of offense and penalty ranges for first, second and third sustained allegations of Manual of Rule violations.

The accused member's captain makes the initial recommendation of discipline after reviewing the Pre-Disciplinary Report (PDR) the first-line supervisor completed and after conferring with the subject member's supervisor and lieutenant. The captain considers the nature of the misconduct, prior discipline and aggravating and/or mitigating circumstances when determining recommended discipline or corrective action necessary to remediate behavior. The PDR includes:

- Subject's five-year disciplinary history[3]

- The two most recent performance evaluations

- The Complaint Investigation Report (CIR)

- The Report of Investigation (ROI)

- An analysis of aggravating and mitigating factors

The subject's immediate supervisor generally completes the PDR, which is subject to command channel review. The PDR requires the review of aggravating and mitigating circumstances in applying the disciplinary matrix and determining the proper level of discipline. In administering the matrix, most supervisors reported it is the practice within the Department to start at the middle range of penalties for the offense and then adjust based on aggravating or mitigating circumstances.

The division captain convenes a pre-disciplinary conference with the sergeant and lieutenant to listen to their input on the discipline recommendation. Once the captain approves the PDR, they send the file through the chain of command for ultimate review and approval by the Chief or designee. For sustained preventable accidents, the captain sends the PDR to the Assistant Chief for approval of appropriate discipline. A discipline determination of counseling and/or training or a written reprimand may be approved by the Assistant Chief of Police for minor misconduct discovered at the division level, while other discipline requires the approval of the Chief.

Prior to imposing discipline, the Chief convenes a weekly roundtable of command staff, the City attorney and others to review and approve disciplinary recommendations. The captain who approved the initial recommendation generally present the factors behind their determination and is available to answer questions. Based on the presentation and group discussion, if any, the Chief then approves the discipline recommendation or changes the discipline. The practice of convening a cross-section of staff to advise the Chief on disciplinary decisions is consistent with promising practices widely recognized for agencies similar in size to the OPD.

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3   We noted that files routinely included the Department member's entire disciplinary history. Even though we did not observe any PDRs that specifically cited discipline beyond the five-year period as a factor in the recommendation, a more appropriate practice would be to limit the disciplinary history to five years in the file so that the reviewer does not have access to that older information.

The following are the levels of discipline that can be imposed.

- **Counseling and training**

  Informal corrective action provided by supervisors for observed conduct is deemed not disciplinary and is not considered in progressive discipline for a sustained finding.

- **Written reprimand**

- **Salary reduction**

- **Fine**

- **Suspension**

  The Chief of Police or his or her designee must approve suspensions from duty up to 10 days. The City administrator, upon recommendation of the Chief, approves suspensions that exceed 10 days.

- **Demotion**

  The City administrator administers a reduction in rank, upon recommendation of the Chief, when a sustained finding for an offense compromises or prevents a member or employee from functioning in a supervisory capacity.

- **Termination**

  The City administrator administers termination upon the recommendation of the Chief.

INTERNAL INVESTIGATIONS AND DUE PROCESS CONSIDERATIONS.

Every sworn member of the Department is entitled to a *Skelly* "due process" hearing when the Chief has provisionally approved discipline higher than a written reprimand. A *Skelly* hearing is conducted by an impartial and non-involved reviewer who determines whether reasonable grounds exist for the proposed discipline.

> *Skelly* **Hearings**
>
> A *Skelly* hearing is not a full trial-type hearing. The member has no right to representation by counsel to confront or cross-examine witnesses. A member may instead choose to respond in writing and forgo a hearing.
>
> In determining whether reasonable grounds exist for proposed discipline, the Skelly Officer needs to consider the following:
>
> - Did the Department adequately warn the member or employee of the consequences of their conduct?
>
> - Did the Department investigate the allegation before administering discipline?
>
> - Was the investigation complete, fair and objective?
>
> - Did the investigation establish a preponderance of evidence to support the finding?
>
> - Were the rules, orders, and penalties applied without bias?
>
> - Is the proposed discipline just, considering the member or employee's past disciplinary record?

While an at-will or probationary employee has no property interest in employment, they have a right to a *Lubey* hearing if they are terminated for reasons that could result in imposing stigma or limit future employment opportunities. *Lubey* hearings are conducted in the same manner as Skelly hearings.

Finally, pursuant to California Government Code Section 3304 (d), "no punitive action, nor denial of promotion on grounds other than merit, shall be undertaken for any act, omission, or other allegation of misconduct if the investigation of the allegation is not completed within one year of the public agency's discovery by a person authorized to initiate an investigation of the allegation of an act, omission, or other misconduct and the subject is notified of any proposed disciplinary action." OPD policy requires the investigation to be completed, reviewed and approved within 180 days.

OBSERVATIONS FROM INTERVIEWS

Supervisors' Role in Internal Investigations

Field sergeants are responsible for most internal investigations. These investigations are conducted during their work hours while they also have responsibility for their duties of overseeing officers and providing guidance. Some field sergeants expressed concern about being burdened with many investigations and being taken away from active supervision in the field. This is especially important given the short turnaround time expected.

However, involving supervisors in investigations has shown to improve supervision. Supervisors who handle complaint investigations have a better understanding of misconduct issues in the field and are in a position to mitigate the problems in the future as their awareness of potential issues increases.

Training for DLIs

Field sergeants receive very little training on how to conduct DLIs. The 2019 Sergeant Transition Course included only two hours of training from IAD regarding DLIs. Supervisors are also required to attend an 80-hour Peace Officer Standards and Training (POST) Sergeant's course, but it reportedly spends very little time on internal affairs and is not Oakland-specific. Given that most of the internal investigation are DLIs assigned to field sergeants, it is important that the field sergeants be sufficiently trained. Limited training and time to conduct investigations can lead to inconsistency, delay and inadequate investigations.

Tracking System

Field sergeants, lieutenants and captains do not appear to have a uniform tracking system for tracking timelines for submitting completed investigations, which may lead to requests for extensions beyond the statutorily required timelines.

Checks and Balances

The OPD's practice of conducting multiple levels or review of investigations and disciplinary decisions creates some checks and balances in the system and is a good practice to assist in ensuring that investigations are thorough and unbiased.

Sharing IAD Data

The Department does not share overall IAD data with its employees to help address the perception of fairness, which the Department's leadership may want to reconsider. Many departments have mechanisms to share key data, without revealing the identity of disciplined personnel, to help educate employees on the disciplinary process and to make the process more transparent.

Disciplinary Matrix

OPD captains and command staff consistently use a disciplinary matrix, which is a best practice and can be helpful to ensure that consistency and fairness in discipline. However, we noted that not everyone using the matrix uses it the same way (i.e., while some reported that they start in the middle and work up or down while others may start at the bottom and go up). This autonomy also could increase perceptions of bias regarding disciplinary outcomes.

Disparities in Discipline

Interviewees expressed concern about disparities in discipline but more often cited cliques or groups as a factor, rather than race or gender. While favoring individuals of a clique may not be an overt sign of bias based on race or gender, the impact may still result in a disparate impact on certain races and genders depending on the makeup of the cliques.

# Probationary Releases from the OPD's Academy and Field Training Programs

While the OPD provided us with data regarding attrition from the Academy and the Field Training Programs, our review focused on those individuals who were released from probation from the Academy for some type of misconduct as well as those individuals who did not successfully complete the Field Training Program. The data should be reviewed with caution and also requires a thorough understanding of the Department's recruitment efforts and the backgrounds of those that apply for the police officer position. In some instances, the data may show that those of a certain gender or race have increased rates of release from probation from the academy or lower rates of FTO program success. We describe some of the data here, but our focus is on the procedural aspects related to resignation or removal from the academy or FTO programs.

THE ACADEMY

The OPD's academy program is 26 weeks long, covering 1,100 hours of instruction, which is greater than the 664 hours required by the California Commission on POST. The course is divided into 43 individual learning domains, which must be passed in order to graduate from the academy.

The OPD provided us its Academy Attrition Master list. The list includes data from Academy 172 (2015) to Academy 182 (2019). The list included the academy number, gender and race of the trainee, as well as information about whether the person graduated and a reason for not completing.

After cleaning the data and removing duplicates, the data showed that of the 415 individuals entering the Academy, the overwhelming number of persons entering the academy during that time period were male (341). The following charts show the number of people entering the Academy broken down by gender and race.

Total Academy Entrants by Gender Classes 172-182
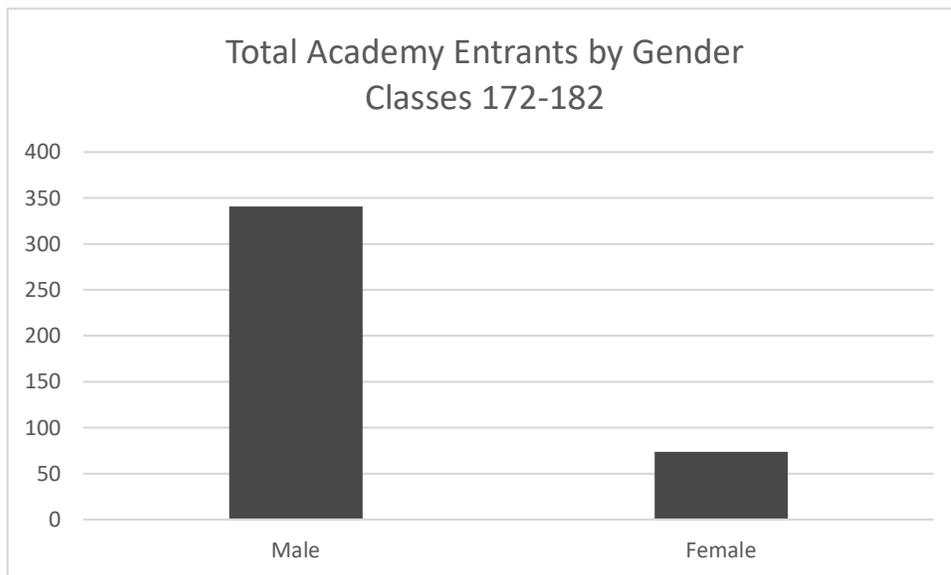
Hispanics (35 percent) were the highest percentage of academy entries, followed by white (27 percent), Asian (20 percent) and black (18 percent) respondents, as demonstrated below.

Total Academy Entrants by Race
Class 172-182

Native American 0%
White 27%
Asian 20%
Black 18%
Hispanic 35%

■ White   ■ Black   ■ Hispanic   ■ Asian   ■ Native American
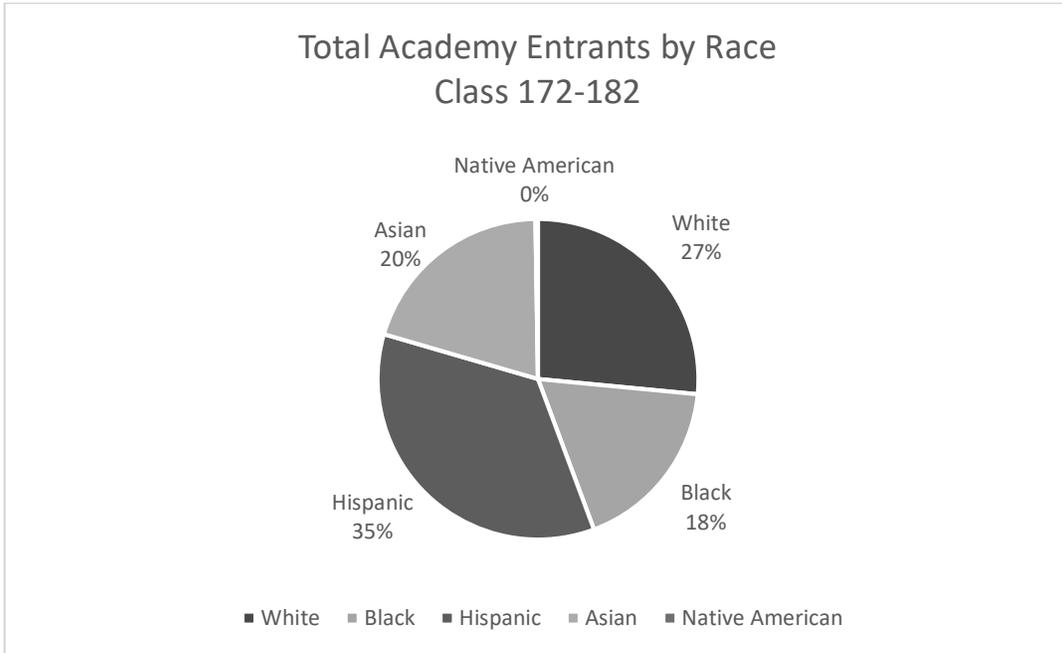
We further broke down the academy entries by race and gender together as follows:

| Race	Male	Female
White	92	18
Black	63	11
Hispanic	108	38
Asian	87	6
Native American	1	None

As the focus on this analysis was releases from probation from the academy based on some type of behavioral issue, we reviewed cases where an individual in the academy was released or resigned with a termination pending. For the academy classes 172 through 182 (roughly between 2014 and 2018), 17 individuals were released prior to completing the academy. The racial breakdown for those individuals is contained in the following table.

Race	Number Released from Probation
White	4
Black	7
Hispanic	5
Asian	1
Native American	None

Thirteen of the released individuals were men and four were women. Of the four females released, two were black and two were Hispanic.

Finally, we looked at releases from probation from the academy by race as compared to the total population of persons of that race entering the academy. The following chart shows that black individuals were more likely to be released as opposed to other individuals of another race.

Releases from Probation by Race
Class 172-182
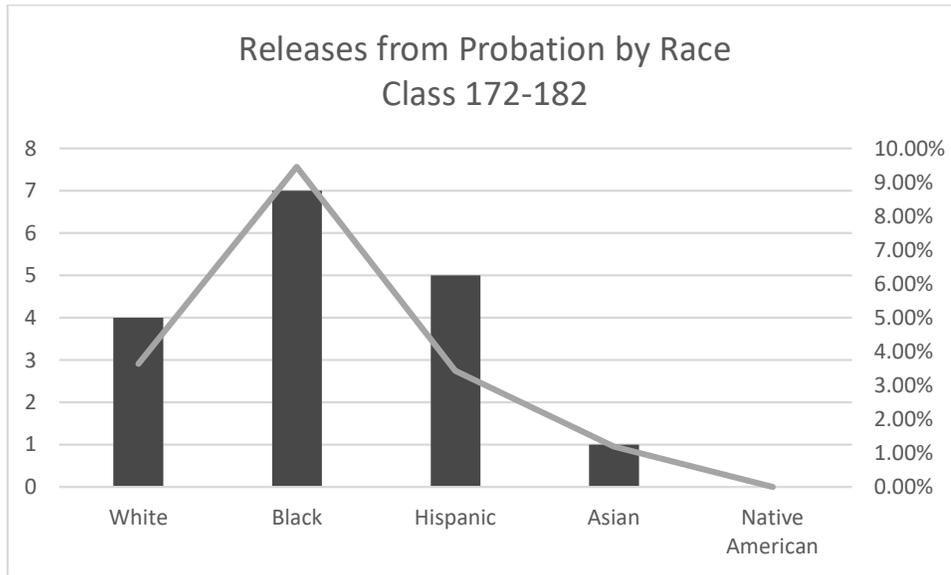
As detailed above, 9.46 percent percent of black employees were released from the Academy during that time period as opposed to 3.64 percent of white, 3.42 percent of Hispanic and 1.19 percent of Asian individuals. It is important to note that most of these releases were during the 2017 177th Academy class with nine individuals released from that class. Five of these nine were male black recruits. The remaining were a white man, an Asian man, a Hispanic man and a Hispanic woman. The data we received did not indicate that releases from probation occurred after the 180th Class.

The next step in our analysis was to review the reasons for release from probation from the academy and supporting documents. The reasons varied and included integrity issues, truthfulness, cheating, failure to disclose Class-1 misconduct, safety violations, general demeanor, using offensive and derogatory language and arrests by outside agencies. These releases were well documented with memos to the Chief of Police and containing the release recommendation and supporting information.

We reviewed available files documenting the reasons for release from probation from the academy and observed the following.

- While twice as many black trainees were released than white or Hispanic trainees, our review of the files associated with the releases indicated that on a surface level, the releases seemed to be appropriate.

- In some instances, we noted that some release from probation justifications included peer review and associated comments to support release. At the recommendation of the OPD's Office of Inspector General, OPD leadership codified the practice of using academy peer evaluations into written policies to be used as both a risk management tool and a hiring and performance training metric. While peer

reviews can be helpful to identify potential performance issues, the academy coordinator should be cautious in the use of these peer reviews as they could be problematic and present an opportunity where bias can exist.

FIELD TRAINING PROGRAM

The OPD's Field Training Program consists of 16 weeks of in-car instruction between a trainee officer and a series of FTOs. The FTO, the FTO's patrol sergeant and the Field Training Program Coordinator monitors their progress. Trainees complete four, four-week rotations with three different FTOs. The first and fourth rotations are generally with the same FTO.

The training program includes daily evaluations, which are documented by the FTO in the Daily Observation Reports (DORs). Trainees are evaluated on 35 different categories of performance. Trainees also are expected to meet weekly with the patrol sergeant and FTO to discuss the recruits' overall progress and discuss their strengths or weaknesses.

Two senior FTOs serve as field training coordinators. These field training coordinators are responsible for monitoring the progress of a group of trainees and developing remedial plans to assist the trainee as required. Field training coordinators are expected to meet every four weeks with the FTOs and patrol sergeants to discuss the recruit's performance and address any special training needs.

The field training coordinators are required to conduct a personal interview with each trainee prior to the trainee being assigned to a new FTO.

If trainees are not deemed successful during the 16-week program, they can be offered remedial plans to assist them in completing the program. A trainee can receive several extensions as long as they demonstrate responsiveness to training. The extensions mirror Phase 4 of the Field Training Program.

When a decision is made to remove an unsuccessful trainee, the lieutenant in charge of the FTO program meets with the FTO coordinators to discuss the decision to terminate. Ultimately, Human Resources and the Chief must approve the decision to terminate.

We reviewed FTO completion rates by race and gender to look for any significant disparities. The table below shows completion rates for black and Asian trainees lagged behind those for Hispanic and white trainees. Asian trainees had the lowest completion rate based on rate. We also note that they also had the highest rate of resignation.

RACE	# Complete	% Complete	# Removed	% Removed	# Resigned	% Resigned
Asian	59	74.7	5	6.3	14	17.7
Black	56	80.0	5	7.1	9	12.9
Hispanic	120	84.5	5	3.5	13	9.2
White	120	87.0	2	1.4	15	10.9
Other	2	100.0	0	0	0	0
Unknown	17	85.0	1	5.0	2	10.0
Overall Total	374	82.9	18	4.0	53	11.8

Importantly, of the 60 women who entered the field training program, 57 completed it successfully, while two resigned and one was removed for poor performance.

Our review of complaint records, as well as interviews with various staff, indicated that concerns had been raised that FTOs were attempting to convince trainees to resign, rather than face the prospect of being removed from the academy. The OPD informed us that it recently clarified the policy to FTOs that they should not discuss potential resignations with the trainees.

Observations

- Prohibiting FTOs from discussing resignation with a recruit who is struggling in the training program is an appropriate practice. It may be appropriate for supervisors to conduct such discussions if they are provided training and guidance to assist in avoiding the appearance of impropriety and bias. The prior practice could have led to concerns and perception of bias towards groups who may have felt that they were being unduly pressured to resign when they were struggling.

- Ensuring that a trainee works with different FTOs is a good practice in that it provides checks and balances to ensure that decisions are not made because of bias or other issues.

- Once a trainee has successfully completed the field training program, the Training Division does not track them; however, supervisors and chain of command still track officers. Additionally, the Department's PRIME database tracks performance for all employees, Because the Training Division does not track officers during their probationary periods in the field, the Department loses the opportunity to measure efficiently how well individuals who complete the program perform in the field, especially those who have been provided additional chances to pass. This information can provide valuable input to the OPD to modify its training to ensure the long-term success of its officers.

- The Training Unit has begun to invite candidates' families to see the academy and participate in social events. This provides an opportunity to create a support group for the trainees and their families.

- The OPD is developing a mentoring program that pairs a trainee with a mentor who is not their FTO. This is a good practice that OPD should consider expanding to include individuals in the training academy and those who have completed the Field Training Program.

Review of Complaint and Discipline Data from 2014 to 2018

OVERVIEW

In this section of the report, we examine the factors that influence whether a complaint against a sworn member of the OPD was sustained after investigation. Our analysis is based on data obtained from the IAD records system. The system includes complaints received since 2014.

