

Stockton Unified School District Department of Public Safety

# State of the Department

A report pursuant to the Agreement between the Stockton Unified School District and the California Department of Justice

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## **EXECUTIVE SUMMARY**

This second State of the Department report is an annual requirement of a formal court-approved five-year Agreement made in April 2019 between the Stockton Unified School District (District) and the California Department of Justice (DOJ). The Agreement requires the District to implement changes in policy, practice, and procedures intended to accomplish the following:

- Reduce student referrals to law enforcement
- Reduce disproportionality of any referrals to law enforcement
- Reduce the number of citations and bookings by law enforcement, and any disproportionalities within these classifications
- Expand community policing efforts

The Agreement outlined required corrective actions that were subsequently organized as 74 specific “tasks,” each of which have specific due dates within the Agreement’s five-year period of oversight. This report focuses primarily on Agreement requirements pertaining to the District’s Police Department (recently retitled as the Department of Public Safety) and the status of their efforts to meet them.

## **INTRODUCTION**

The Stockton Unified School District Department of Public Safety (Department) provides continuous services to over 40,000 students and staff at over 60 locations. Headed by Interim Chief of Police Richard L. Barries, the Department is comprised of 37 police officers, 8 dispatchers, 3 professional staff, and is supported by 90 campus safety personnel. Sworn personnel are defined as peace officers pursuant to California Penal Code 830.32 and California Education Code 38000. The Department has been certified by the California Commission on Peace Officer Standards and Training since 1989.

The Department answered 7,494 calls for service in 2020. Officers booked or cited 594 persons of which 216 citations were for traffic offenses. The Department reports that bookings and citations are down 60% for the period of 2015-2016 to 2019-2020. The extreme events of 2020 brought unprecedented challenges to the Department: The Pandemic, significant changes in leadership and overall staffing, an ongoing debate surrounding police accountability and the role of the police, and locally whether the Department should even continue to exist.

The Pandemic resulted in a cessation of in-person instruction throughout the District. It required a rethinking of how the Department protects students who are no longer on campus. Training for officers, including that required of the Agreement, was limited or cancelled. Staff participation in community events, a longstanding component of the Department’s community policing programs, was curtailed. Staffing became staggered and at times reduced to as low as 10 officers per shift. Department meetings and work relating to the Agreement continued but necessarily became less frequent and required virtual meetings, including those between staff and the Agreement Monitor (the OIS Group) and the Community Advisory Group (CAG).

2020 saw the retirement of the District Superintendent and the departure of the attorney assigned by the District to oversee compliance with the Agreement, the retirement of the Department's Chief of Police and the sole Captain of Police, each of whom were highly involved with ensuring compliance with the Agreement from the onset and their absence is noteworthy. Lieutenant Richard Barries was named Interim Police Chief and Lieutenant Mayra Franco Interim Captain. These moves resulted in filling two interim Lieutenant positions and an interim Sergeant position. In addition, the Department reassigned a Sergeant from Patrol to Chief of Staff and a Detective to Public Information Officer. One officer resigned from the Department during 2020.

National debate over the role and practices of policing, including whether schools should maintain their own police departments, has understandably had an impact at the local level. Chief Barries responded to changing community expectations by presenting a comprehensive plan for the retooling and rebranding of the Department. Entitled *Cornerstones of Redesigning School Safety: Restorative Justice, Youth Engagement, Community Involvement, and Holistic Approach (Cornerstones)*, the plan included changing the very name of the Department from Police Department to Department of Public Safety. The plan includes a reframing of its previous Mission and Values statements.

#### Mission

The Mission of the Department is to advocate for equality and inclusivity by embracing a guardian mentality to reduce disproportionality and promote a positive educational environment; to create and maintain a vital, healthy, safe, and just community and to improve the quality of life for all.

#### Vision

To bring our core values to life in our work to prevent our students from entering the 'School to Prison Pipeline' through the implementation of our Four Cornerstones of Redesigning School Safety: Restorative Justice, Youth Engagement, Community Involvement, and a Holistic Approach.

#### Guiding Principles

These principles reflect procedural priorities, shared processes, and the rules of engagement on how the Department will implement efforts designed to meet its desired objectives.

- Support a positive view of employees within the Department through community involvement
- Show outcomes transparently and show follow-through on decisions at all meetings
- Focus on the best interest of students to improve their quality of life as students and community members
- Develop partnerships by providing services and support to the community
- Collaborate with the public through proactive and open listening in the community
- Pursue and support accountability
- Seek to achieve prioritized goals as a Department

- Educate schools and the community on the roles of police officers and their responsibilities
- Treat others as you want to be treated. Be open and honest with each other. Acknowledge and recognize good work.

### Core Values

The Department believes that justice must be fair, justice must be transparent, and justice must be equal, and the District is committed to our core value “Safeguarding our Future” by providing a safe educational environment in order for students to graduate college -- career and community ready.

- Dependability
- Support for staff development and growth
- Open and honest communication
- Open-mindedness and curiosity
- Trustworthiness
- Respect for all
- Understanding of the chain of command
- Acceptance of input and differing opinions
- Honesty and transparency at all levels
- Interact with and support all community groups
- Consistent support and representation for school sites
- Support and encouragement for officers
- Consistent professionalism
- Teamwork and staff unity
- Common courtesies
- Support for public safety
- Mentoring for students and children
- Quality customer service

*Cornerstones* clarifies that the role of school police is that of guardian with an emphasis on equality, inclusivity and reducing disproportionality within the educational environment. It reflects an overarching philosophy of contributing to a positive school culture by providing students with meaningful police and student relationships and ensuring the level of safety and security necessary for them to thrive. *Cornerstones* was formally approved by the District on October 27, 2020 with Resolution 20-24 (see addendum).