This section includes a technical detailed analysis of complaints, outcomes and the race and gender of the involved members. It is important to include the detailed analyses in this section so that a reader familiar with research methods can understand how we were able to reach certain conclusions. Those conclusions are summarized at the end of this section.

The data is arranged so that each separate allegation receives a unique system identifier. That is, each allegation lodged against an employee represents a record in the file. As a result, one incident can result in many records. For example, if a complaint is lodged alleging that officer X was rude and used excessive force during the same incident, that would result in a single case number but two unique records in the file. Moreover, if the same complaint was filed against two officers (e.g., two-officer police unit), the file would have four unique records (2X2). Importantly, each allegation has a finding, and that is the unit of analysis for our inquiry.

We eliminated two categories of cases from the file. First, we discounted the cases in which the subject of the complaint was listed as "unknown." Second, we eliminated cases in which the investigation was not yet complete. As a result, each of our cases has a named employee and a finding. After this reduction, our data set consisted of 26,333 records. These represent employee allegation cases. In this data set, we identified 741 unique sworn members.

SUMMARY DATA

First, we examine the summary data. Table 1 illustrates the distribution by gender and Table 2 shows the distribution by race.[4] About 58 percent of complaints are lodged against sworn members who identify as a minority.

Table 1: Distribution by gender

Gender	Count
Female	2,710
Male	23,623
Total	**26,333**

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[4]   For some individuals in the data set, we received their name but no information about their race.

Table 2: Distribution by race

Race	Count
Asian	3,535
Black	4,315
Filipino	949
Hispanic	6,250
Native American	142
White	11,142
Total	**26,333**

Table 3 illustrates the job classification for the members.[5] Of this group, 3,295 complaints (13 percent) have been lodged against supervisory or command personnel.

Table 3: Job classifications

Race	Count
Captain of Police (PERS)	51
Deputy Chief of Police (PERS)	20
Lieutenant of Police (PERS)	303
Lieutenant of Police-84 (PERS)	11
Police Officer (PERS)	20,953
Police Officer-84 (PERS)	2,085
Sergeant of Police (PERS)	2,765
Sergeant of Police-84 (PERS)	145
Total	**26,333**

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[5]   This analysis only includes complaints lodged against sworn personnel of all ranks. We sometimes use the word officer to describe this group of employees.

In Table 4, we observe the nature of Manual of Rules (MOR) violations for the 26,333 cases.

Table 4: Manual of Rules (MOR) violations

MOR Description	Count
Absence From Duty	3
Accessing, Viewing, Downloading, Providing, Sharing Inappropriate Material	1
Assisting Criminals	222
Commanding Officers - Authority And Responsibilities (Gross Dereliction Of Duty) Includes All Of The 234.00 Subsections	4
Commanding Officers - Authority And Responsibilities Includes All Of The 234.00 Subsections	155
Compromising Criminal Cases	2
Conduct Toward Others Demeanor	1,762
Conduct Toward Others Harassment And Discrimination	1,196
Conduct Toward Others Identity Profiling By Gender	9
Conduct Toward Others Identity Profiling By Mental Disability	3
Conduct Toward Others Identity Profiling By Race Or Ethnicity	458
Conduct Toward Others Identity Profiling By Religion	4
Conduct Toward Others Identity Profiling By Sexual Orientation	6
Conduct Toward Others Relationships	1
Conduct Toward Others Workplace Violence	2
Conduct Towards Others - Unprofessional Conduct In Violation Of Ai 71	29
Consumption Of Intoxicants	24
Court Appearances	2
Custody Of Prisoners - Treatment	454
Custody Of Prisoners - Treatment And Maintaining Control	8

MOR Description	Count
Damaged, Inoperative Property Or Equipment	7
Department Property And Equipment - Collision W/ Gross Negligence	2
Department Property And Equipment - Improper Use/Care/Failure To Carry	1
Department Property And Equipment - Loss/Damage	4
Department Property And Equipment - Misappropriation/Misuse	10
Department Property And Equipment - Preventable Collision	315
Department Property And Equipment - Securing Weapon	2
Endorsements And Referrals No Fee Is Exchanged	2
Failure To Accept Or Refer A Complaint (Unintentional)	699
General Conduct	367
Gifts, Gratuities Soliciting Or Accepting	20
Identification As Police Officer	4
Improper Dissemination Of Computer Information	4
Insubordination – Disrespect	7
Insubordination - Failure To Obey A Lawful Order	6
Insubordination - Refusal To Obey A Lawful Order	2
Interfering With Investigations	18
Intoxicants On Departmental Premises	1
No Mor Violation	29
Notification – Criminal	3
Notification Of Subpoena To Testify For The Defense	1
Obedience To Laws Driving Under The Influence	42
Obedience To Laws Felony	381

MOR Description	Count
Obedience To Laws Misdemeanor/Infraction	140
Obstructing The Internal Affairs Process	7
Other Terminology/Direction - Rules/Regulations	6
Other Terminology/Direction - Rules/Regulations	1
Performance Of Duty – General	4,321
Performance Of Duty Care Of Property	3,861
Performance Of Duty Intentional Search, Seizure, Or Arrest	158
Performance Of Duty Miranda Violation	106
Performance Of Duty Pdrd	395
Performance Of Duty Planting Evidence	27
Performance Of Duty Unintentional/Improper Search, Seizure, Or Arrest	5,413
Prevention Of Harassment, Discrimination And Retaliation	4
Prohibited Activity On Duty	11
Refusal To Accept Or Refer Complaint (Intentional)	63
Refusal To Provide Name Or Serial Number	428
Reporting Violations Of Laws, Ordinances, Rules Or Orders (Class I)	173
Reports And Bookings	74
Retaliation	32
Security Of Departmental Business	12
Service Complaint	4
Supervisors - Authority And Responsibilities (Gross Dereliction Of Duty) Includes All Of The 285.00 Subsections Except 285.90	9
Supervisors - Authority And Responsibilities Includes All Of The 285.00 Subsections Except 285.90	143

MOR Description	Count
Truthfulness	86
Use Of Physical Force – Any	519
Use Of Physical Force - Non-Reportable Use Of Force	127
Use Of Physical Force - Unintentional Discharge Of Firearm	2
Use Of Physical Force Comparable To Level 1	132
Use Of Physical Force Comparable To Level 2	568
Use Of Physical Force Comparable To Level 3	766
Use Of Physical Force Comparable To Level 4	2,394
Use Of Privileged Information	77
Use Of Tobacco Products While On Duty	2
Total	**26,333**

As indicated above, more than 54 percent of the complaints are related to performance of duty and just over 15 percent are related to use of force.

Table 5 illustrates the classification of allegation by seriousness. Class One are the more serious offenses.

Table 5: MOR code classifications

MOR Code	Count
0	33
1	8,634
2	17,666
Total	**26,333**

In Table 6, we observe the outcomes of the investigations. As we can see, 2,065 (about 8 percent) investigations resulted in a sustained finding.

Table 6: Distribution of outcomes

Findings	Count
Admin Closure	229
Exonerated	7,113
Informally Resolved	681
Not Sustained	1,592
Sustained	2,065
Unfounded	14,653
Total	26,333

RELATIONSHIP BETWEEN RACE AND FINDING

Our first analysis looks at the relationship between the race of the employee who has received a complaint and whether that complaint resulted in a sustained finding. Our approach consists of a contingency table and a Chi-Square Test. In this type of analysis, we compare the actual distribution of outcome by race and whether an investigation resulted in a sustained finding.[6]

Table 7 shows our observed data. In the first column, we see the employee race. The following four columns demonstrate observed versus expected numbers for other than sustained and sustained cases. The bottom row and last column that illustrate the column and row totals.

So, for example, a total of 6,250 complaints involved Hispanic officers. Of that number, 467 (7.4 percent) were sustained. White officers received, 11,142 complaints, of which 797 (7.2 percent) were sustained. This data reflects what is **observed**.

As for the **expected** data, we calculated the expected values for each cell we use the following formula.

EXPECTED: Row Total X Column Total
_____

   Total Cases

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6   The OPD has a separate category of outcome called "not sustained." We use the term "other than sustained" to describe all dispositions other than sustained.

For example, if we want to find the expected value for Asians and sustained complaints, we would multiply 3,817 (officer total) X 2,432 (sustained total) and divide that product by 29,248 (total cases). The result is 317.39.

Table 7: Observed versus expected data sets and number of complaints sustained

RACE	OTHER THAN SUSTAINED Observed	OTHER THAN SUSTAINED Expected	SUSTAINED Observed	SUSTAINED Expected	TOTAL By Race
Asian	3,257	3,257.79	278	277.21	3,535
Black	3,874	3,976.62	441	338.38	4,315
Filipino	873	874.58	76	74.42	949
Hispanic	5,783	5,759.88	467	490.12	6,250
Native American	136	130.86	6	11.14	142
White	10,345	10,268.26	797	873.74	11,142
TOTAL By Result[7]		24,268		2,065	26,333

One way to think about Table 7 is to consider that if race is not a factor in the finding, the observed values would be equal to the expected values, given that all other things being equal. However, for example, we observe that complaints against black officers were sustained 441 times, but we would expect that they would be sustained 338 times.

We can actually conduct a statistical test to determine whether the differences between the two tables are large enough to suggest an effect of race. It is called the Chi-Square Test of Independence.

In this test, we construct null and alternative hypotheses. The null hypothesis H0 states there is no difference between employee race and the case finding — that they are independent. The alternative hypothesis H1 suggests that they are not independent.

We conduct a statistical test and the results are illustrated below.

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[7] We rounded these totals up due to negligible percentage differences.

Table 8: Results of Chi-Square Test

Chi Square Test for Independence	
H0	Race and Findings are Independent
H1	Race and Findings are Dependent
Degrees of Freedom	5
Chi Square (Table Value .05 Significance)	11.07
Chi Square (Calculated)	44.88
P value is Less than .05 We can reject H0	

In this case, we reject the null hypothesis. As a result, we can argue that race and case findings are not independent. We are assuming that the two variables are related to one other, that they covary, that the dependent variable is influenced by the independent variable – that the finding you get *does* depend on your race.

RELATIONSHIP BETWEEN GENDER AND FINDINGS

Next, we look at the relationship between finding and gender. We can see the observed and expected values in Table 9.

Table 9: Observed versus expected data sets for gender and sustained cases

GENDER	OTHER THAN SUSTAINED Observed	OTHER THAN SUSTAINED Expected	SUSTAINED Observed	SUSTAINED Expected	TOTAL By Gender
Female	2,538	2,497.49	172	212.51	2,710
Male	21,730	21,770.51	1,893	1,852.49	23,623
TOTAL By Result		24,268		2,065	26,333

This analysis indicates that complaints against female sworn employees are sustained less than would be expected, while complaints against male sworn employees are sustained more than would be expected.

We also provide the Chi-Square Test results and, like the analysis of race and finding, gender and finding are also dependent.

Table 10: Chi Square Results for Gender

Chi Square Test for Independence	
H0	Gender and Findings are Independent
H1	Gender and Findings are Dependent
Degrees of Freedom	2
Chi Square (Table Value .05 Significance)	3.84
Chi Square (Calculated)	9.34
P value is Less than .05 We can reject H0	

LOGISTICAL REGRESSION FOR OTHER FACTORS

Thus far, we have only examined the unique relationship between employee race, gender and finding. Next, we want to find out the extent, if at all, other factors might influence the finding.

The usual approach for this type of analysis is multiple regression. This allows the researcher to identify the effects of one or more independent variables on a dependent variable. Importantly, because independent variables often contribute jointly to a finding (e.g., parent's education and child's education often both contribute to the child's annual salary) multiple regression allows you to identify the effect on a single variable while holding the others constant.

In our case, we need to use a special form of regression analysis: logistic regression. This is because our dependent variable (finding) is binary (sustained versus other than sustained).

In order to conduct this analysis, we construct what are commonly called "dummy variables." For example, our data set has a variable called employee race. We transformed that variable into six dummy variables. That is, we created a new variable called "Hispanic." For that variable, if a person was Hispanic, they would be coded as 1, if not zero. We did that for all of the racial categories and for gender. We also included a variable for years of service. Finding is coded 1 for sustained and 0 for other than sustained.

We conducted this analysis in two stages. In the first analysis, we included race, gender and years of service. The results of this logistic regression analysis appear below.

Table 11: Results of logistic regression

Characteristic	Coefficients	Odds
Intercept	-0.0546	0.9468
Male	-0.0269	0.9735
Female	-0.3067	0.7359
Years of Service	0.0071	1.0072
Asian	0.0352	1.0358
black	0.3191	1.3759
Filipino	0.0160	1.0161
Hispanic	-0.0173	0.9828
Native American	-0.4472	0.6394
White	-0.0532	0.9482

When a logistic regression is calculated, the regression coefficient is the estimated increase in the log odds of the outcome per unit increase in the value of the independent variable.

In the column for Coefficients, we observe the effect of the independent variable on the finding while controlling for the other variables. Other than Sustained is coded zero, so that a variable with a negative coefficient indicates that it would more likely lead to an "Other than Sustained" finding.

The odds ratio is more informative. Odds ratios are used to compare the relative odds of the occurrence of the outcome given exposure to the variable of interest. The odds ratio can also be used to determine whether a particular exposure is a factor for a particular outcome, and to compare the magnitude of various risk factors for that outcome.[8]

- OR=1 Exposure does not affect odds of outcome

- OR>1 Exposure associated with higher odds of outcome

- OR<1 Exposure associated with lower odds of outcome.

In our case, many of the odds ratios are less than one, suggesting that they would be less likely to result in a sustained finding. By contrast, for black officers, the odds ratio is 1.37, suggesting that even after controlling

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[8] https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2938757/

for other factors, those members are 37 percent more likely to have their allegation result in a sustained finding.

For the second analysis, we have added the MOR class to the equation. Recall that Class One offenses are more serious than Class Two. The table below shows the percentage of allegations sustained based on the MOR Code. MOR Code 0 was reflected in the dataset, but these cases refer to allegations that were determined to not be violations of the Department's rules.

Table 12: Percentage of allegations sustained based on the MOR Code

MOR Code	Other Than Sustained	Sustained	Total	Percentage Sustained
0	33	0	33	N/A
1	8,303	331	8,634	3.83
2	15,932	1,734	17,666	9.82
Total	24,268	2,065	26,333	8.51

In order to do the logistic regression, we constructed two dummy variables. "MOR 1" is coded 1 if it is a Class One offense and 0 if not. MOR 2 is coded 1 if it is a Class Two Offense and 0 if not. Table 13 illustrates the analysis that includes the MOR 1 variable.

Table 13: Logistic regression results including MOR Code 1

Characteristic	Coefficients	Odds
Intercept	-0.089	0.915
Male	0.241	1.272
Female	-0.040	0.961
Years of Service	0.007	1.007
Asian	0.092	1.097
Black	0.327	1.387
Filipino	0.023	1.023
Hispanic	0.027	1.027
Native American	-0.403	0.668
White	-0.058	0.944
MOR Code 1	-1.004	0.367

When we add the MOR Class, we observe some interesting findings. First, we observe that the likelihood of obtaining a sustained finding is very small for MOR Code 1 complaints (odds ratio is .367). Next, the odds for a black individual is unchanged from the earlier analysis.

The following table shows the results when we include the MOR 2 variable.

Table 14: Logistic regression with MOR Code 2 variable

Characteristic	Coefficients	Odds
Intercept	-0.481	0.618
Male	-0.275	0.759
Female	-0.556	0.574
Years of Service	0.007	1.007
Asian	-0.009	0.991
Black	0.227	1.255
Filipino	-0.079	0.924
Hispanic	-0.074	0.928
Native American	-0.505	0.604
White	-0.159	0.853
MOR Code 2	1.010	2.744

Note the significant change when we look at the MOR 2 cases. As we can see, the strongest predictor of whether a Class Two case is sustained is that it is a Class Two and not a Class One. That is, Class Two offenses are much more likely to be sustained than Class One offenses.

This could be explained in a variety of ways. For example, these cases are less complex and the evidence may be more readily attainable, or that because the consequences are less severe, the agency may be more inclined to sustain the complaint. Interestingly, even while controlling with the effects of MOR Class, black officers are still 25 percent more likely to have a complaint sustained.

RELATIONSHIP BETWEEN RACE, GENDER AND DISCIPLINE

We now turn our attention to the relationship between race, gender and discipline. Our study is based on 606 cases in which an officer was disciplined. We use the same contingency table approach. The following tables demonstrate the observed versus expected data for race and discipline.

Table 15: Observed values for race and discipline

DISCIPLINE DESCRIPTION	ASIAN	BLACK	FILIPINO	HISPANIC	N.A.	WHITE	TOTAL By Discipline
Assoc. Other Cases	0	1	0	0	0	0	1
C - Counseling & Training	29	50	11	70	3	111	274
Held in Abeyance	0	0	0	1	0	0	1
L- Last Chance Agreement	0	0	0	1	0	0	1
N - No Discipline	0	0	0	1	0	1	2
P - Released from Probation	0	0	0	1	0	1	2
R - Resigned	1	0	0	1	0	0	2
Refer to Log	0	0	0	1	0	0	1
Retired	0	0	0	0	0	1	1
S - Suspension	14	23	1	30	1	44	113
T - Termination	2	2	0	1	0	6	11
W - Written Reprimand	24	38	4	51	1	79	197
TOTAL By Race	70	114	16	158	5	243	606

Table 16: Expected values for race and discipline

DISCIPLINE DESCRIPTION	ASIAN	BLACK	FILIPINO	HISPANIC	N.A.	WHITE	TOTAL By Discipline
Assoc. Other Cases	0.12	0.19	0.03	0.26	0.01	0.40	1
C - Counseling & Training	31.65	51.54	7.23	71.44	2.26	109.87	274
Held in Abeyance	0.12	0.19	0.03	0.26	0.01	0.40	1
L- Last Chance Agreement	0.12	0.19	0.03	0.26	0.01	0.40	1
N - No Discipline	0.23	0.38	0.05	0.52	0.02	0.80	2
P - Released from Probation	0.23	0.38	0.05	0.52	0.02	0.80	2
R - Resigned	0.23	0.38	0.05	0.52	0.02	0.80	2
Refer to Log	0.12	0.19	0.03	0.26	0.01	0.40	1
Retired	0.12	0.19	0.03	0.26	0.01	0.40	1
S - Suspension	13.05	21.26	2.98	29.46	0.93	45.31	113
T - Termination	1.27	2.07	0.29	2.87	0.09	4.41	11
W - Written Reprimand	22.76	37.06	5.20	51.36	1.63	79.00	197
TOTAL By Race	70	114	16	158	5	243	606

Below, we illustrate the Chi-Square test of independence for race and discipline.

Table 17: Results of Chi-Square Test of Independence

Chi Square Test for Independence	
H0	Discipline and Race are Independent
H1	Discipline and Race are Dependent
Degrees of Freedom	55
Chi Square (Table Value .05 Significance)	73.31
Chi Square (Calculated)	28.18907366
P value is More than .05 We cannot reject H0	

As shown above, the observed values are very close to the expected values.

Next, we examine the contingency table analysis for gender and discipline. The table shows the observed and expected values.

Table 18: Observed versus expected values for gender

DISCIPLINE DESCRIPTION	FEMALE Observed	FEMALE Expected	MALE Observed	MALE Expected	TOTAL By Discipline
Assoc. Other Cases	1	0.125	0	0.875	1
C - Counseling & Training	42	34.363	232	239.637	274
Held in Abeyance	0	0.125	1	0.875	1
L- Last Chance Agreement	0	0.125	1	0.875	1
N - No Discipline	0	0.251	2	1.749	2
P - Released from Probation	0	0.251	2	1.749	2
R - Resigned	0	0.251	2	1.749	2
Refer to Log	0	0.125	1	0.875	1
Retired	0	0.125	1	0.875	1
S - Suspension	14	14.172	99	98.828	113
T - Termination	0	1.380	11	9.620	11
W - Written Reprimand	19	24.706	178	172.294	197
TOTAL by Gender		76		530	606

Table 19 shows the results of the Chi-Square test of independence. In this, the type of discipline administered is affected by gender. For example, that female officers are more likely than male officers to receive counseling and training for discipline than expected.

Table 19: Chi-Square results for gender and discipline

Chi Square Test for Independence	
H0	Discipline and Gender are Independent
H1	Discipline and Gender are Dependent
Degrees of Freedom	11
Chi Square (Table Value .05 Significance)	19.68
Chi Square (Calculated)	14.87
P value is Less than .05 We cannot reject H0	

SUMMARY[9]

Our key findings include the following.

- An officer's race and gender affect whether an allegation lodged against them is sustained.

- For all complaints, black individuals are 37 percent more likely to have their complaints sustained while controlling for gender and years of service.

- Complaints classified as Class Two are much more likely to be sustained than Class One complaints.

- For Class One complaints, black individuals are almost 39 percent more likely to have the complaint sustained, while controlling for gender and years of service.

- For Class Two complaints, the biggest predictor is the class itself, but black individuals are still 25 percent more likely to have a complaint sustained.

- Complaints against female sworn employees are sustained less than would be expected, while complaints against male sworn employees are sustained more than would be expected.

- An officer's race does not affect the type of discipline administered, but their gender does. For example, female officers are more likely than male officers to receive counseling and training for discipline than expected.

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[9]   We used the following sources to inform our data analysis.

"Examining racial disparity in the police discipline process" Jeff Rojek, Scott Decker. Police Quarterly Volume 12:4, 2009

Statistics for Criminology and Criminal Justice Fourth Edition. Ronet D. Bachman, Raymond Paternoster. Sage: 2016

Statistics in Criminal Justice. Weisburd, David, Britt, Chester. Springer 2014

Recommendations

Recommendations	
1	Regularly audit and spot check processes and monitor data regarding **internal investigation outcomes and discipline** to measure progress in eliminating disparities based on race.
2	Exercise caution in using the IAD investigator as both **fact finder and adjudicator**, as this raises challenges to principles of investigative neutrality and may contribute to perceptions of investigator bias. The fact finder for an internal investigation should not be the same individual who makes the determination of the finding. At a minimum, the next-level supervisor should read the investigative report and decide as to the finding of the complaint.
3	Have the lieutenant or command staff member who approved the sustained finding present the **reasoning for the investigation's outcome** to the Chief's disciplinary roundtable, rather than the investigator. The investigator should be available for questions.
4	Explore the possibility of assigning an **administrative sergeant** within a division to assist with DLIs.
5	Increase the number of **DLI sergeants** in the IAD to conduct more of the preliminary work related to a DLI and to aid field sergeants assigned to investigate complaints.
6	Have field sergeants and IAD investigators provide **additional training** on internal investigation techniques, including report writing and guidance to ensure that complainant, subject member or witness statements are not written in the first person. Statements should be attributed properly to avoid a charge that the investigator is biased when choosing a perspective to believe. Training should also include guidance on how to incorporate procedural justice concepts into the internal investigation and discipline process.
7	Increase the **transparency** of internal investigation and disciplinary outcomes by distributing quarterly summaries of open cases, cases closed with a finding, and disciplinary outcomes. While protecting the identity of accused Department members, the summaries should include brief fact patterns and reference the number of prior sustained findings when discussing case outcomes.
8	Ensure that PDRs only include disciplinary history of sustained cases within the **five year period.**
9	Have the academy integrate opportunities for **FTOs** to engage with the candidates before they are formally released to the Field Training Program to establish some familiarity and rapport. This could be accomplished through guest lecture opportunities or meet-and-greets on topics and scenarios to expect when the recruits enter the FTO stage.
10	Ensure that command staff have some consistent **visibility** at the academy to provide new officers with a familiarity of their command structure prior to graduation.
11	Start the OPD's mentoring program for trainees at the beginning of the academy and continue through the Field Training Program to provide additional assistance or mentoring as the trainees move through various stages of the process.

12	Expand the practice of conducting focus groups of trainees in the Field Training Program to include additional **feedback mechanisms** such as pre- and post-surveys and listening sessions. Continue to conduct **confidential exit interviews** with trainees who did not successfully complete the academy or field training program.
13	Develop a policy that states that once a decision is made to release a trainee from probation during the Field Training Program, the trainee should be placed on **administrative leave** or in an assignment that does not involve public contact until all appropriate paperwork is completed.
14	Expand the **tracking of trainees** after completion of their training program so that leadership can gain additional feedback about the success rate of individuals who leave the program, especially those who have been provided additional chances to meet training standards. This expands upon the recommendation of the OPD's Inspector General to prioritize an electronic system of record keeping allowing for a quick and comprehensive review of all trainees and academy performance.

Conclusions and Next Steps

Current IAD and OPD leadership genuinely appear to be attempting to improve and change policies and practices regarding investigating complaints and disciplining officers. As mentioned earlier in our report, the OPD has undergone significant modifications to policies and procedures in the last two years as a result of the NSA and other significant deficiencies in how investigations were being handled. Even with a significant backlog in investigations and shortages in staff, the IAD was able to temporarily add staff to address it.

The IAD should continue to coordinate with all relevant units to ensure efficient processing of complaints and ensure training is provided to all the parties involved in the process. If the Department has provided procedural justice training to everyone or is still in the process of doing so, it should ensure that IAD staff and first-line and command staff receive that training as it relates to internal procedural and organizational justice.

The perceptions of distrust and bias in the disciplinary process and in the academy will continue to perpetuate if leadership are not modeling what is being taught at the academy and being required by the NSA and the most recent court actions.

Our statistical analyses indicated that over the five-year study period, black officers were more likely to have an investigative case sustained against them than officers of other races. Additionally, once a case was sustained, we found no disparities in disciplinary outcomes based on race.

Although we could not identify specific reasons that caused the disparity in investigative outcomes, we highlighted that those who shared their concerns perceived that the system is unfair, and this remains a primary concern for many OPD officers and staff. The OPD must remain vigilant to identify areas of subjectivity in the processing of complaints and ensure all complaints are documented, including those of high-profile, high-ranking or favored groups.

**The Oakland Police Department's Response to the
Police Discipline Disparity Study**

In March 2019, the Oakland Police Department engaged enterprise risk management consulting firm Hillard Heintze to review the Department's internal investigative and discipline processes to identify potential racial and gender disparities in its internal officer discipline. The study's most important finding is that statistical analysis indicated over the five-year study period between 2014 and 2018, Black officers were on average 37% more likely to have an investigated complaint of misconduct sustained against them than officers of other races. This disparity increased to 39% for Class One complaints. For Class Two complaints (less serious), Black officers were 25% more likely to have the complaint sustained. Once a case was sustained, however, there were no disparities found in imposed sanctions.

This study identified disparities and the Department affirms that these findings are unacceptable. The guiding principles of the Department embrace fairness and procedural justice, and it is vital that those tenets are adhered to both internally and externally. We are committed to mitigating any and all race and gender disparities within our systems and processes to ensure our employees regain a sense of trust and equitable treatment.

While the study could not identify the specific reasons that caused the disparity in investigative outcomes, we embrace the findings and will engage in an aggressive process designed to identify and mitigate these disparities. To help achieve this goal, the Oakland Police Department's Race and Equity Team will partner with our City's Department of Race and Equity to conduct a Race and Equity Impact Analysis on the Department's disciplinary process. During this analysis, we will seek out and welcome input and collaboration with noted experts in the field, to include Dr. Jennifer Eberhardt, as well as our employees and the involved stakeholder groups in this endeavor.

The study also revealed disparate outcomes based on race and gender with regard to releases from the Academy and Field Training Programs. This finding is also significantly troubling as it is a key imperative for the Department to reflect its community and ensure a diverse and local police force. Because the study

noted the data was too limited to reach meaningful conclusions about disparity among trainee releases, the study provided scant recommendations to address possible racial bias in the Academy and Field Trainee Programs. As a result, the Department will utilize the Race and Equity Impact Analysis to further assess and address potential racial and gender disparities in these programs. The Department is committed to ensuring fair and equitable treatment to all those who are under its command and recognizes the importance of ensuring equity and representing and reflecting the communities served.

Racial disparity within the Department, in the Academy and beyond has been and remains a primary concern for Department staff and we thank our employee organizations and community for assisting in this study. This study reflects the Department's commitment to self-evaluation, evidence-based decision-making, and continuous improvement. We appreciate that this study has given us direction about where disparity exists, and some measure of that disparity. It is our intent to continue investigation into the discipline process and academy and recruit training by conducting the Race Equity Impact Analysis to determine which policies and practices can be adjusted to reduce the disparities and protect against bias and disparity based on race and gender.

**

The Department embraces and holds as core principles equity and procedural justice. We believe that these principals begin internally with our systems and processes to ensure equitable and fair treatment of our employees as well as potential recruits. We embrace many of the recommendations in the Hillard Heintze study and recognize that there are still unanswered questions which additional analysis may help address. Hillard Heintze found that disparities exist in the internal investigative process but did not identify if the disparities were due to implicit bias, external bias, or inconsistent systems.

The Department looks forward to engaging our Race and Equity team with the expertise and consultation of the City's Department of Race and Equity and with technical assistance from Dr. Eberhardt. This Race Equity Impact Analysis will work to identify what aspects of the investigative process may be leading to disparate outcomes and to design additional recommendations to cover areas not addressed by the Hillard Heintze recommendations. We look forward to ongoing

collaboration with the stakeholder group and the Police Commission on this important work.

We have already implemented and will continue to build on measures that are underway to improve the equity and consistency of internal investigative and disciplinary processes and will continue to identify and implement additional actions to further improve internal and disciplinary processes. Rigorous efforts to define and clarify investigative standards and enhance consistency throughout the disciplinary process have been ongoing since the issues first surfaced and will continue.

Between 2015 and 2017, a Court appointed investigator issued three separate reports on aspects of the Department's discipline process. The three reports made several recommendations, which the Department has implemented over the course of the past five years. The changes made resulting from the reports, along with the additional measures we have taken, are listed below.

- The Department has strengthened its partnership with the Office of the City Attorney (OCA), involving OCA staff throughout the investigative process (assisting with investigative questions through arbitration).
- A City Attorney staff position has been dedicated to the Department.
- The Department and the OCA have provided more comprehensive training to Commanders who serve as Skelly Officers (officers in discipline hearings).
- The Internal Affairs Division (IAD) Commander meets with the Chief of Police and City Administrator on a regular basis to discuss IAD matters.
- IAD has issued clear guidance on the review process to ensure fair, thorough, and prompt internal investigations, and to increase accountability.
- IAD has increased the amount of training provided to supervisors on conducting internal investigations, including both routine training courses and individualized training opportunities.
- IAD reallocated current staff and was provided additional staff on loan pending budget approval from the City of Oakland.
- The Academy has implemented a number of new programs, such as a trainee mentoring program and guest speakers to enhance trainee

perspectives. The Training Division is implementing adult-based, service-oriented learning strategies, which is an approach to training outlined in the President's Task Force on 21st Century Policing.

- The Department provided implicit bias training to all sworn members and Procedural Justice training to all employees.
- In conjunction with the Director of the City's Department of Race and Equity, the Department provided Race and Equity Training for commanders and managers. In addition, several employees attended a Race and Equity Academy hosted by the City's Department of Race and Equity. The Race and Equity training consisted of four modules totaling 14-16 hours.
- The Department has a Race and Equity Team, trained by the City's Department of Race and Equity, to work on issues of race and equity within the Oakland Police Department. The Department's Team will continue to work closely with the Department of Race and Equity Director and staff, and Department leadership, to address equity and work to identify root causes of disparities in policies and procedures, and to advise changes to address them. Among its planned efforts, the interagency team will conduct a Race Equity Impact Analysis on the Department's disciplinary process.

In addition to the steps already taken, the Department will work with the Department of Race and Equity to evaluate the fourteen recommendations made by Hillard Heintze and develop appropriate measures for assessing the extent to which those recommendations reduce disparities based on race and gender. The recommendations include bolstering staffing for internal investigations, enhancing investigative training, increasing data analysis and transparency, and augmenting programs in the Academy and Field Training. While the Department has already implemented some of the recommendations, there are recommendations that require a resource assessment, such as additional staffing for division level investigations and building new reports to capture discipline data. Also, there are some recommendations that require additional research and analysis, for example, the recommendation to separate the role of fact finder and adjudicator in the investigative process.

Although the Hillard Heintze study includes several recommendations that may reduce bias in the internal investigative process, we recognize that none of the

recommendations in the study pertaining to the Academy and Field Training Program directly reference race and gender, and do not provide any explanation about why or how these recommendations may tend to reduce potential race and gender disparity. The Department must track and analyze future outcomes to determine whether any of the implemented recommendations have the desired impact on disparity, what that impact is, and what other measures may be taken to precisely target and protect against bias and disparate treatment in the Academy and Field Training Program.

The Department's initiative to enact a Race Equity Impact Analysis will identify where in the investigative process bias may be leading to disparate outcomes, and how to mitigate them. We are committed to working toward equitable outcomes and ensuring policies and practices safeguard against bias and disparate treatment based on race and gender. This is paramount to maintaining trust within all of our employee groups, and credibility within the communities we serve.

Background

Hillard Heintze was selected by a small group of stakeholders (including the Director of Oakland's Department of Race and Equity, one of the Plaintiffs' Attorneys [in *Allen*] and Department staff, including the IAD Commander, a Professional Staff Supervisor and the Deputy Director of Bureau of Services) and tasked with conducting a review of the discipline process and administrative investigation of complaints of misconduct for sworn personnel of all ranks, Police Officer Trainees in the Academy, and probationary officers in the Field Training Program for the five-year period from January 1, 2014, through December 31, 2018.

Upon completion of the firm's initial draft of the study, a larger stakeholder group, including sworn union representatives, the Plaintiffs' Attorneys [in *Allen*], the Director of the City's Department of Race and Equity, the Community Police Review Agency (CPRA) Director, and Department staff, reviewed and discussed the study. The stakeholder group identified significant shortcomings in the study, ranging from a failure to remove non-sworn personnel from the population it reviewed to a lack of detailed analysis. The stakeholder group shared its concerns with Hillard Heintze and asked the firm to re-run the data pursuant to the

contracted scope of work. After several additional months, following the firm's re-run of the data and multiple discussions among the stakeholder group, the group continued to have concerns about the study. At the last meeting (during which the Chair of the City of Oakland's Police Commission also joined the stakeholder group), the Department and the stakeholder group decided to accept the study rather than amend the contract with Hillard Heintze to have the firm perform additional analysis.

The final Hillard Heintze study does not address numerous concerns expressed by the stakeholder group, including the following:

- The analysis lacks detail. For example, it did not assess if disparity exists among certain types of allegations or in findings other than those that were "sustained."
- The findings and recommendations do not provide detail about which step or steps in the investigative process may be leading to disparate outcomes.
- The data was not analyzed on a year-by-year basis to identify if disparity had changed over time.
- The study was unable to address differences between complaints that were internally versus externally generated.
- The study did not include an in-depth analysis on the Academy and Field Training Program. It only focused on 17 trainees who resigned or were released from the Academy and field training.

Notwithstanding the study's shortcomings, the findings showed and provided a measure of racial disparity in the internal investigative process, specifically for Black sworn employees. It also revealed disparity based on race and gender with regard to releases from the Academy and Field Training Programs. These are concerning findings that warrant the Department's immediate attention and additional investigation, analysis, and discussion to ensure that the Department employs practices that most effectively safeguard against implicit and explicit racial bias.

Although not included as a key finding in its study, Hillard Heintze conducted an anonymous survey, to which 260 sworn employees responded, revealing concerns about the fairness of the internal investigation and discipline process. Over 80% of survey respondents disagreed or strongly disagreed that the

Department's disciplinary process is fair and transparent. Nearly 80% of survey respondents agreed or strongly agreed that **rank** plays a factor in both the outcome of internal investigations and discipline determinations. Approximately 36% of survey respondents agreed or strongly agreed that **race** plays a factor in both the outcome of internal investigations and discipline determinations. The survey findings were also concerning to the Department as an indication of reduced trust that Department leadership must work to repair.

The Department embraces and expects that all of our members will practice Procedural Justice when dealing with the public. There can be no question that these principles of equity, respect, and fairness must begin internally and be modeled throughout the Department.

To whom it may concern,

On Friday May 15, 2020, the Oakland Police Department released the findings of the discipline disparity study along with the department's response. The Oakland Black Officers Association's Executive Board has been aware of the Racial Disparity Study from the outset, in fact, it was the OBOA that raised concerns related to racial disparities in discipline nearly two years ago, which ultimately led to the completion of this study.

Hillard Heintze LLC. conducted the study; the report captured data from the department's internal investigative process over a five-year period, dating back to 2014. The key finding from the report indicated, Black officers were found to be nearly 40% more likely to have complaints of misconduct result in a sustained finding, compared to officers of other races. While these findings came as no surprise to the OBOA, they are still deplorable and very disheartening. The department referred to the findings as "unacceptable" in its response, and we wholeheartedly agree.

While the study focused on the disparate treatment of Black officers in the discipline process, there were other significant findings worth noting:

- Disparities also existed for Black officer trainees in the Basic Police Academy and Field Training Unit, respectively.
- 80% of officers of all races surveyed disagreed or strongly disagreed, the department's disciplinary process was fair and transparent.
- 80% of officers of all races surveyed agreed or strongly agreed, rank plays a role in the outcomes of internal investigations.

Clearly, the level of distrust in the internal affairs and discipline process impacts every officer of every race, and I believe it is reflective of challenges in departmental leadership and the culture within the organization.

The findings from the study clearly supports and validates the longstanding perception that Black officers are treated differently. The treatment starts in the academy and lasts throughout their careers. This unfair treatment has been a real challenge for all current, past, and future Black officers. These results clearly do not align with the department's core values of fairness and integrity.

If Black Officers are being treated unfairly internally, then how can our community have confidence that officers can treat them fairly?

The Oakland Black Officers Association has been advocating on behalf of its members for 50 years. During this time, the OBOA and its members have been subject to criticism, mockery, resentment, and departmental discrimination when speaking out about issues related to race. In the face of undisputable data, I am sadly aware that members of the OBOA and Black officers within the department will be confronted with trivial, confrontational, and counterproductive questions and comments regarding the findings of this study. This behavior is not acceptable at any rank and should be discouraged. Let me be very clear, the OBOA will vigorously advocate for its members and any officer or professional staff member who suffers mistreatment or retaliation as a result of this study.

Mayor Schaaf has offered her support and shares her deep disappointment in the findings of this study. Mayor Schaaf has been clear that she will personally prioritize the work being done to ensure the "Highest and most progressive standards of excellence" within our department.

I am proud the Oakland Police Department is taking steps to completely eradicate institutional racism and bias by acknowledging the need for change. The Oakland Black Officers Association will remain vigilant in its partnerships with stakeholders to mandate the fair and equitable treatment of all members. As President, I am confident that these broken systems will be identified and retrofitted to become inclusive, fair, and equitable for all.

In Service,
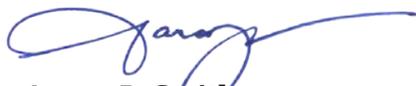
Aaron R. Smith
President – Oakland Black Officers Association

Links:

Oakland Police Department Discipline Disparity Study, Hillard Heintze

(https://cao-94612.s3.amazonaws.com/documents/Hillard-Heintze-Report-for-the-Oakland-Police-Department-04-23-20-1.pdf)

Oakland Police Department's Response to the Discipline Disparity Study

(https://cao-94612.s3.amazonaws.com/documents/OPD-Response-to-Disparity-Study-final-1500-hrs.pdf)

2 of 2

Language from police body camera footage shows racial disparities in officer respect

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Using footage from body-worn cameras, we analyze the respectfulness of police officer language toward white and black community members during routine traffic stops. We develop computational linguistic methods that extract levels of respect automatically from transcripts, informed by a thin-slicing study of participant ratings of officer utterances. We find that officers speak with consistently less respect toward black versus white community members, even after controlling for the race of the officer, the severity of the infraction, the location of the stop, and the outcome of the stop. Such disparities in common, everyday interactions between police and the communities they serve have important implications for procedural justice and the building of police–community trust.

racial disparities | natural language processing | procedural justice | traffic stops | policing

Over the last several years, our nation has been rocked by an onslaught of incidents captured on video involving police officers' use of force with black suspects. The images from these cases are disturbing, both exposing and igniting police–community conflict all over the country: in New York, Missouri, Ohio, South Carolina, Maryland, Illinois, Wisconsin, Louisiana, Oklahoma, and North Carolina. These images have renewed conversations about modern-day race relations and have led many to question how far we have come (1). In an effort to increase accountability and transparency, law enforcement agencies are adopting body-worn cameras at an extremely rapid pace (2, 3).

Despite the rapid proliferation of body-worn cameras, no law enforcement agency has systematically analyzed the massive amounts of footage these cameras produce. Instead, the public and agencies alike tend to focus on the fraction of videos involving high-profile incidents, using footage as evidence of innocence or guilt in individual encounters.

Left unexamined are the common, everyday interactions between the police and the communities they serve. By best estimates, more than one quarter of the public (ages 16 y and over) comes into contact with the police during the course of a year, most frequently as the result of a police-initiated traffic stop (4, 5). Here, we examine body-worn camera footage of routine traffic stops in the large, racially diverse city of Oakland, CA.

Routine traffic stops are not only common, they are consequential, each an opportunity to build or erode public trust in the police. Being treated with respect builds trust in the fairness of an officer's behavior, whereas rude or disrespectful treatment can erode trust (6, 7). Moreover, a person's experiences of respect or disrespect in personal interactions with police officers play a central role in their judgments of how procedurally fair the police are as an institution, as well as their willingness to support or cooperate with the police (8, 9).

Blacks report more negative experiences in their interactions with the police than other groups (10). Across numerous studies, for example, blacks report being treated less fairly and respectfully in their contacts with the police than whites (6, 11). Indeed,

some have argued that racial disparities in perceived treatment during routine encounters help fuel the mistrust of police in the controversial officer-involved shootings that have received such great attention. However, do officers treat white community members with a greater degree of respect than they afford to blacks?

We address this question by analyzing officers' language during vehicle stops of white and black community members. Although many factors may shape these interactions, an officer's words are undoubtedly critical: Through them, the officer can communicate respect and understanding of a citizen's perspective, or contempt and disregard for their voice. Furthermore, the language of those in positions of institutional power (police officers, judges, work superiors) has greater influence over the course of the interaction than the language used by those with less power (12–16). Measuring officer language thus provides a quantitative lens on one key aspect of the quality or tone of police–community interactions, and offers new opportunities for advancing police training.

Previous research on police–community interactions has relied on citizens' recollection of past interactions (10) or researcher observation of officer behavior (17–20) to assess procedural fairness. Although these methods are invaluable, they offer an indirect view of officer behavior and are limited to a small number of interactions. Furthermore, the very presence of researchers may influence the police behavior those researchers seek to measure (21).

> ## Significance
>
> Police officers speak significantly less respectfully to black than to white community members in everyday traffic stops, even after controlling for officer race, infraction severity, stop location, and stop outcome. This paper presents a systematic analysis of officer body-worn camera footage, using computational linguistic techniques to automatically measure the respect level that officers display to community members. This work demonstrates that body camera footage can be used as a rich source of data rather than merely archival evidence, and paves the way for developing powerful language-based tools for studying and potentially improving police–community relations.

PSYCHOLOGICAL AND COGNITIVE SCIENCES

In study 1, human participants rated officer utterances on several overlapping dimensions of respect. With a high degree of agreement, participants inferred these dimensions from officer language. Even though they were not told the race of the stopped driver, participants judged officer language directed toward black motorists to be less respectful than language directed toward whites. In study 2, we build statistical models capable of predicting aspects of respect based on linguistic features derived from theories of politeness, power, and social distance. We discuss the linguistic features that contribute to each model, finding that particular forms of politeness are implicated in perceptions of respect. In study 3, we apply these models to all vehicle stop interactions between officers of the Oakland Police Department and black/white community members during the month of April 2014. We find strong evidence that utterances spoken to white community members are consistently more respectful, even after controlling for contextual factors such as the severity of the offense or the outcome of the stop.

Data

Our dataset consists of transcribed body camera footage from vehicle stops of white and black community members conducted by the Oakland Police Department during the month of April 2014. We examined 981 stops of black ($N = 682$) and white ($N = 299$) drivers from this period, 68.1% of the 1,440 stops of white and black drivers in this period. These 981 stops were conducted by 245 different officers (see *SI Appendix, Data Sampling Process* for inclusion criteria). Per Oakland Police Department policy, officers turn on their cameras before making contact with the driver and record for the duration of the stop. From the 183 h of footage in these interactions, we obtain 36,738 usable officer utterances for our analysis.

Study 1: Perceptions of Officer Treatment from Language. We first test whether human raters can reliably judge respect from officers' language, and whether these judgments reveal differences in officer respect toward black versus white community members.

Respect is a complex and gradient perception, incorporating elements of a number of correlated constructs like friendliness and formality. Therefore, in this study, we ask participants to rate transcribed utterances spoken by officers along five conceptually overlapping folk notions related to respect and officer treatment. We randomly sampled 414 unique officer utterances (1.1% of all usable utterances in the dataset) directed toward black ($N = 312$) or white ($N = 102$) community members. On each trial, participants viewed the text of an officer utterance, along with the driver's utterance that immediately preceded it. All proper names and places were anonymized, and participants were not told the race or gender of the driver. Participants indicated on four-point Likert scales how respectful, polite, friendly, formal, and impartial the officer was in each exchange. Each utterance was rated by at least 10 participants.

Could participants reliably glean these qualities from such brief exchanges? Previous work has demonstrated that different perceivers can arrive at similar judgments from "thin slices" of behavior (22). In a similar vein, participants showed consistency in their perceptions of officer language, with reliability for each item ranging from moderate (Cronbach's $\alpha = 0.73$) to high ($\alpha = 0.91$) agreement (see *SI Appendix, Annotator Agreement*). These results demonstrate that transcribed language provides a sufficient and consensual signal of officer communication, enough to gain a picture of the dynamics of an interaction at a given point in time.

To test whether participant ratings uncovered racial group differences, we averaged scores across raters to calculate a single rating on each dimension for each utterance, then built a linear mixed-effects regression model to estimate the fixed effect of community member race across interactions, controlling for variance of a random effect at the interaction level. Officer utterances directed toward black drivers were perceived as less respectful [$b = -0.23$, 95% confidence interval (-0.34, -0.11)], polite [$b = -0.23$ (-0.35, -0.12)], friendly [$b = -0.24$ (-0.36, -0.12)], formal [$b = -0.16$ (-0.30, -0.03)], and impartial [$b = -0.26$ (-0.39, -0.12)] than language directed toward white drivers (Fig. 1). These differences persisted even when controlling for the age and sex of the driver (see *SI Appendix, Model Outputs for Each Rated Dimension*).

Given the expected conceptual overlap in the five perceptual categories we presented to the participants, we used principal component analysis to decompose the ratings into their underlying components. Two principal components explained 93.2% of the variance in the data (see *SI Appendix, Principal Component Analysis (PCA) Loadings* for loadings). The first component, explaining 71.3% of the variance and composed of positive loadings on the impartial, respectful, friendly, and polite dimensions with some loading on the formal dimension, we characterize as Respect, broadly construed. The second, explaining 21.9% of the variance and composed primarily of a very high positive loading on the formal dimension and a weak negative loading on the friendly dimension, we characterize as Formality. This component captures formality as distinct from respect more generally, and is likely related to social distance.

Standardizing these factor scores as outcome variables in mixed-effects models, we find that officers were equal in Formality with white and black drivers [$\beta = -0.01$ (-0.19, 0.16)], but higher in Respect with white drivers [$\beta = 0.17$ (0.00, 0.33)] (Fig. 1).

Study 1 demonstrates that key features of police treatment can be reliably gleaned from officer speech. Participant ratings from thin slices of police–community interactions reveal racial disparities in how respectful, impartial, polite, friendly, and formal officers' language to community members was perceived. Such differences were driven by differences in the Respect officers communicated toward drivers rather than the Formality with which officers addressed them.

Study 2: Linguistic Correlates of Respect. The methods of study 1 (human coding of 414 individual utterances), although effective at discovering racial disparities in officer respect toward community members in our dataset, cannot offer a general solution to the analysis of body camera data. One problem is scale: Each year, on the order of 26 million vehicle stops are made (5). Furthermore, using only a small sample of individual utterances makes it impossible to study how police treatment varies over officers, or how the interaction progresses across time in each stop.
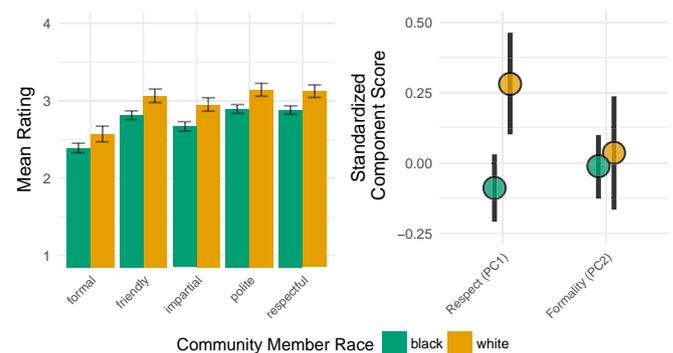

Fig. 1. (*Left*) Differences in raw participant ratings between interactions with black and white community members. (*Right*) When collapsed to two uncorrelated components, Respect and Formality, we find a significant difference for Respect but none for Formality. Error bars represent 95% confidence intervals. PC, principal component.

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In this study, we therefore develop computational linguistic models of respect and formality and tune them on the 414 individual utterances; in study 3, we apply these models to our full dataset of 36,738 utterances. Our method is based on linguistic theories of respect that model how speakers use respectful language (apologizing, giving agency, softening of commands, etc.) to mitigate "face-threatening acts." We use computational linguistic methods (e.g., refs. 23–26) to extract features of the language of each officer utterance. The log-transformed counts of these features are then used as independent variables in two linear regression models predicting the perceptual ratings of Respect and Formality from study 1.

Our model-assigned ratings agree with the average human from study 1 about as well as humans agree with each other. Our model for Respect obtains an adjusted R^2 of 0.258 on the perceptual ratings obtained in study 1, and a root-mean-square error (RMSE) of 0.840, compared with an RMSE of 0.842 for the average rater relative to other raters. Our model for Formality obtains an adjusted R^2 of 0.190, and an RMSE of 0.882 compared with 0.764 for the average rater (see *SI Appendix, Model Comparison to Annotators* for more details on how these values were calculated). These results indicate that, despite the sophisticated social and psychological cues participants are likely drawing upon in rating officers' utterances, a constrained set of objectively measurable linguistic features can explain a meaningful portion of the variance in these ratings.

Fig. 2 lists the linguistic features that received significant weights in our model of Respect (arranged by their model coefficients). For example, apologizing, gratitude, and expressions of concern for citizen safety are all associated with respect. The bars on the right show the log-odds of the relative proportion of interactions in our dataset taken up by each feature, where negative numbers mean that a feature comprised a larger proportion of officers' speech in interactions with black community members and positive numbers mean the same for interactions
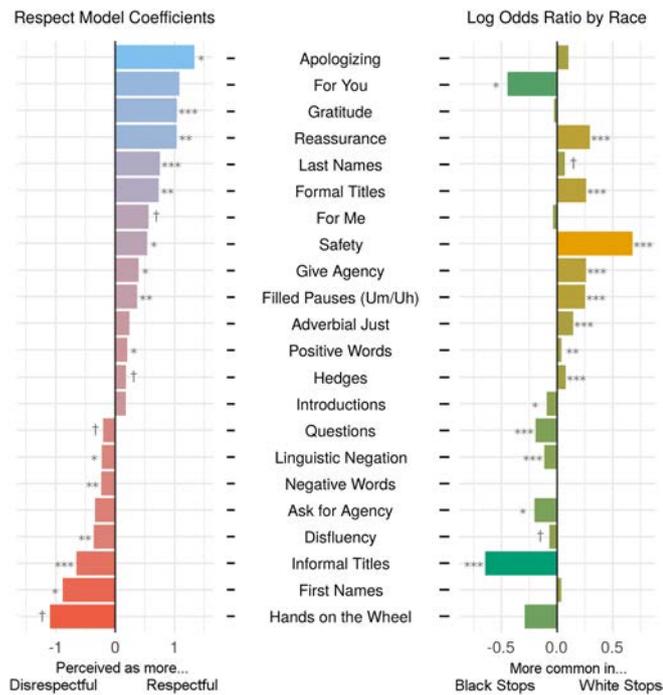

Fig. 3. Sample sentences with automatically generated Respect scores. Features in blue have positive coefficients in the model and connote respect, such as offering reassurance ("no problem") or mentioning community member well-being ("drive safe"). Features in red have negative coefficients in the model and connote disrespect, like informal titles ("my man"), or disfluencies ("that- that's").

with white community members. Example utterances containing instances of the highest-weighted features for the Respect model are shown in Fig. 3. See *SI Appendix, Study 2* for full regression outputs and more detailed discussion of particular linguistic findings.

Study 3: Racial Disparities in Respect. Having demonstrated that people can reliably infer features of procedural justice from officer speech (study 1), and that these ratings can be reliably predicted from statistical models of linguistic features (study 2), we are now able to address our central question: Controlling for contextual factors of the interaction, is officers' language more respectful when speaking to white as opposed to black community members?

We apply our models from study 2 to the entire corpus of transcribed interactions to generate predicted scores for Respect and Formality for each of the 36,738 utterances in our dataset. We then build linear mixed-effects models for Respect and Formality over these utterances. We include, as covariates in our primary model, community member race, age, and gender; officer race; whether a search was conducted; and the result of the stop (warning, citation, or arrest). We include random intercepts for interactions nested within officers.

Controlling for these contextual factors, utterances spoken by officers to white community members score higher in Respect [$\beta = 0.05$ (0.03, 0.08)]. Officer utterances were also higher in

Fig. 2. (*Left*) Respect weights assigned by final model to linguistic features and (*Right*) the corresponding log-odds of those features occurring in officer speech directed toward black versus white community members, calculated using Fisher's exact test. †$P < 0.1$; *$P < 0.05$; **$P < 0.01$; ***$P < 0.001$.

Respect when spoken to older [$\beta = 0.07$ (0.05, 0.09)] community members and when a citation was issued [$\beta = 0.04$ (0.02, 0.06)]; Respect was lower in stops where a search was conducted [$\beta = -0.08$ (−0.11, −0.05)]. Officer race did not contribute a significant effect. Furthermore, in an additional model on 965 stops for which geographic information was available, neither the crime rate nor density of businesses in the area of the stop were significant, although a higher crime rate was indicative of increased Formality [$\beta = 0.03$ (0.01, 0.05)].

One might consider the hypothesis that officers were less respectful when pulling over community members for more severe offenses. We tested this by running another model on a subset of 869 interactions for which we obtained ratings of offense severity on a four-point Likert scale from Oakland Police Department officers, including these ratings as a covariate in addition to those mentioned above. We found that the offense severity was not predictive of officer respect levels, and did not substantially change the results described above.

To consider whether this disparity persists in the most "everyday" interactions, we also reran our analyses on the subset of interactions that did not involve arrests or searches ($N = 781$), and found the results from our earlier models were fundamentally unchanged. Full regression tables for all models described above are given in *SI Appendix, Study 3*.

Another hypothesis is that the racial disparities might have been caused by officers being more formal to white community members, and more informal or colloquial to black community members. However, we found that race was not associated with the formality of officers' utterances. Instead, utterances were higher in Formality in interactions with older [$\beta = 0.05$ (0.03, 0.07)] and female [$\beta = 0.02$ (0.00, 0.04)] community members.

Are the racial disparities in the respectfulness of officer speech we observe driven by a small number of officers? We calculated the officer-level difference between white and black stops for every officer ($N = 90$) in the dataset who had interactions with both blacks and whites (Fig. 4). We find a roughly normal distribution of these deltas for officers of all races. This contrasts with the case of stop-and-frisk, where individual outlier officers account for a substantial proportion of racial disparities (27); the disparities we observe here cannot be explained by a small number of extreme officers.

Because our model is able to generate scores across all utterances in our dataset, we can also consider aspects of the trajectory of interactions beyond the mean level of respect (Fig. 5). Growth-curve analyses revealed that officers spoke with greater Respect [$b = 0.35$ (0.29, 0.40)] and reduced Formality [$b = -0.57$ (−0.62, −0.53)] as interactions progressed. However, these trajectories varied by community member race: Although stops of white and black drivers converged in the Formality expressed during the interaction [$b = -0.09$ (−0.13, −0.05)], the gap in Respect increased over time [$b = 0.10$ (0.05, 0.15)]. That is, offi-

cer Respect increased more quickly in interactions with white drivers [$b = 0.45$ (0.38, 0.54)] than in interactions with black drivers [$b = 0.24$ (0.19, 0.29)].

Discussion. Despite the formative role officer respect plays in establishing or eroding police legitimacy (7), it has been impossible to measure how police officers communicate with the public, let alone gauge racial disparities in officer respect. However, body-worn cameras capture such interactions every day. Computational linguistic techniques let us examine police–community contacts in a manner powerful enough to scale to any number of interactions, but sensitive enough to capture the interpersonal qualities that matter to the police and public alike.

In doing so, we first showed that people make consistent judgments about such interactions from officers' language, and we identified two underlying, uncorrelated constructs perceived by participants: Respect and Formality. We then built computational linguistic models of these constructs, identifying crucial positive and negative politeness strategies in the police–community interactional context. Applying these models to an entire month of vehicle stops, we showed strong evidence for racial disparities in Respect, but not in Formality: Officers' language is less respectful when speaking to black community members.

Indeed, we find that white community members are 57% more likely to hear an officer say one of the most respectful utterances in our dataset, whereas black community members are 61% more likely to hear an officer say one of the least respectful utterances in our dataset. (Here we define the top 10% of utterances to be most respectful and the bottom 10% to be least respectful.)

This work demonstrates the power of body camera footage as an important source of data, not just as evidence, addressing limitations with methodologies that rely on citizens' recollection of past interactions (10) or direct researcher observation of police behavior (17–20). However, studying body camera footage presents numerous hurdles, including privacy concerns and the raw scale of the data. The computational linguistic models presented here offer a path toward addressing both these concerns, allowing for the analysis of transcribed datasets of any size, and generating reliable ratings of respect automatically. These models have the potential to allow for useful information about an interaction to be extracted while maintaining officer and community member privacy.

The racial disparities in officer respect are clear and consistent, yet the causes of these disparities are less clear. It is certainly possible that some of these disparities are prompted by the language and behavior of the community members themselves, particularly as historical tensions in Oakland and preexisting beliefs about the legitimacy of the police may induce fear, anger, or stereotype threat. However, community member speech cannot be the sole cause of these disparities. Study 1 found racial disparities in police language even when annotators judged that language in the context of the community member's utterances. We observe racial disparities in officer respect even in police utterances from the initial 5% of an interaction, suggesting that officers speak differently to community members of different races even before the driver has had the opportunity to say much at all.

Regardless of cause, we have found that police officers' interactions with blacks tend to be more fraught, not only in terms of disproportionate outcomes (as previous work has shown) but also interpersonally, even when no arrest is made and no use of force occurs. These disparities could have adverse downstream effects, as experiences of respect or disrespect in personal interactions with police officers play a central role in community members' judgments of how procedurally fair the police are as an institution, as well as the community's willingness to support or cooperate with the police (8, 9).

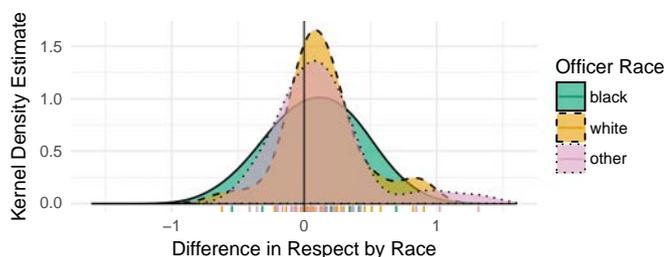**Fig. 4.** Kernel density estimate of individual officer-level differences in Respect when talking to white as opposed to black community members, for the 90 officers in our dataset who have interactions with both blacks and whites. More positive numbers on the *x* axis represent a greater positive shift in Respect toward white community members.
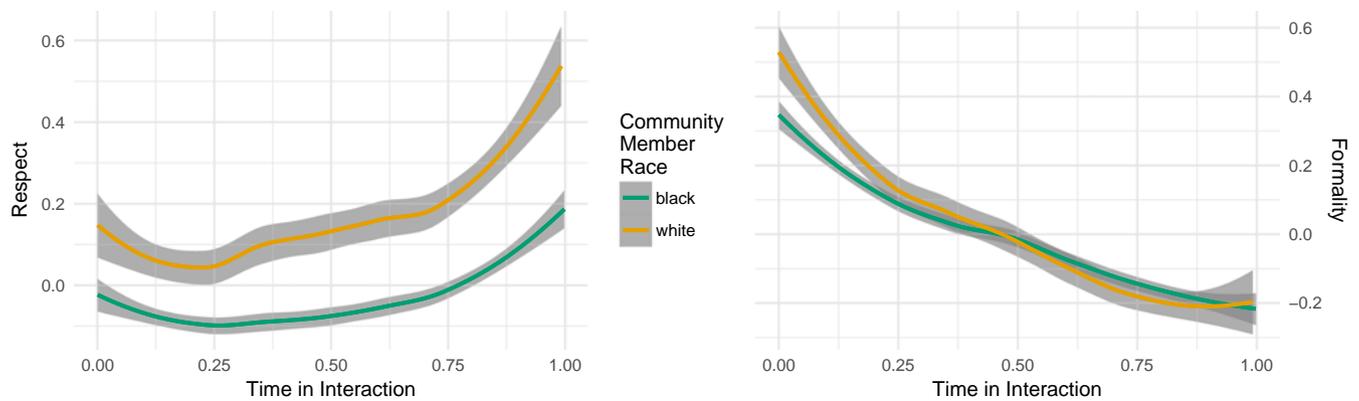
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Fig. 5. Loess-smoothed estimates of the (*Left*) Respect and (*Right*) Formality of officers' utterances relative to the point in an interaction at which they occur. Respect tends to start low and increase over an interaction, whereas the opposite is true for Formality. The race discrepancy in Respect is consistent throughout the interactions in our dataset.

We now have a method for quantifying these troubled interactions. Although the circumstances of any particular stop can vary dramatically, our approach allows us to measure aggregate department-level trends, revealing disparities across hundreds of interactions. These disparities are part of a constellation of differences in officer language spoken toward black versus white community members; a simple classifier trained on only the words used by officers is able to correctly predict the race of the community member in over two thirds of the interactions (see *SI Appendix, Linguistic Classification Accuracy of Race*).

Future research could expand body camera analysis beyond text to include information from the audio such as speech intonation and emotional prosody, and video, such as the citizen's facial expressions and body movement, offering even more insight into how interactions progress and can sometimes go awry. In addition, footage analysis could help us better understand what linguistic acts lead interactions to go well, which can inform police training and quantify its impacts over time.

The studies presented here open a path toward these future opportunities and represent an important area of research for the study of policing: Computational, large-scale analyses of language give us a way to examine and improve police–community interaction that we have never had before.

Materials and Methods

Data and Processing. The video for each traffic stop was transcribed into text by professional transcribers, who transcribed while listening to audio and watching the video. Extensive measures were taken to preserve privacy; data were kept on a central server, and transcribers (as well as all researchers) underwent background checks with the Oakland Police Department. Transcribers also "diarized" the text (labeling who was speaking at each time point). We used the diarization to automatically remove all officer speech to the dispatcher or to other officers, leaving only speech from the officer directed toward the community member. After transcription, transcripts were manually cleaned up, heuristically fixing transcriber diarization errors, and correcting typographical errors involving utterance timing so that all transcripts were automatically readable. Every utterance in the dataset was processed with Stanford CoreNLP 3.4.1 (28) to generate sentence and word segmentation, part-of-speech tags, and dependency parses used for feature extraction and analysis.

The raw video footage associated with this paper was available for our research purposes with the cooperation of the Oakland Police Department, and naturally cannot be publicly distributed. However, we make available deidentified data frames for each study described here, so that other researchers can replicate our results. We also release all of the code for the computational linguistic models, as well as pretrained models that can be run on arbitrary text.

Human Annotation of Utterances. A subset of 420 exchanges, consisting of one officer utterance (defined as a "turn" of one or more sentences by tran-

scribers) and, if applicable, the immediately preceding community member utterance were sampled from the corpus for annotation. Utterances were sampled with the constraint that at least 15 words were spoken between the two speakers, and that at least five words were spoken by the officer. These utterances were grouped into seven "batches" of 60 utterances apiece. Due to a data error, six duplicate utterances were annotated, but were excluded from subsequent analyses, resulting in 414 unique utterances toward black (N = 312) and white (N = 102) community members.

Each of 70 participants (39 female, M_{age} = 25.3) rated a batch of 60 of these utterances, such that each utterance was rated by at least 10 participants. On each trial, participants viewed the text of an exchange between a police officer and a community member: the text of the officer utterance, as well as the text of the community member utterance that immediately preceded it, if there was one. They then indicated, on four-point bipolar Likert scales, how respectful, polite, friendly, formal, and impartial the officer was in each exchange. Participants were allowed to indicate that they could not rate an utterance on a particular dimension, but were encouraged to nonetheless indicate their best guess. Participants had no other information about the interaction besides the officer's utterance and the immediately preceding community member utterance.

All research was approved by the Stanford University Institutional Review Board, and written informed consent was obtained from all raters before their participation.

Computational Annotation of Utterances. Our model draws on linguistic theories of politeness; the technical term "politeness" refers to how concepts like respect, formality, and social distance take shape in language. These theories suggest that speakers use polite or respectful language to mitigate face-threatening acts (29–31).

Negative politeness is used to mitigate direct commands or other impositions that limit the freedom of action of the listener, for example, by minimizing the imposition or emphasizing the agency of the interlocutor. Such strategies are central to police–community interactions because of the inherently coercive nature of a traffic stop. For instance, the use of the word "please" can soften requests and provide a sense of agency or choice; apologizing ("sorry," "excuse me") can admit regret on the part of the officer that some request is necessary; the use of hedges ("may," "kinda," "probably") may reduce the perception of imposition.

Positive politeness is used to show that the speaker values the interlocutor and their interests, or to minimize the impact of actions that could damage such a perception. Positive politeness strategies are also crucial for police–community interactions, where the inherently unequal social roles at play may necessitate a particular sensitivity to the community member's positive face. For instance, greetings and introductions can establish a friendly context at the beginning of an interaction and convey openness. Expressions of reassurance ("no big deal," "don't worry") seek to assuage the community member's potential concerns in tense circumstances, and expressions of gratitude ("thank you") serve to reduce the perceived power differential by deferring to the actions of the community member. Mentions of safety ("Drive safely now") explicitly acknowledge concern for the community member's personal well-being. Referring expressions are another important component of positive politeness;

formal titles ("sir," "ma'am," "Mr.," "Ms.") and surnames may convey a contrast with informal titles ("dude," "bro," "bud") and first names (31–33).

We also include features we expect to capture officer anxiety, such as speech disfluencies ("w- well") and commands to keep "hands on the wheel," which may contribute to a community member's perception of disrespect. These are of a different character than the politeness strategies discussed above, but we found that all analyses presented here hold true even if these features are not included.

We use standard techniques to automatically extract features from the text of each utterance (23–26). These features include lexicons (lists of words). For example, to detect informal titles, we used an augmented version of a word list from ref. 34. We also used regular expressions, such as for detecting tag questions ("do that for me, will you?"), and syntactic parse

features, such as a feature that detects when "just" is used in constructions as an adverbial modifier.

Features were modeled as log-transformed counts in each utterance, and were used as independent variables in two linear regression models predicting the human perceptual ratings of respect and formality obtained in study 1. They were introduced into the regression using stepwise forward selection by R^2 to remove features that don't substantially contribute to the model's accuracy.

1. President's Task Force on 21st Century Policing (2015) *Final Report of the President's Task Force on 21st Century Policing* (Off Commun Oriented Policing Serv, Washington, DC).
2. The White House (December 1, 2014) Fact sheet: Strengthening community policing. Press release (Washington, DC). Available at https://obamawhitehouse.archives.gov/the-press-office/2014/12/01/fact-sheet-strengthening-community-policing. Accessed February 1, 2017.
3. Reaves B (2015) *Local Police Departments, 2013: Personnel, Policies, and Practices* (US Dep Just Justice, Washington, DC), NCJ 248677.
4. Eith C, Durose M (2011) *Contacts Between Police and the Public, 2008* (Bur Justice Stat, Washington, DC).
5. Langton L, Durose M (2013) *Special Report: Police Behavior During Traffic and Street Stops, 2011* (Bur Justice Stat, Washington, DC).
6. Tyler TR, Huo Y (2002) *Trust in the Law: Encouraging Public Cooperation with the Police and Courts* (Russell Sage Found, New York).
7. Tyler TR, Blader SL (2003) The group engagement model: Procedural justice, social identity, and cooperative behavior. *Pers Soc Psychol Rev* 7:349–361.
8. Tyler TR, Bies RJ (1990) Beyond formal procedures: The interpersonal context of procedural justice. *Applied Social Psychology and Organizational Settings*, ed Carroll JS (Lawrence Erlbaum, Hillsdale, NJ), pp 77–98.
9. Mazerolle L, Antrobus E, Bennett S, Tyler TR (2013) Shaping citizen perceptions of police legitimacy: A randomized field trial of procedural justice. *Criminology* 51:33–63.
10. Epp CR, Maynard-Moody S, Haider-Markel DP (2014) *Pulled Over: How Police Stops Define Race and Citizenship* (Univ Chicago Press, Chicago).
11. Peffley M, Hurwitz J (2010) *Justice in America: The Separate Realities of Blacks and Whites* (Cambridge Univ Press, New York).
12. Giles H, Coupland J, Coupland N (1991) Accommodation theory: Communication, context and consequences. *Contexts of Accommodation: Developments in Applied Sociolinguistics*, eds Giles H, Coupland J, Coupland N (Cambridge Univ Press, New York), pp 1–68.
13. Gnisci A (2005) Sequential strategies of accommodation: A new method in courtroom. *Br J Soc Psychol* 44:621–643.
14. Ng SH, Bell D, Brooke M (1993) Gaining turns and achieving high influence ranking in small conversational groups. *Br J Soc Psychol* 32:265–275.
15. Nguyen VA, et al. (2014) Modeling topic control to detect influence in conversations using nonparametric topic models. *Mach Learn* 95:381–421.
16. Prabhakaran V, Rambow O (2014) Predicting power relations between participants in written dialog from a single thread. *Proceedings of the 52nd Annual Meeting of the Association for Computational Linguistics* (Assoc Comput Linguist, Stroudsburg, PA), pp 339–344.
17. Mastrofski SD, Parks RB, McCluskey JD (2010) Systematic social observation in criminology. *Handbook of Quantitative Criminology*, eds Piquero AR, Weisburd D (Springer, New York), pp 225–247.
18. Dai M, Frank J, Sun I (2011) Procedural justice during police-citizen encounters: The effects of process-based policing on citizen compliance and demeanor. *J Crim Justice* 39:159–168.
19. Jonathan-Zamir T, Mastrofski SD, Moyal S (2015) Measuring procedural justice in police-citizen encounters. *Justice Q* 32:845–871.
20. Mastrofski SD, Jonathan-Zamir T, Moyal S, Willis JJ (2016) Predicting procedural justice in police–citizen encounters. *Crim Justice Behav* 43:119–139.
21. Mastrofski S, Parks RB (1990) Improving observational studies of police. *Criminology* 28:475–496.
22. Ambady N, Bernieri FJ, Richeson JA (2000) Toward a histology of social behavior: Judgmental accuracy from thin slices of the behavioral stream. *Adv Exp Soc Psychol* 32:201–271.
23. Tausczik YR, Pennebaker JW (2010) The psychological meaning of words: LIWC and computerized text analysis methods. *J Lang Soc Psychol* 29:24–54.
24. Prabhakaran V, Rambow O, Diab M (2012) Predicting overt display of power in written dialogs. *Proceedings of the 50th Annual Meeting of the Association for Computational Linguistics* (Assoc Comput Linguist, Stroudsburg, PA), pp 518–522.
25. Danescu-Niculescu-Mizil C, Lee L, Pang B, Kleinberg J (2012) Echoes of power: Language effects and power differences in social interaction. *Proceedings of the 21st International Conference on World Wide Web* (Assoc Comput Mach, New York), pp 699–708.
26. Danescu-Niculescu-Mizil C, Sudhof M, Jurafsky D, Leskovec J, Potts C (2013) A computational approach to politeness with application to social factors. *Proceedings of the 51st Annual Meeting of the Association for Computational Linguistics* (Assoc Comput Linguist, Stroudsburg, PA), pp 250–259.
27. Goel S, Rao JM, Shroff R (2016) Precinct or prejudice? Understanding racial disparities in New York City's stop-and-frisk policy. *Ann Appl Stat* 10:365–394.
28. Manning CD, et al. (2014) The Stanford CoreNLP natural language processing toolkit. *Proceedings of the 52nd Annual Meeting of the Association for Computational Linguistics* (Assoc Comput Linguist, Stroudsburg, PA), pp 55–60.
29. Goffman E (1967) On face-work. *Interaction Ritual: Essays on Face-to-Face Behavior* (Anchor, Garden City, NY), pp 5–45.
30. Lakoff RT (1973) The logic of politeness: Minding your p's and q's. *Papers from the 9th Regional Meeting of the Chicago Linguistic Society*, eds Corum C, Smith-Stark T, Weiser A (Chicago Linguist Soc, Chicago), pp 292–305.
31. Brown P, Levinson SC (1987) *Politeness: Some Universals in Language Usage* (Cambridge Univ Press, Cambridge, UK).
32. Wood LA, Kroger RO (1991) Politeness and forms of address. *J Lang Soc Psychol* 10:145–168.
33. Boxer D (1993) Social distance and speech behavior: The case of indirect complaints. *J Pragmat* 19:103–125.
34. Krishnan V, Eisenstein J (2015) "You're Mr. Lebowski, I'm the Dude": Inducing address term formality in signed social networks. *Proceedings of the North American Chapter of the Association for Computational Linguistics*, eds Elangovan V, Eisenstein J (Assoc Comput Linguist, Stroudsburg, PA), pp 1616–1626.

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Supplementary Material for
"Language from police body camera footage
shows racial disparities in officer respect"

Contents

1 Data

1.1 Video Matching and Transcription

To observe how police officers communicated with community members, we sought body-worn camera footage from traffic stops conducted by the Oakland Police Department in a one-month period (April, 2014). Per OPD policy, officers are required to activate their camera for each stop they make, prior to making contact with the driver. Additionally, officers complete an electronic stop data form for each stop they make. This form links together information about the officer and community member demographics, along with information about the context (e.g. the date, time, and reason for the encounter) and outcomes of the stop (whether the officer issued a citation or searched the driver, for example).

We used these stop data forms to identify vehicle stops of black and white community members. Researchers manually matched videos to stops using the officer ID for the officer who wrote the stop report and the timestamp of the stop as identifiers. Videos were matched to 85.6% of stops.

Once videos were matched, a preliminary check was made to determine eligibility for transcription. To be transcribed, the officer recording the stop had to be the primary interlocutor for the community member, and the entirety of the stop had to be captured one recording to ensure adequate timestamping. We excluded stops where the recording we matched was from an officer who stood by the passenger door of the driver's car, for example, as well as stops where the officer activated their camera in the middle of the interaction. These exclusions resulted in 701 black and 308 white stops for transcription.

Transcribers underwent background checks and fingerprinting by the OPD in order to participate. They watched the videos and listened to the audio while transcribing via a secure streaming network connection. Each utterance was transcribed with an annotation for the speaker (OFFICER or MALE/FEMALE community member), the start time and end time of each utterance to the nearest second, and an indication of the audience of the officer's utterance (only for utterances not directed to the community member, that is, directed to the dispatch or another officer). Because, in a few cases, transcribers neglected to mark the audience of utterances to dispatch or other officers, we filtered officer utterances to only those that were marked as directed to a community member and also occurred immediately before or after a community member utterance.

Transcribers were instructed to mark disfluencies like word fragments ("th- th- that's all folks"), repetitions ("he he he said so"), filled pauses ("uh," "um"), and backchannels ("oh," "uh-huh"). Interruptions and word overlap were also marked, although were not analyzed in this study.

The transcribed interactions included 19 cases where there were fewer than 3 of officer utterances, which were excluded from analysis. The final dataset thus contained transcriptions of 68.3% of black stops and 70.9% of white stops.

1.2 Data Sampling Process

	Black	White
Total Vehicle Stops in April 2014		2159
Race of Community Member	998	422
Unsuccessful Matches		
Officer Body-Worn Camera Not Activated	1	1
Video File Could Not be Opened	3	2
No Body-Worn Camera Issued to Officer	48	35
Could Not Locate File	63	32
Stops Matched	883	352
Proportion of Total Stops Matched	0.884	0.834
Stops Marked Ineligible for Transcription		
Single Video Does Not Capture Entire Duration of Stop	22	3
Recording Officer Not Primary Interlocutor	160	41
Stops Transcribed	701	308
Proportion of Total Stops Transcribed	0.702	0.729
Transcribed Stops Excluded From Analysis		
Fewer than 3 Turns	19	9
Stops in Dataset	682	299
Proportion of Total Stops in Dataset	0.683	0.709

Table 1: Accounting of all vehicle stops conducted by the Oakland Police Department in April 2014, and the sampling process by which they were included in the final dataset. We attempted to obtain as clean and complete a full sample of all vehicle stops of black and white community members conducted as possible.

1.3   Description of the Data

Tables 2 and 3 give a brief overview of the data at the stop and officer level, respectively. Relative to white drivers, a greater proportion of black drivers were male, (χ^2(2, N=981)= 6.9, p < 0.001). On average, stops of black drivers lasted longer than stops of white drivers (t=8.56, df=978.94, p < 0.001) , and black drivers were more likely to be searched than whites (χ^2(2, N=981)= 50.8, p < 0.001). Stop outcomes also differed by race, such that stops of black drivers were more likely to end in arrest than stops of white drivers, (χ^2(2, N=981)= 17.7, p < 0.001).

As illustrated in Table 2, the 245 officers captured in our data were largely male and a plurality were white. Officers varied greatly in the number of stops they conducted in our dataset, from a single stop (the modal value) to 40 stops. As a result, stop counts for individual officers were highly dispersed (M=4.0, σ^2=22.6). While multilevel models are robust to estimating marginal effects across groups of unequal size [1], the low number of datapoints per officer in our data limits our power to detect within-officer effects.

Community Member Race		Black	White
Total		682	299
Gender	M	463	177
	F	219	122
Mean Age		35.5 SD=13.6	38.4 SD=13.4
Stop Result	Arrest	40	1
	Citation	369	185
	Warning	273	113
Search Conducted	Yes	113	2
	No	569	297
Mean Stop Duration (Minutes)		12.6 SD=11.5	8.0 SD=5.1

Table 2: Characteristics of the data (Community Members)

Total Officers		245
Race	White	102
	Black	39
	Asian	36
	Hispanic	57
	Other	11
Gender	M	224
	F	21
Mean Age		35.5 SD=8.2
Mean Years of Experience		7.1 SD=6.8
Mean Number of Stops in Dataset		4 SD=4.8

Table 3: Characteristics of the data (Officers)

1.4   Severity Annotations

One factor we control for in our analysis of vehicle stops is the justification for the stop — i.e., the type of violation and its severity. This is necessary since it is possible that an officer's language may differ depending on the severity of the violation. We might expect officers to use less respectful language for, say, a driver who ran a stop sign versus a motorist driving with a broken taillight.

The Stop Data Form contains a "narrative" field where officers provide a written account of the interaction and its surrounding circumstances, and we obtained measurements for the severity of each stop by analyzing data from this narrative field. 13 senior OPD staff rated the severity of the violation associated with each stop an 1 (*Very Severe*) to 4 (*Very Minor*) scale.

For our analysis, we used narrative ratings from a set of 1,010 stop data forms completed in April 2014 of white and black community members. Narratives from ten stops were used for training purposes. Subsequently, each officer analyzed the narratives of 100 stops, first applying the coding scheme for severity over the course of one week. Out of the 1,010 stop data reports, at least two officers coded 300 of these stops in common so that we could establish inter-rater agreement. We obtained fair to moderate agreement (Kappa = 0.57-0.71) for the severity coding. We coded these values as a numerical variable in our regression models that ranged from 0 (*very minor*) to 3 (*very severe*).

2   Study 1

2.1   Annotator Agreement

For annotations, utterances were grouped together in "batches", such that ten annotators rated the same set of utterances. Annotators rated each utterance using a four-point biploar scale (*Very* or *Somewhat Impolite/Polite, Disrespectful/Respectful, Judgmental/Impartial*, and *Informal/Formal*). We measured inter-annotator consistency (Cronbach's α) along each dimension of each batch (Table 4). Agreement varied depending on the batch and rating dimension, ranging from moderate (α=.73) to high (α=.91).

Batch	Formal	Friendly	Impartial	Polite	Respectful
1	0.82	0.86	0.84	0.86	0.83
2	0.88	0.89	0.86	0.86	0.87
3	0.80	0.87	0.73	0.84	0.78
4	0.85	0.91	0.79	0.88	0.87
5	0.77	0.89	0.81	0.87	0.87
6	0.91	0.82	0.81	0.87	0.86
7	0.85	0.86	0.84	0.84	0.84

Table 4: Annotator consistency (Cronbach's α) across batches and dimension for the utterance-level thin-slice judgments in Study 1.

Participant ratings were averaged for each utterance to get a single rating for each utterance along these dimensions.

2.2   Model Outputs for Each Rated Dimension

Table 5 shows the results of linear mixed-effects models predicting score on each dimension as a function of the driver's race, sex, and age (standardized), with random intercepts for each stop.

	Respectful			Polite			Impartial			Friendly			Formal		
	b	CI	p	b	CI	p	b	CI	p	b	CI	p	b	CI	p
Fixed Parts															
Intercept	2.94	2.83 − 3.04	<.001	2.95	2.85 − 3.06	<.001	2.69	2.57 − 2.80	<.001	2.85	2.74 − 2.96	<.001	2.49	2.37 − 2.61	<.001
Driver Age	0.03	-0.02 − 0.08	.22	0.01	-0.04 − 0.07	.59	0.01	-0.05 − 0.07	.75	0.00	-0.05 − 0.05	1.00	0.08	0.02 − 0.14	**.01**
Driver Gender (F)	0.04	-0.07 − 0.16	.42	0.05	-0.07 − 0.16	.42	-0.0!	-0.13 − 0.12	.92	0.02	-0.10 − 0.14	.72	0.09	-0.04 − 0.22	.18
Driver Race (B)	-0.22	-0.33 − 0.10	<.001	-0.22	-0.34 − -0.11	<.001	-0.26	-0.39 − -0.13	<.001	-0.23	-0.36 − -0.11	<.001	-0.14	-0.28 − 0.01	**.04**
Random Parts															
σ^2		0.17			0.19			0.21			0.22			0.25	
$\tau_{00,\text{Stop}}$		0.05			0.04			0.07			0.05			0.06	
N_{Stop}		251			251			251			251			251	
ICC_{Stop}		0.22			0.19			0.24			0.17			0.18	
Observations		414			414			414			414			414	
R² / Ω_0^2		.52 / .39			.48 / .35			.56 / .42			.47 / .33			.47 / .34	

Table 5: Linear mixed-effects models results for judgements in Study 1.

2.3 Principal Component Analysis (PCA) Loadings

To decompose participants' ratings into underlying components, we conducted a principal components analysis of their responses.

	PC1: RESPECT	PC2: FORMALITY
Formal	0.272	0.913
Friendly	0.464	−0.388
Impartial	0.502	−0.113
Polite	0.487	−0.047
Respectful	0.471	0.026
% of Variance Explained	71.3%	21.9%

Table 6: Loadings for the first two principal components (referred to throughout the paper as *Respect* and *Formality*) of the annotated ratings from Study 1.

2.4 Full Regression Model Output

	Respect			Formality		
	β	CI	p	β	CI	p
Fixed Parts						
Arrest Occurred	-0.08	$-0.20 - 0.04$	.210	0.04	$-0.09 - 0.17$	.532
Citation Issued	0.05	$-0.06 - 0.16$	.387	0.13	$0.02 - 0.25$	**.023**
Search Conducted	-0.23	$-0.34 - -0.11$	$<$**.001**	0.04	$-0.08 - 0.17$	.470
Age	0.05	$-0.05 - 0.15$	.321	0.11	$0.01 - 0.21$	**.036**
Gender (F)	-0.03	$-0.12 - 0.07$	.608	0.09	$-0.01 - 0.19$	.089
Race (W)	0.17	$0.00 - 0.33$	**.046**	-0.01	$-0.19 - 0.16$	.873
Officer Race (B)	-0.03	$-0.18 - 0.11$	.646	0.04	$-0.11 - 0.20$	.565
Officer Race (O)	0.00	$-0.15 - 0.14$	.966	-0.08	$-0.23 - 0.07$	.291
Officer Race (B) : Race (W)	0.02	$-0.12 - 0.16$	.799	-0.03	$-0.18 - 0.11$	.658
Officer Race (O) : Race (W)	-0.07	$-0.22 - 0.09$	.405	0.01	$-0.15 - 0.18$	.869
Random Parts						
σ^2		0.751			0.870	
$\tau_{00,\text{Stop:Officer}}$		0.010			0.000	
$\tau_{00,\text{Officer}}$		0.115			0.107	
$N_{\text{Stop:Officer}}$		254			254	
N_{Officer}		118			118	
$ICC_{\text{Stop:Officer}}$		0.011			0.000	
ICC_{Officer}		0.132			0.110	
Observations		414			414	
R^2 / Ω_0^2		.358 / .335			.255 / .213	

Table 7: Mixed-effects regression outputs on observed ratings from participants in Study 1 for models with *Respect* and *Formality* (PC1 and PC2) as dependent variables; fixed effects for the community member's race, age, and gender; and random effects at the officer and interaction level. Reference levels are black male community members, a white officer, and a warning issued with no citation, arrest, or search. Standardized coefficients are reported. P-values computed via the Wald-statistics approximation with the sjPlot R Package [2].

3 Study 2

3.1 Linguistic Feature Engineering

In Table 3.1 in this section we provide a listing of every feature used in our models in Study 2, its implementation, and its source or justification. All features were implemented using the Python programming language (Python Software Foundation, https://www.python.org/) with word segmentation and syntactic annotations generated by version 3.4.1 of the publicly available Stanford CoreNLP toolkit [3].

Feature Name	Implementation	Source
Adverbial "Just"	"Just" occurs in a dependency arc as the head of an `advmod` relation	
Apologizing	Lexicon: `"sorry"`, `"oops"`, `"woops"`, `"excuse me"`, `"forgive me"`, `"apologies"`, `"apologize"`, `"my bad"`, `"my fault"`	[4]
Ask for Agency	Lexicon: `"do me a favor"`, `"let me"`, `"allow me"`, `"can i"`, `"should i"`, `"may i"`, `"might i"`, `"could i"`	[4]
Bald Command	The first word in a sentence is a bare verb with part-of-speech tag VB (`"look"`, `"give"`, `"wait"` etc.) but is not one of `"be"`, `"do"`, `"have"`, `"thank"`, `"please"`, `"hang"`.	
Colloquialism	Regular expression capturing `"y'all"`, `"ain't"` and words ending in `"in'"` such as `"walkin'"`, `"talkin'"`, etc., as marked by transcribers	
Conditional	Lexicon: `"if"`	
Disfluency	Word fragment ("Well I thi-") as indicated by transcribers	[5, 6]
Filled Pauses	Lexicon: `"um"`, `"uh"`	[7, 8]
First Names	Top 1000 most common first names from the 1990 US Census, where first letter is capitalized in transcript	[9, 10][1]
Formal Titles	Lexicon: `"sir"`, `"ma'am"`, `"maam"`, `"mister"`, `"mr*"`, `"ms*"`, `"madam"`, `"miss"`, `"gentleman"`, `"lady"`	[9, 10]
For Me	Lexicon: `"for me"`	
For You	Lexicon: `"for you"`	
Give Agency	Lexicon: `"let you"`, `"allow you"`, `"you can"`, `"you may"`, `"you could"`	[4]
Gratitude	Lexicon: `"thank"`, `"thanks"`, `"appreciate"`	[4]
Goodbye	Lexicon: `"goodbye"`, `"bye"`, `"see you later"`	
Hands on the Wheel	Regular expression capturing cases like "keep your hands on the wheel" and "leave your hands where I can see them": `"hands? ([,?!:;]+ )?(wheel|see)"`	
Hedges	All words in the "Tentat" LIWC lexicon	[11]
Impersonal Pronoun	All words in the "Imppron" LIWC lexicon	[4, 11]
Informal Titles	Lexicon: `"dude*"`, `"bro*"`, `"boss"`, `"bud"`, `"buddy"`, `"champ"`, `"man"`, `"guy*"`, `"guy"`, `"brotha"`, `"sista"`, `"son"`, `"sonny"`, `"chief"`	[9, 10, 12]
Introductions	Regular expression capturing cases like "I'm Officer [name] from the OPD" and "How's it going?": `"((i|my name).+officer	officer.+(oakland|opd))|((hi|hello|hey|good afternoon|good morning|good evening|how are you doing|how 's it going))"`	[4]
Last Names	Top 5000 most common last names from the 1990 US Census, where first letter is capitalized in transcript	[9, 10][2]
Linguistic Negation	All words in the "Negate" LIWC lexicon	[11]
Negative Words	All words in the "Negativ" category in the Harvard General Inquierer, matching on word lemmas	[4, 13]
Positive Words	All words in the "Positiv" category in the Harvard General Inquierer, matching on word lemmas	[4, 13]

Please	Lexicon: `"please"`	[4]
Questions	Occurrence of a question mark	
Reassurance	Lexicon: `"'s okay"`, `"n't worry"`, `"no big deal"`, `"no problem"`, `"no worries"`, `"'s fine"`, `"you 're good"`, `"is fine"`, `"is okay"`	
Safety	Regular expression for all words beginning with the prefix "safe", such as `"safe"`, `"safety"`, `"safely"`	
Swear Words	All words in the "Swear" LIWC lexicon	[11]
Tag Question	Regular expression capturing cases like "..., right?" and "..., don't you?": `", (((all right|right|okay|yeah|please|you know)( sir| ma'am| miss| son)?)|((are|is|do|can|have|will|won't) (n't )?(i|me|she|us|we|you|he|they|them))) [?]"`	[14, 15]
The Reason for the Stop	Lexicon: `"reason"`, `"stop* you"`, `"pull* you"`, `"why i"`, `"why we"`, `"explain"`, `"so you understand"`	
Time Minimizing	Regular expression capturing cases like "in a minute" and "let's get this done quick": `"(a|one|a few) (minute|min|second|sec|moment)s?|this[ˌ,?!]+quick|right back"`	

3.2 Full Regression Model Output

	Respect			*Formality*		
	β	CI	p	β	CI	p
Fixed Parts						
(Intercept)	-0.18	$-0.36 - 0.00$	.052	0.26	$0.07 - 0.45$	**.008**
Adverbial "Just"	0.24	$-0.07 - 0.53$	.118			
Apologizing	1.34	$0.15 - 2.52$	**.027**	-1.56	$-2.80 - -0.32$	**.014**
Ask for Agency	-0.34	$-0.90 - 0.22$	.230	0.37	$-0.23 - 0.96$	.225
Bald Commands				-0.25	$-0.68 - 0.18$	.255
Colloquialism				-1.10	$-1.97 - -0.23$	**.013**
Conditional				-0.27	$-0.74 - 0.21$	.271
Disfluency	-0.36	$-0.63 - -0.09$	.009			
Filled Pauses (Um/Uh)	0.37	$0.14 - 0.60$	**.002**	-0.40	$-0.64 - -0.16$	**.001**
First Names	-0.88	$-1.66 - -0.11$	**.026**			
Formal Titles	0.73	$0.20 - 1.26$	**.007**	0.96	$0.43 - 1.49$	**<.001**
For Me	0.56	$-0.08 - 1.21$	.086			
For You	1.08	$-0.70 - 2.87$	.234	-1.26	$-3.10 - 0.58$	.178
Give Agency	0.39	$0.01 - 0.78$	**.047**	0.40	$-0.02 - 0.82$	.063
Gratitude	1.04	$0.44 - 1.64$	**<.001**			
Hands on the Wheel	-1.09	$-2.27 - 0.07$	.065	1.33	$0.10 - 2.55$	**.034**
Hedges	0.18	$0.00 - 0.37$	.053			
Impersonal Pronouns				-0.10	$-0.27 - 0.07$	.269
Informal Titles	-0.65	$-1.03 - -0.28$	**<.001**	-1.06	$-1.45 - -0.68$	**<.001**
Introductions	0.18	$-0.12 - 0.48$	.235			
Last Names	0.75	$0.39 - 1.12$	**<.001**	0.26	$-0.10 - 0.62$	.156
Linguistic Negation	-0.22	$-0.43 - -0.03$	**.027**	0.22	$0.01 - 0.43$	**.045**
Negative Words	-0.24	$-0.40 - -0.07$	**.005**	-0.17	$-0.34 - 0.01$	.056
Positive Words	0.20	$0.03 - 0.37$	**.020**	-0.16	$-0.32 - 0.00$	.056
Questions	-0.20	$-0.43 - 0.02$	.075	0.26	$0.02 - 0.49$	**.031**
Reassurance	1.04	$0.34 - 1.74$	**.004**	-0.73	$-1.46 - 0.00$	**..049**
Safety	0.54	$0.06 - 1.02$	**.027**			
The Reason for the Stop				0.41	$0.08 - 0.75$	**.015**
Time Minimizing				-0.66	$-1.31 - 0.00$	**.049**
Observations		414			414	
R^2 / Ω_0^2		.298 / .258			.229 / .190	

Table 9: Linear regression outputs, with stepwise feature selection by R^2, for all annotated utterances with *Respect* and *Formality* (PC1 and PC2) as dependent variables and utterance-level log counts of linguistic features as independent variables. The swear words, please, goodbye, and tag question features were selected out in both models.

3.3 Other Model Possibilities

Though we report results using simple linear regression models, we note that we also tried using this same set of features with more complex machine learning algorithms including lasso regression, support vector regression, and random forest regression, none of which exceeded the performance of the models reported here.

3.4 Model Comparison to Annotators

The method for the RMSE comparison between our model and the human annotators in Study 2 in the paper is as follows. Each of our 70 annotators was part of a batch of annotators who annotated the same set of around 60 utterances. We converted each annotator's set of 5 ratings for a given utterance to the two PCA dimensions - Respect and Formality. For a given annotator, for every utterance they annotated we calculated the average rating on each dimension for all the other annotators in their batch. We could then treat the average rating from the other annotators as a "gold" label, and calculate each annotator's error with respect to all the others.

	MEAN	MEDIAN	MAX	MIN
Respect	0.842	0.826	1.677	0.497
Formality	0.764	0.718	1.703	0.518

Table 10: Human RMSE scores for *Respect* and *Formality* across annotators relative to other annotators.

These numbers establish a comparative context in which to understand the RMSE scores of our *Respect* (0.840) and *Formality* (0.882) models, which are calculated across the entire dataset with reference to the average annotator ratings across all 414 utterances.

3.5 Linguistic Implications

The main body of the paper addresses the primary goal of this work, namely, the question of whether racial disparities in respect can be observed in officer language. The linguistic features used and computational models developed are in some sense secondary tools in the service of this goal. We found these models to be of a sufficient predictive accuracy overall, but we caution the reader against accepting the results for any individual feature as definitive since our training set for these models is relatively small (414 utterances). However, the linguistic findings of this study are still interesting on their own for several reasons.

Existing work on politeness in linguistics has tended to focus on the character of face-threatening acts in general [16] and the case of requests in particular [4, 17, 18], as well as cross-cultural differences that emerge in politeness strategies [19–21]. In contrast, the police-community interactions captured on body camera footage we work with in this study constitute data from a unique domain that is heretofore unstudied linguistically.

Many of the features selected in the models patterned as we might expect given the predictions of the linguistic politeness literature. We find positive politeness strategies - aimed at showing the speaker values the hearer and their self-image - are generally perceived as respectful in this context, including introductions, reassurance, gratitude, safety, and referential politeness like formal titles and last names; the inverse features of informal titles and first names are in turn perceived as disrespectful. Negative politeness strategies - aimed at mitigating the magnitude of the imposition - are perceived as respectful, including apologizing (which is our top weighted feature) and numerous forms of softening (hedges, framing with "for you" and "for me", and adverbial "just"). In line with [4], we find that in general positive words and greetings contribute to respect while negative words and questions contribute to disrespect.

This study demonstrates the distinction between politeness in the traditional theoretical linguistic sense and perceived respect in this particular context. We propose this distinction may have much to do with the set of expectations which accompany any involuntary police stop. For instance, linguistic theories of politeness might predict that giving agency ("let you", "you can") and asking for agency ("can I", "may I") would both be perceived as respectful since on the surface they empower the hearer. However, we found that asking for agency is selected with a negative

weight in our model, associated with disrespect. It may be that since in the context of a police-community interaction, all parties know that the officer is the one with the hierarchical position of power, requests for agency are perceived as disingenuous; everyone knows the officer has agency available and does not need to ask for it.

Finally, we include features potentially having to do with officers' comfort or anxiety, including speech disfluencies ("th- that"), filled pauses ("um" and "uh"), and direct commands to "keep your hands on the wheel". We find "hands on the wheel" and speech disfluencies are perceived as disrespectful, while filled pauses are respectful. This result is in line with existing research such as [5] who found the production of all manner of disfluencies increased with anxiety in talk with the exception of filled pauses. Filled pauses, on the other hand, have been argued to be conventional words that are planned by speakers with particular interactional functions [8]. These results suggest that unlike traditional theories of politeness, in this context perceived respect is not only about the choice of linguistic strategies but also contextual and emotive factors like an officer's anxiety level.

3.6 Respect vs. Formality

Our findings also highlight a contrast between officers' respect and formality. While the referential features (titles and the use of names) largely pattern in the same direction in both models, several politeness strategies (apologizing, reassurance, softening with "for you") are perceived as respectful, but informal. At the same time, certain other linguistic features which might traditionally be considered to be associated with respect (softening with tag questions, colloquialisms, minimizing the time imposition such as "real quick") were perceived as informal but not relevant for respect.

Furthermore, giving the reason for the stop is not only important for procedural justice considerations, but is also required by department policy and is in fact more common with white community members (log odds ratio of 0.349, $p < 0.001$); however, it is only selected in our model for formality, but not for respect.

3.7 Linguistic Classification Accuracy of Race

We mention in the discussion of the main paper that the results we uncover are only one part of a number of diverse linguistic differences between officer language in talking to white versus black community members. Specifically, we show that a simple classifier trained only on officer language is able to predict the race of the community member to whom an utterance was directed at much higher than chance performance. In this section we briefly describe that model.

We first take a random balanced subsample of our dataset to allow for equal comparison; our final dataset contains 13,910 utterances directed towards white community members, so we sample 13,910 utterances towards black community members for a balanced dataset of 27,820 utterances. For each of these, we extract all the linguistic features described in the paper, as well as n-grams up to length three. That is, every window of words up to length three that occurs in any utterance is extracted as a feature. We then select the 5,000 most informative features using the chi squared criterion, and train logistic regression classifiers to predict race based on the features in an utterance.

We perform a hyperparameter search for this model with training set comprising 80% of the data and a development set containing an additional 10% of the data on each fold in a 10-fold cross validation scheme. We find a regularization strength of 1 and an $l2$ regularization penalty to provide the strongest performance on this development set. We test this model in a 10-fold cross validation scheme on the previously held-out 10% of each fold, training on the training set of that fold.

With this model we find a mean performance on the test sets in our 10-fold cross validation of 67.6%, compared to a most-common-class baseline of 50%. This result again confirms the finding that there are significant, observable differences in officer speech based on the race of the community member.

4 Study 3

4.1 Full Regression Model Output

The main model presented and discussed in the paper is given below.

	Respect			*Formality*		
	β	CI	p	β	CI	p
Fixed Parts						
Arrest Occurred	0.00	-0.03 – 0.03	.933	0.01	-0.02 – 0.04	.528
Citation Issued	0.04	0.02 – 0.06	**<.001**	0.01	-0.01 – 0.03	.209
Search Conducted	-0.08	-0.11 – -0.05	**<.001**	0.00	-0.03 – 0.02	.848
Age	0.07	0.05 – 0.09	**<.001**	0.05	0.03 – 0.07	**<.001**
Gender (F)	0.02	0.00 – 0.04	.062	0.02	0.00 – 0.04	**.025**
Race (W)	0.05	0.03 – 0.08	**<.001**	-0.01	-0.04 – 0.01	.236
Officer Race (B)	0.00	-0.03 – 0.04	.884	0.00	-0.03 – 0.03	.987
Officer Race (O)	0.00	-0.04 – 0.03	.809	0.00	-0.03 – 0.02	.783
Officer Race (B) : Race (W)	-0.01	-0.03 – 0.02	.583	0.01	-0.01 – 0.03	.188
Officer Race (O) : Race (W)	-0.01	-0.03 – 0.02	.486	0.00	-0.02 – 0.02	.928
Random Parts						
σ^2		0.918			0.954	
$\tau_{00,\text{Stop:Officer}}$		0.045			0.029	
$\tau_{00,\text{Officer}}$		0.029			0.015	
$N_{\text{Stop:Officer}}$		981			981	
N_{Officer}		245			245	
$ICC_{\text{Stop:Officer}}$		0.045			0.029	
ICC_{Officer}		0.029			0.015	
Observations		36738			36738	
R^2 / Ω_0^2		.100 / .097			.064 / .059	

Table 11: Linear mixed-effects model outputs on computationally-generated ratings on all utterances in the dataset for models with *Respect* and *Formality* (PC1 and PC2) as dependent variables; fixed effects for the community member's race, age, and gender, as well as whether a search was conducted, whether a citation was issued, whether an arrest occurred, the race of the officer (Black, White, or Other), and an interaction effect between community member race and officer race; and random effects at the officer and interaction level. P-values computed via the Wald-statistics approximation with the sjPlot R Package [2]. Reference levels are black male community members, white officers, and no arrest, citation, or search.

4.2   *Respect* and *Formality* Over Time

To analyze how *Respect* and *Formality* varied over time, we regressed each score separately in a linear mixed-effects model, with driver race, utterance position in the interaction (scaled from 0 to 1), and the interaction of these terms as fixed effects. The trajectory was allowed to vary across interactions by including a random slope of utterance position within each stop. A comparison of this model with a random intercept-only model revealed that the trajectory of *Respect* over time varied significantly, $\chi^2(2) = 127.08$, p <.001. However, a similar random slope model predicting *Formality* failed to converge; as a result, we fit a random intercept-only model for this outcome. The results of these analyses are given below.[3]

		Respect			*Formality*	
	b	CI	p	b	CI	p
Fixed Parts						
Intercept	0.05	$0.01 - 0.08$	<**.001**	0.00	$-0.02 - 0.02$	.72
Race (W)	0.20	$0.15 - 0.25$	<**.001**	0.00	$-0.04 - 0.04$	.88
Utterance Position (mean-centered)	0.24	$0.19 - 0.29$	<**.001**	-0.48	$-0.52 - -0.45$	<**.001**
Utterance Position: Race (W)	0.20	$0.10 - 0.31$	<**.001**	-0.18	$-0.27 - -0.10$	<**.001**
Random Parts						
σ^2		0.90			0.93	
$\tau_{00,\text{Stop}}$		0.09			0.05	
$\tau_{11,\text{Utterance Position}}$		0.23				
$cor_{\tau_{00},\tau_{11}}$		-0.24				
N_{Stop}		981			981	
ICC_{Stop}		0.09			0.05	
Observations		36,738			36,738	
R^2 / Ω_0^2		.13 / .12			.09 / .08	

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[3]While estimates of lower-order effects of race and utterance position are estimated using effects coding (black= -1, white= 1) in the body of the paper, we dummy code race here (black= 0, white= 1) for consistency with other models reported in this supplement.

4.3   Raw Respect Means

For reference, in this section we provide figures depicting the raw estimated respect level from our computational annotations across the cells of Table 2 in Section 1.3, representing different community member attributes and stop outcomes.
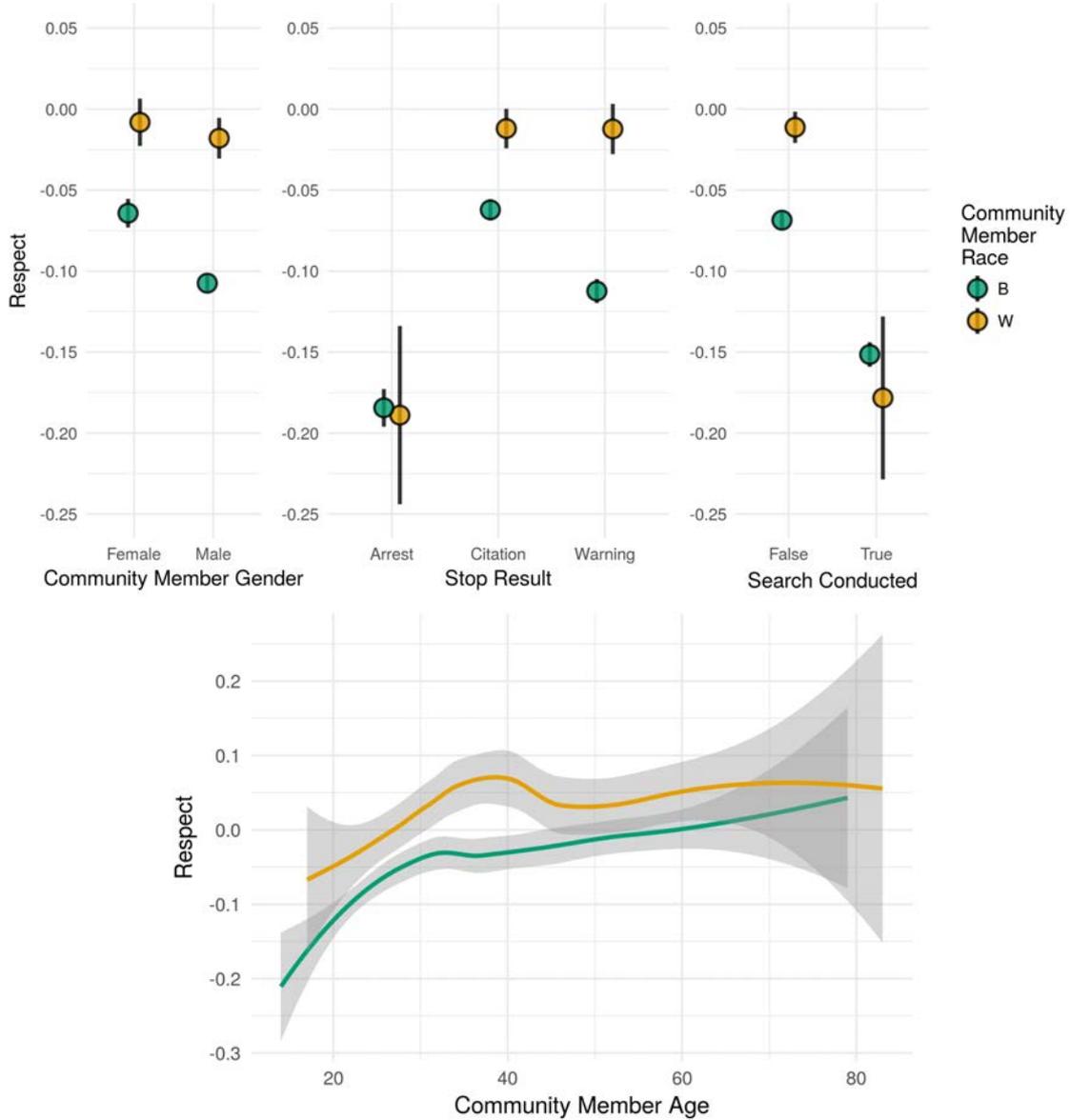
Figure 1: Raw mean estimated respect levels across different community member attributes.

4.4 Alternative Models

In addition to the model presented above in Section 4.1, we ran several additional models to include other possible variables that could confound our results. We find that none of these alter the significant effect of community member race on respect.

4.4.1 Additional Covariates

	Respect			Formality		
	β	CI	p	β	CI	p
Fixed Parts						
Arrest Occurred	0.00	-0.03 − 0.04	.938	0.01	-0.02 − 0.04	.531
Citation Issued	0.04	0.01 − 0.06	**.002**	0.01	-0.01 − 0.03	.256
Search Conducted	-0.08	-0.11 − -0.05	**<.001**	0.00	-0.03 − 0.02	.933
Age	0.07	0.05 − 0.09	**<.001**	0.05	0.03 − 0.07	**<.001**
Gender (F)	0.02	0.00 − 0.04	.062	0.02	0.00 − 0.04	**.032**
Race (W)	0.05	0.03 − 0.08	**<.001**	-0.01	-0.04 − 0.01	.281
Crime Rate in Census Tract	0.01	-0.01 − 0.04	.278	0.03	0.01 − 0.05	**.014**
Businesses per Square Mile	0.00	-0.02 − 0.03	.702	-0.01	-0.03 − 0.01	.222
Race Known Before Stop	-0.01	-0.04 − 0.01	.255	0.01	-0.01 − 0.02	.612
Officer Years of Experience	0.00	-0.03 − 0.03	.831	0.00	-0.03 − 0.02	.754
Officer Race (B)	0.00	-0.03 − 0.04	.795	0.00	-0.03 − 0.03	.939
Officer Race (O)	-0.01	-0.04 − 0.03	.741	0.00	-0.03 − 0.02	.761
Officer Race (B) : Race (W)	-0.01	-0.03 − 0.01	.471	0.01	-0.01 − 0.03	.225
Officer Race (O) : Race (W)	-0.01	-0.03 − 0.02	.470	0.00	-0.02 − 0.02	.882
Random Parts						
σ^2		0.919			0.954	
$\tau_{00,\text{Stop:Officer}}$		0.046			0.030	
$\tau_{00,\text{Officer}}$		0.029			0.015	
$N_{\text{Stop:Officer}}$		965			965	
N_{Officer}		241			241	
$ICC_{\text{Stop:Officer}}$		0.046			0.030	
ICC_{Officer}		0.029			0.015	
Observations		36137			36137	
R^2 / Ω_0^2		.101 / .098			.065 / .060	

Table 12: Model from Section 4.1 with additional control variables: officer years of experience, crime rate in the census tract where the stop took place, businesses per mile in the census tract, and whether the officer marked that they were aware of the community member's race before stopping them.

4.4.2   Accounting for Infraction Severity

To ensure that differences in Respect were not due to differences in the severity of the traffic offense, we ran a model including severity as a covariate on the subset of 869 stops annotated by officers as "Equipment" or "Moving Violation" stops.

	Respect			Formality		
	β	CI	p	β	CI	p
Fixed Parts						
Arrest Occurred	-0.01	$-0.04 - 0.03$	.708	-0.04	$-0.06 - -0.01$	**.007**
Citation Issued	0.03	$0.00 - 0.05$	**.020**	0.01	$-0.01 - 0.03$	.419
Search Conducted	-0.06	$-0.08 - -0.03$	$<$**.001**	0.00	$-0.02 - 0.02$	.971
Age	0.07	$0.05 - 0.09$	$<$**.001**	0.04	$0.03 - 0.06$	$<$**.001**
Gender (F)	0.02	$0.00 - 0.04$	.125	0.01	$0.00 - 0.03$	.139
Race (W)	0.05	$0.02 - 0.08$	$<$**.001**	-0.02	$-0.04 - 0.01$	.195
Severity	0.00	$-0.02 - 0.02$	.945	0.00	$-0.02 - 0.02$	.893
Officer Race (B)	0.01	$-0.02 - 0.05$	.467	0.00	$-0.03 - 0.03$	.847
Officer Race (O)	0.00	$-0.04 - 0.04$	.905	-0.01	$-0.04 - 0.02$	.669
Officer Race (B) : Race (W)	-0.01	$-0.03 - 0.02$	.508	0.01	$-0.01 - 0.04$	.219
Officer Race (O) : Race (W)	-0.01	$-0.03 - 0.02$	.615	0.00	$-0.02 - 0.03$	.788
Random Parts						
σ^2		0.964			0.977	
$\tau_{00,\text{Stop:Officer}}$		0.044			0.026	
$\tau_{00,\text{Officer}}$		0.032			0.017	
$N_{\text{Stop:Officer}}$		869			869	
N_{Officer}		220			220	
$ICC_{\text{Stop:Officer}}$		0.043			0.026	
ICC_{Officer}		0.031			0.017	
Observations		28786			28786	
R^2 / Ω_0^2		.095 / .090			.065 / .060	

Table 13: Model from Section 4.1 including a variable for severity of the infraction on the subset of the dataset for which we have these ratings annotated by OPD officers. Severity ratings were recoded on an increasing scale from 0 (very minor infraction) to 3 (very severe infraction).

4.4.3 "Everyday" Stops

As seen in Section 1.3, stops with black drivers are much more likely than those with white drivers to involve an arrest or search; therefore, to confirm that the effect we find is not only a side effect of these more charged circumstances, we run our model on a subset of the data including only "everyday" traffic stops in which no arrest or search occurred.

	Respect			*Formality*		
	β	CI	p	β	CI	p
Fixed Parts						
Citation Issued	0.04	$0.01 - 0.06$	$<$**.002**	0.00	$-0.02 - 0.02$	.922
Age	0.07	$0.05 - 0.09$	$<$**.001**	0.05	$0.03 - 0.07$	$<$**.001**
Gender (F)	0.02	$0.00 - 0.04$	.109	0.02	$0.00 - 0.03$	.103
Race (W)	0.06	$0.03 - 0.09$	$<$**.001**	-0.02	$-0.04 - 0.01$	.199
Officer Race (B)	0.01	$-0.03 - 0.05$	.554	0.00	$-0.03 - 0.04$	.750
Officer Race (O)	0.00	$-0.04 - 0.04$	.890	-0.01	$-0.04 - 0.02$	.609
Officer Race (B) : Race (W)	-0.01	$-0.04 - 0.02$	.459	0.01	$-0.01 - 0.04$	.222
Officer Race (O) : Race (W)	-0.01	$-0.04 - 0.02$	.423	0.00	$-0.03 - 0.03$	.963
Random Parts						
σ^2		0.946			0.936	
$\tau_{00,\text{Stop:Officer}}$		0.047			0.027	
$\tau_{00,\text{Officer}}$		0.032			0.015	
$N_{\text{Stop:Officer}}$		864			864	
N_{Officer}		221			221	
$ICC_{\text{Stop:Officer}}$		0.046			0.027	
ICC_{Officer}		0.031			0.016	
Observations		26270			26270	
R^2 / Ω_0^2		.099 / .093			.064 / .056	

Table 14: Model from Section 4.1 on only stops in which no arrest was made and no search occurred.

4.4.4 Accounting for Racial Homophily

Our main model in Section 4.1 includes variables for community and officer race as well as the interaction between these. However, this model may not capture potential effects of racial homophily. Might officers communicate more respect towards community members of their own race (white officers with white community members, for example, or black officers with black community members)?

	Respect			Formality		
	β	CI	p	β	CI	p
Fixed Parts						
Arrest Occurred	0.00	$-0.03 - 0.03$	.925	0.01	$-0.02 - 0.04$	.533
Citation Issued	0.04	$0.02 - 0.06$	**<.001**	0.01	$-0.01 - 0.03$	.186
Search Conducted	-0.08	$-0.11 - -0.05$	**<.001**	0.00	$-0.03 - 0.02$	.862
Age	0.07	$0.05 - 0.09$	**<.001**	0.05	$0.03 - 0.07$	**<.001**
Gender (F)	0.02	$0.00 - 0.04$	.059	0.02	$0.00 - 0.04$	**.021**
Race (W)	0.04	$0.01 - 0.07$	**.003**	-0.01	$-0.03 - 0.02$	.590
Race Homophily (T)	0.00	$-0.03 - 0.04$	.842	0.00	$-0.03 - 0.02$	.806
Race Homophily (T) : Race (W)	0.01	$-0.03 - 0.05$	.677	0.00	$-0.03 - 0.03$	.867
Random Parts						
σ^2		0.918			0.954	
$\tau_{00,\text{Stop:Officer}}$		0.045			0.029	
$\tau_{00,\text{Officer}}$		0.029			0.015	
$N_{\text{Stop:Officer}}$		981			981	
N_{Officer}		245			245	
$ICC_{\text{Stop:Officer}}$		0.045			0.029	
ICC_{Officer}		0.029			0.015	
Observations		36738			36738	
R^2 / Ω_0^2		.100 / .097			.064 / .059	

Table 15: Model from Section 4.1 substituting the variable for race of the officer with a variable for race homophily (community member and officer race are the same).

References

[1] Gelman A, Hill J (2006) *Data analysis using regression and multilevel/hierarchical models.* (Cambridge university press).

[2] Lüdecke D (2015) sjPlot: Data visualization for statistics in social science—R package version 1.8. 1.

[3] Manning CD et al. (2014) The Stanford CoreNLP natural language processing toolkit. in *ACL (System Demonstrations).* pp. 55–60.

[4] Danescu-Niculescu-Mizil C, Sudhof M, Jurafsky D, Leskovec J, Potts C (2013) A computational approach to politeness with application to social factors in *Proceedings of ACL.*

[5] Kasl SV, Mahl GF (1965) Relationship of disturbances and hesitations in spontaneous speech to anxiety. *Journal of personality and social psychology* 1(5):425.

[6] Mahl GF (1987) Everyday disturbances of speech in *Language in psychotherapy.* (Springer), pp. 213–269.

[7] Christenfeld N (1994) Options and ums. *Journal of Language and Social Psychology* 13(2):192–199.

[8] Clark HH, Fox Tree JE (2002) Using uh and um in spontaneous speaking. *Cognition* 84(1):73–111.

[9] Brown R, Ford M (1961) Address in American English. *The Journal of Abnormal and Social Psychology* 62(2):375.

[10] Krishnan V, Eisenstein J (2015) "You're Mr. Lebowski, I'm the Dude": Inducing address term formality in signed social networks in *Proceedings of NAACL.*

[11] Tausczik YR, Pennebaker JW (2010) The psychological meaning of words: LIWC and computerized text analysis methods. *Journal of language and social psychology* 29(1):24–54.

[12] Kiesling SF (2004) Dude. *American speech* 79(3):281–305.

[13] Stone PJ, Bales RF, Namenwirth JZ, Ogilvie DM (1962) The General Inquirer: A computer system for content analysis and retrieval based on the sentence as a unit of information. *Behavioral Science* 7(4):484–498.

[14] Holmes J (1984) Modifying illocutionary force. *Journal of pragmatics* 8(3):345–365.

[15] Cameron D, McAlinden F, O'Leary K (1988) Lakoff in context: The social and linguistic functions of tag questions. *Women in their speech communities* pp. 74–93.

[16] Brown P, Levinson SC (1978) Universals in language usage: Politeness phenomena in *Questions and politeness: Strategies in social interaction.* (Cambridge University Press), pp. 56–311.

[17] Clark HH, Schunk DH (1980) Polite responses to polite requests. *Cognition* 8(2):111–143.

[18] Blum-Kulka S (1987) Indirectness and politeness in requests: Same or different? *Journal of pragmatics* 11(2):131–146.

[19] Holtgraves T, Joong-nam Y (1990) Politeness as universal: Cross-cultural perceptions of request strategies and inferences based on their use. *Journal of personality and social psychology* 59(4):719.

[20] Reiter RM (2000) *Linguistic politeness in Britain and Uruguay: A contrastive study of requests and apologies.* (John Benjamins Publishing) Vol. 83.

[21] Lakoff RT, Ide S (2005) *Broadening the horizon of linguistic politeness.* (John Benjamins Publishing) Vol. 139.

OAKLAND POLICE COMMISSION
SPECIAL MEETING MINUTES - DRAFT
May 14, 2020
5:30 PM

CITY OF OAKLAND

I.   **Call to Order**
Chair Regina Jackson

The meeting started at 5:33 pm.

II.   **Roll Call and Determination of Quorum**
Chair Regina Jackson

Commissioners Present: Tara Anderson, José Dorado, Ginale Harris, Regina Jackson, Edwin Prather, and Thomas Lloyd Smith. Quorum was met.

Alternate Commissioners Present: David Jordan *(arrived during item VI)*

Commissioners Excused: Henry Gage, III

Alternate Commissioners Absent: Chris Brown

Counsel for this meeting: Conor Kennedy and Nitasha Sawhney

III.   **Public Comment on Closed Session Items**

No public comments were provided on this item.

The Commission adjourned to closed session. The open session section of the meeting commenced at 6:32 pm.

IV.   **Closed Session Closed Session**
CONFERENCE WITH LEGAL COUNSEL— ANTICIPATED LITIGATION: 1 CASE - Govt. Code § 54956.9(d)(2)

V.   **Report out of Closed Session**
CONFERENCE WITH LEGAL COUNSEL— ANTICIPATED LITIGATION: 1 CASE - Govt. Code § 54956.9(d)(2)

There were no reportable actions on this item.

VI.   **Welcome, Purpose, and Open Forum/Public Comment**
All public comments were received during Open Forum.

Comments were provided by the following public speakers:
Lorelei Bosserman
Assata Olugbala
Rashidah Grinage
Michele Lazaneo

Anne Janks
Mr. Bandabaila
Needa Bee
Aiyahnna Johnson
Aki Young
Cathy Leonard

Written comments were submitted by:
Mary Vail

VII.   **Update from Interim Police Chief**
OPD Interim Chief Manheimer provided an update on the Department. Topics discussed
included crime rates during the stay-at-home order.

No action was taken on this item.

VIII.   **Police Commission and CPRA Budgets Update**
The Commission provided updates on the CPRA and Commission budgets for the mid-cycle
of FY 19-21.

No action was taken on this item.

IX.   **Review of the Impact to Date of the Revised OPD R-02 Supervised Release Searches
Policy**
OPD presented a report on the impact to date of the revised R-02 Supervised Release
Searches policy.

No action was taken on this item.

X.   **Peace Officer Standards and Training (POST) Training Announcement for Commissioners**
OPD presented information on and discuss the plan for POST training for the Commission.

No action was taken on this item.

XI.   **Annual Report Update**
The Commission voted to approve the annual report that was included with the agenda.

A motion was made by José Dorado, seconded by Ginale Harris, to approve the annual
report that was included with the agenda. The motion carried by the following vote:

Aye: Anderson, Dorado, Harris, Jackson, Prather, and Smith
No: 0

XII.   **Bey Case Contract Update**
The Bey Case Ad Hoc Committee provided an update on the status of the contract for
investigative services with the Knox & Ross Law Group.

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No action was taken on this item.

XIII. **Commission Retreat**
The Commission discussed potential dates, format, presenters, location, and cost for a retreat.

No action was taken on this item.

XIV. **Committee Reports**
Representatives from Standing and Ad Hoc Committees provided updates on their work. **Outreach** – there was a community policing meeting on May 13th which the Director of the department of Violence Prevention, Guillermo Cespedes, participated in; **Use of Force** – the ad hoc met on April 30th and May 7th and reviewed policy content and training bulletins, in addition to model policies of other agencies; **Litigation** – a new ad hoc was formed to address the issues in the former Chief's claim; **OPD Chief Search** – should have an updated job description for the Chief position soon.

No action was taken on this item.

XV. **Meeting Minutes Approval**
The Commission voted to approve minutes from April 23 and 27, 2020.

A motion was made by José Dorado, seconded by Edwin Prather, to approve the April 23, 2020 minutes. The motion carried by the following vote:

Aye: Anderson, Dorado, Harris, Jackson, Prather, and Smith
No: 0

A second motion was made by José Dorado, seconded by Edwin Prather, to approve the April 27, 2020 minutes. The motion carried by the following vote:

Aye: Anderson, Dorado, Harris, Jackson, Prather, and Smith
No: 0

XVI. **Agenda Setting and Prioritization of Upcoming Agenda Items**
The Commission engaged in a working session to discuss and determine agenda items for the upcoming Commission meeting: discipline disparity report; ballot measure for updates to Measure LL; and amendment to minutes from September 13, 2018.

XVII. **Adjournment**
A motion was made by Ginale Harris, seconded by Regina Jackson, to adjourn the meeting at 9:55 pm. The motion carried by the following vote:

Aye: Anderson, Dorado, Harris, Jackson, Prather, and Smith
No: 0

Police Commission Pending Agenda Matters List

	A	B	C	D	E	F	G	H
1	**Pending Agenda Matter**	**Date Placed on List**	**Duties/Deliverables**	**Additional Information/Details**	**Priority Level**	**Timeline/Deadline**	**Scheduled**	**Lead Commissioner(s), if any**
2	OPD to Provide a 30 Day Snapshot on the Effectiveness of SO 9202	2/27/2020		On 2.27.20, at the request of OPD the Commission considered and approved SO 9202 which amends the section in SO 9196 regarding Type 32 reportable force	**High**			
3	Commissioner Trainings	1/1/2018	Complete trainings mandated by City Charter section 604 (c)(9) and Enabling Ordinance section 2.45.190 Some trainings have deadlines for when they should be completed (within 3 months, 6 months, etc.) Several trainings were delivered in open sesssion and have been recorded for future use	The following trainings must be done in Open Session: 1. California's Meyers Milias Brown Act (MMBA) and Public Employment Relations Board's Administration of MMBA (done 3.12.20) 2. Civil Service Board and Other Relevant City Personnel Policies and Procedures (done 2.27.20) 3. Memoranda of Understanding with Oakland Police Officers Association and Other Represented Employees (**rescheduled due to COVID-19 health emergency**) 4. Police Officers Bill of Rights (done 12.12.19)	**High**	Ongoing		

Police Commission Pending Agenda Matters List

	A	B	C	D	E	F	G	H
1	**Pending Agenda Matter**	**Date Placed on List**	**Duties/Deliverables**	**Additional Information/Details**	**Priority Level**	**Timeline/Deadline**	**Scheduled**	**Lead Commissioner(s), if any**
4	Confirming the Process to Hire Staff for the Office of Inspector General	5/17/2019	Per the Enabling Ordinance: The City shall allocate a sufficient budget for the OIG to perform its functions and duties as set forth in section 2.45.120, including budgeting one (1) full-time staff position comparable to the position of Police Program and Audit Supervisor. Within thirty (30) days after the first Inspector General is hired, the Policy Analyst position and funding then budgeted to the Agency shall be reallocated to the OIG. All OIG staff, including the Inspector General, shall be civil service employees in accordance with Article IX of the City Charter.	This will require information presented from the City Administrator's Office.	**High**			

Police Commission Pending Agenda Matters List

	A	B	C	D	E	F	G	H
1	**Pending Agenda Matter**	**Date Placed on List**	**Duties/Deliverables**	**Additional Information/Details**	**Priority Level**	**Timeline/Deadline**	**Scheduled**	**Lead Commissioner(s), if any**
5	Finalize Bylaws and Rules	1/24/2019			High			Gage
6	Hire Inspector General (IG)	1/14/2019	Hire IG once the job is officially posted	Pending Measure LL revisions to be included in the November 2020 ballot. Recruitment and job posting in process.	High			Personnel Committee
7	Measure LL Revisions	10/1/2019	The Commission will discuss and provide feedback on the draft revision of Measure LL provided by the Coalition for Police Accountability to the Commission and City Council President Kaplan		High			Gage
8	Notification of OPD Chief Regarding Requirements of Annual Report	1/1/2018	Commission must notify the Chief regarding what information will be required in the Chief's annual report	The Chief's report shall include, at a minimum, the following: 1. The number of complaints submitted to the Department's Internal Affairs Division (IAD) together with a brief description of the nature of the complaints; 2. The number of pending investigations in IAD, and the types of Misconduct that are being investigated; 3. The number of investigations completed by IAD, and the results of the investigations; 4. The number of training sessions provided to Department sworn employees, and the subject matter of the training sessions; 5. Revisions made to Department policies; 6. The number and location of Department sworn employee-involved shootings; 7. The number of Executive Force Review Board or Force Review Board hearings and the results; 8. A summary of the Department's monthly Use of Force Reports; 9. The number of Department sworn employees disciplined and the level of discipline imposed; and 10. The number of closed investigations which did not result in discipline of the Subject Officer. The Chief's annual report shall not disclose any information in violation of State and local law regarding the confidentiality of personnel records, including but not limited to California Penal Code section 832.7	High	June 14, 2018 and June 14 of each subsequent year		Dorado

Police Commission Pending Agenda Matters List

	Pending Agenda Matter	Date Placed on List	Duties/Deliverables	Additional Information/Details	Priority Level	Timeline/Deadline	Scheduled	Lead Commissioner(s), if any
	A	B	C	D	E	F	G	H
9	Performance Reviews of CPRA Director and OPD Chief	1/1/2018	Conduct performance reviews of the Agency Director and the Chief	The Commission must determine the performance criteria for evaluating the Chief and the Agency Director, and communicate those criteria to the Chief and the Agency Director one full year before conducting the evaluation. The Commission may, in its discretion decide to solicit and consider, as part of its evaluation, comments and observations from the City Administrator and other City staff who are familiar with the Agency Director's or the Chiefs job performance. Responses to the Commission's requests for comments and observations shall be strictly voluntary.	High	Annually; Criteria for evaluation due 1 year prior to review		
10	Recommendations for Increasing Communication Between CPRA and IAD	10/6/2018		Review of existing communication practices and information sharing protocols between departments, need recommendations from stakeholders about whether a policy is needed. Ensure prompt forwarding of complaints from IAD to CPRA and prompt data sharing.	High			
11	Reports from OPD	10/6/2018	Commission to decide on what reports are needed prior to receiving them.	Receive reports from OPD on issues such as: response times; murder case closure rates; hiring and discipline status report (general number for public hearing); any comp stat data they are using; privacy issues; human trafficking work; use of force stats; homelessness issues; towing cars of people who sleep in their vehicles	High	Ongoing as appropriate		

Police Commission Pending Agenda Matters List

	A	B	C	D	E	F	G	H
1	**Pending Agenda Matter**	**Date Placed on List**	**Duties/Deliverables**	**Additional Information/Details**	**Priority Level**	**Timeline/Deadline**	**Scheduled**	**Lead Commissioner(s), if any**
12	Request City Attorney Reports	1/1/2018	Request the City Attorney submit semi-annual reports to the Commission and the City Council	Request the City Attorney submit semi-annual reports to the Commission and City Council which shall include a listing and summary of: 1. To the exent permitted by applicable law, the discipline decisions that were appealed to arbitration; 2. Arbitration decisions or other related results; 3. The ways in which it has supported the police discipline process; and 4. Significant recent developments in police discipline. The City Attorney's semi-annual reports shall not disclose any information in violation of State and local law regarding the confidentiality of personnel records, including but not limited to California Penal Code 832.7	**High**	Semi-annually		Smith
13	Offsite Meetings	1/1/2018	Meet in locations other than City Hall	The offsite meetings must include an agenda item titled "Community Roundtable" or something similar, and the Commission must consider inviting individuals and groups familiar with the issues involved in building and maintaining trust between the community and the Department.	**Medium**	Annually; at least twice each year	6/25/20 10/8/20	Dorado, Harris, Jackson
14	Annual Report	1/1/2018	Submit an annual report each year to the Mayor, City Council and the public		**Medium**			Prather, Smith

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Police Commission Pending Agenda Matters List

	A	B	C	D	E	F	G	H
1	**Pending Agenda Matter**	**Date Placed on List**	**Duties/Deliverables**	**Additional Information/Details**	**Priority Level**	**Timeline/Deadline**	**Scheduled**	**Lead Commissioner(s), if any**
15	City Auditor's Office to Present Performance and Financial Audit of Commission and Agency		City Auditor to conduct a performance audit and a financial audit of the Commission and the Agency	No later than two (2) years after the City Council has confirmed the first set of Commissioners and alternates, the City Auditor shall conduct a performance audit and a financial audit of the Commission and the Agency. Nothing herein shall limit the City Auditor's authority to conduct future performance and financial audits of the Commission and the Agency.	**Medium**	Spring, 2020		
16	Community Policing Task Force/Summit	1/24/2019			**Medium**			Dorado
17	CPAB Report			Receive any and all reports prepared by the Community Policing Advisory Board (hereinafter referred to as "CPAB") and consider acting upon any of the CPAB's recommendations for promoting community policing efforts and developing solutions for promoting and sustaining a relationship of trust and cooperation between the Department and the community.	**Medium**	May or June 2020		
18	Desk Audit of CPRA Staff by Human Resources	5/17/2019	The Commission would like to request that Human Resources do a desk audit for every job position in the CPRA.	This will enable the Police Commission to engage in a reorganization of the CPRA.	**Medium**			Personnel Committee
19	Determine Outstanding Issues in Meet and Confer and the Status of M&C on Disciplinary Reports	10/6/2018		Need report from police chief and city attorney. Also need status report about collective bargaining process that is expected to begin soon.	**Medium**			
20	Develop Plan for Quarterly Reports in Relation to Annual Report that is Due April 17th of Each Year	12/6/2019		The Commission is required to submit an annual report each year to the Mayor, City Council and the public. Preparing quarterly reports will help with the coordination and preparation of an annual report.	**Medium**			

Police Commission Pending Agenda Matters List

	A	B	C	D	E	F	G	H
1	**Pending Agenda Matter**	**Date Placed on List**	**Duties/Deliverables**	**Additional Information/Details**	**Priority Level**	**Timeline/Deadline**	**Scheduled**	**Lead Commissioner(s), if any**
21	Follow up on Najiri Smith Case	10/10/2018		Community members representing Najiri claim the officer lied re. the time of interaction, which makes the citation (loud music after 10pm) invalid. They claimed he was engaged by OPD around 9.10pm.	**Medium**			
22	Free Gun Trace Service	1/27/2020		This service was mentioned at a meeting in 2019.	**Medium**			Dorado
23	Modify Code of Conduct from Public Ethics Commission for Police Commission	10/2/2018		On code of conduct for Commissioners there is currently a code that was developed by the Public Ethics Commission.	**Medium**			
24	OPD Supervision Policies	10/2/2018		Review existing policy (if any) and take testimony/evidence from experts and community about best practices for supervisory accountability. Draft policy changes as needed. In addition, IG should conduct study of supervisor discipline practices. In other words, how often are supervisors held accountable for the misconduct of their subordinates.	**Medium**			
25	OPD Update on New Karibbean City Night Club Issue	10/29/2019	OPD to provide an update on the status of an issue that was raised on 10.10.19	The owner of the night club spoke during Open Forum at the meeting on 10.10.19 about an issue with OPD.	**Medium**			
26	Proposal For Staff Positions for Commission and CPRA	1/1/2018	Provide the City Administrator with its proposal for staff positions needed for Commission and Agency to fulfill its functions and duties		**Medium**	Ongoing as appropriate		
27	Receive a Report from the Ad Hoc Committee on CPRA Appellate Process	6/13/2019	Once the Commission has an outside counsel, work with them on determining an appellate process	When a draft process is determined, bring to the Commission for a vote.	**Medium**			Brown, Gage, Prather
28	Receive Report from Urban Strategies on their Safe Oakland Summit of 6.5.19	8/22/2019		Commissioner Dorado will invite David Harris of Urban Strategies to give a report on the Safe Oakland Summit which was held on 6.5.19	**Medium**			Dorado

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29	Report from OPD Regarding Found/Confiscated Items	7/12/2019	OPD will report on the Department's policy for disposition of found/confiscated items.	This came about through a question from Nino Parker. The Chief offered to present a report at a future meeting.	**Medium**			
30	Report Regarding OPD Chief's Report	1/1/2018	Submit a report to the Mayor, City Council and the public regarding the Chief's report in addition to other matters relevant to the functions and duties of the Commission	The Chief's report needs to be completed first.	**Medium**	Annually; once per year		
31	Review Budget and Resources of IAD	10/10/2018		In Discipline Training it was noted that many "lower level" investigations are outsourced to direct supervisors and sergeants. Leaders in IAD have agreed that it would be helpful to double investigators and stop outsourcing to Supervisors/Sgts. Commissioners have also wondered about an increase civilian investigators. Does the Commission have jurisdiction over this?	**Medium**			
32	Review Commission's Agenda Setting Policy	4/25/2019			**Medium**			
33	Review Commission's Code of Conduct Policy	4/25/2019			**Medium**			Prather
34	Review Commission's Outreach Policy	4/25/2019			**Medium**			Dorado
35	Revise Contracts with CPRA and Commission Legal Counsels	10/10/2018		The contract posted on the Commission's website does not comport with the specifications of the Ordinance. As it stands, the Commission counsel reports directly to the City Attorney's Office, not the Commission. The Commission has yet to see the CPRA attorney's contract, but it, too, may be problematic.	**Medium**			

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36	Taser Policy (incorporate into Use of Force)	10/10/2018		This is part of Use of Force Policy; Review use of tasers in light of what happened to Marcellus Toney - In the report the Commission was given, it mentioned that officers have choice as to where to deploy a taser.	**Medium**			
37	Revisit Standing and Ad Hoc Committee Assignments	10/29/2019			**Low**			
38	Amendment of DGO C-1 (Grooming & Appearance Policy)	10/10/2018		DGO C-1 is an OPD policy that outlines standards for personal appearance. This policy should be amended to use more inclusive language, and to avoid promoting appearance requirements that are merely aesthetic concerns, rather than defensible business needs of the police department.	**Low**			
39	Assessing Responsiveness Capabilities	10/6/2018		Review OPD policies or training regarding how to assess if an individual whom police encounter may have a disability that impairs the ability to respond to their commands.	**Low**			
40	CPRA Report on App Usage	10/10/2018		Report from staff on usage of app.	**Low**			
41	Creation of Form Regarding Inspector General's Job Performance	1/1/2018	Create a form for Commissioners to use in providing annual comments, observations and assessments to the City Administrator regarding the Inspector General's job performance. Each Commissioner shall complete the form individually and submit his or her completed form to the City Administrator confidentially.	To be done once Inspector General position is filled.	**Low**			

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42	De-Escalation Policy (incorporate into Use of Force)	1/1/2018		This should be part of Use of Force Policy; review existing policy (if any) and take testimony/evidence from experts and community about best practices for de-escalation.	Low			
43	Discipline: Based on Review of MOU	10/6/2018		How often is Civil Service used v. arbitration? How long does each process take? What are the contributing factors for the length of the process? How often are timelines not met at every level? How often is conflict resolution process used? How long is it taking to get through it? Is there a permanent arbitration list? What is contemplated if there's no permanent list? How often are settlement discussions held at step 5? How many cases settle? Is there a panel for Immediate dispute resolution? How many Caloca appeals? How many are granted? What happened to the recommendations in the Second Swanson report?	Low			

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44	Discipline: Second Swanson Report Recommendations – Have These Been Implemented?	10/6/2018		Supervisor discipline Process for recommending improvements to policies, procedures and training, and to track and implement recommendations Tracking officer training and the content of training Comparable discipline imposed – database of discipline imposed, demonstrate following guidelines IAD civilian oversight for continuity in IAD Improved discovery processes Permanent arbitration panel implemented from MOU OPD internal counsel Two attorneys in OCA that support OPD disciplines and arbitration Reports on how OCA is supporting OPD in discipline matters and reports on arbitration Public report on police discipline from Mayor's office OIG audit includes key metrics on standards of discipline	**Low**			
45	Feedback from Youth on CPRA App	10/10/2018		Get some feedback from youth as to what ideas, concerns, questions they have about its usability.	**Low**			
46	OPD Data and Reporting			Review and comment on the Department's police and/or practice of publishing Department data sets and reports regarding various Department activities, submit its comments to the Chief, and request the Chief to consider its recommendations and respond to the comments in writing.	**Low**			
47	Outreach Committee: Work with Mayor's Office and City Admin to Publicize CPRA App	10/10/2018			**Low**			

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48	Overtime Usage by OPD - Cost and Impact on Personal Health; Moonlighting for AC Transit	1/1/2018		Request Office of Inspector General conduct study of overtime usage and "moonlighting" practices.	**Low**			
49	Process to Review Allegations of Misconduct by a Commissioner	10/2/2018		Maureen Benson named concerns/allegations about a sitting Commissioner early in 2018, but no process exists which allows for transparency or a way to have those concerns reviewed. It was suggested to hold a hearing where anyone making allegations presents evidence, the person named has an opportunity to respond and then the Commission decides if there's sanctions or not. *Suggestion from Regina Jackson: we should design a form...check box for the allegation...provide narrative to explain..hearing within 4 weeks?	**Low**			Jackson

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50	Proposed Budget re: OPD Training and Education for Sworn Employees on Management of Job-Related Stress	1/1/2018	Prepare for submission to the Mayor a proposed budget regarding training and education for Department sworn employees regarding management of job-related stress. (See Trauma Informed Policing Plan)	Review and comment on the education and training the Department provides its sworn employees regarding the management of job-related stress, and regarding the signs and symptoms of posttraumatic stress disorder, drug and alcohol abuse, and other job-related mental and emotional health issues. The Commission shall provide any recommendations for more or different education and training to the Chief who shall respond in writing consistent with section 604(b)(6) of the Oakland City Charter. Prepare and deliver to the Mayor, the City Administrator and the Chief by April 15 of each year, or such other date as set by the Mayor, a proposed budget for providing the education and training identified in subsection (C) above.	Low	4/15/2021		
51	Public Hearing on OPD Budget	1/1/2018	Conduct at least one public hearing on the Police Department's budget	Tentative release date of Mayor's proposed budget is May 1st of each year.	Low	Spring, 2021		
52	Public Hearings on OPD Policies, Rules, Practices, Customs, General Orders	1/1/2018	Conduct public hearings on Department policies, rules, practices, customs, and General Orders; CPRA suggests reviewing Body Camera Policy		Low	Annually; at least once per year		Dorado
53	Social Media Communication Responsibilities, Coordination, and Policy	7/30/2019		Decide on social media guidelines regarding responsibilities and coordination.	Low			