### **STATUS OF AGREEMENT COMPLIANCE**

As stated previously, the Agreement requires the District to complete specified “tasks” within designated time frames. The District’s police department was assigned 40 tasks. As the Department completes these tasks, documentation is sent to the DOJ-approved Monitor, the OIR Group, for evaluation and approval. OIR subsequently forwards these documents to the DOJ for final approval and acceptance.

As used in this report, the term “task” refers to an internal designation used by the Department to organize Agreement requirements and is not a designation found in the Agreement itself. Some requirements, depending on their complexity, were subsequently broken into smaller tasks to assist Department staff with managing the workload and reporting progress to the Monitor and DOJ. Generally, tasks were assigned a number based on due dates and do not necessarily appear in this report in numerical order.

It is recommended the reader refer to the Agreement (attached) when reading descriptions of the Department’s response to a specific requirement (or task) for a full understanding of Agreement mandates and specified time frames.

**Agreement tasks assigned to the Department:**

<b>Task</b>	<b>Description (abbreviated)</b>	<b>Section #</b>	<b>Status*</b>
3	Invite specified representatives to participate in the CAG	XII(B)	Completed
4	Revise Computer Aided Dispatch form to include “Ethnicity” field	X (A)	Completed
8	Analyze data re: officer contact with students and provide report	X (B)	Completed
13	Log requests from school staff that did not require police response	I (E)	Ongoing
15	Formalize goal to develop diversion for school-based offenses	II (A)	In Progress
16	Hire outside Police Professional (consultant)	XI (A)	Completed
17	Contact stakeholders to assist with formal diversion program	II (B)	In Progress
21	Formalize stated goal to continue community policing model	II (A)	In Progress
26	Create protocol requiring approval for citing/booking for 148 CPC	I (D) (1)	Completed
27	Create protocol for dispatchers to determine police resources	I (E)	Completed
28	Create plan to expunge 415.5 CPC cites/bookings of students	II (C)	Completed
29	Revise policy for personnel complaints	IX (A)	Completed
30	Create mandatory training plan to be reviewed annually	VIII (A)	Completed
33	Create protocol for students experiencing a mental health crisis	III (D)	Completed
34	Create procedure for referral for mental health assessments	III (D)	Completed
35	Develop mechanism to resolve complaints through mediation	IX (A) (2)	Completed
36	Initiate training in crisis intervention and de-escalation	III (D)	In Progress
38	Train officers on new policies adopted per Final Judgment	VIII (A)	In Progress
46	Submit State of the Department report by Police Professional	XI (A)	Completed
47	Revise policy to include on-call sign language interpreters	III (E)	Completed
51	Create Community Advisory Group (CAG)	XII (A)	Completed
53	Revise Use of Force review procedure to identify issues and trends	IV (D) (7)	Completed
54	Revise Use of Force review by department Chain of Command	IV (D) (5)	Completed
55	Revise Use of Force policy to include parental/guardian notification	IV (A) (9)	Completed
56	Revise Leg Restraint policy	IV (B) (1-3, 5, 7)	Completed
57	Revise Use of Force policy to add criteria to ensure accountability	IV (D) (1)	Completed
58	Foot Pursuit policy	IV (D) (9)	Completed
59	Develop training for de-escalation in a school-based setting	IV (C)	Completed
60	Provide training on use of force appropriate for student behavior	IV (C)	In Progress
61	Identify community policing strategy in the 2019 Strategic Plan	II (D)	Completed
62	Establish expectations for supervisors documenting Use of Force	IV (D) (4)	In Progress

63	Create policy for no cite/book for conduct resulting from disability	III (C)	Completed
64	Modify performance evaluation system to reflect specified criteria	IV (D) (8)	Completed
65	Revise Use of Force policy	IV (A) (1-8)	In Progress
68	Develop training for working with students with disabilities	III (C)	In Progress
70	Implement formal diversion program (due 4/17/21)	II (B)	In Progress
71	Publish Citizen Complaint Report and submit to CAG	IX (A) (5)	Ongoing
72	Review written summary of CAG meeting (to Chief and Supt.)	XII (E)	Ongoing
73	Provide Superintendent with summary reports of complaints	XI (B)	Ongoing
74	Provide written summary of CAG meetings for specified review	XII (D)	Ongoing

\*As of December 30, 2020

**NOTE:**

“Completed” indicates material submitted to the Monitor and approved by the Monitor and the DOJ. All completed materials are subsequently sent to the Community Advisory Group (CAG) for comment and review prior to the formal training of Department/District staff and implementation.

“Ongoing” indicates the Department has completed the requirement, but the task requires specified periodic updates or reports throughout the period of the Agreement.

“In Progress” indicates the Department, to the extent practicable, has prepared initial working materials intended to be responsive to the task. These draft documents are in the process of being reviewed and circulated between the Monitor, DOJ, and back to the Department as needed until a consensus is reached and the document is approved for review by the CAG.

There are numerical gaps in the Task Chart; those tasks that are not included in the Chart have been assigned to School District staff for completion. Information about these tasks can be found in the document *Second Monitoring Report to the California Department of Justice re Stockton Unified School District: Status of Agreement Compliance* (OIR Group December 2020). This document can be found online at: <https://susdpolice.org/forms/OIR.pdf>

**SUMMARY OF ASSIGNED TASKS**

Create a Community Advisory Group

**Task #3 Section XII (B)**

**Task #51 Section XII (A)**

**Task #72 Section XII (E)**

The District formed the Community Advisory Group (CAG) to provide specified stakeholders a forum to follow how the District provides education and safety to its students. In addition, the District asked School Board members to appoint a community representative of their choosing to the group. Members of CAG are provided an opportunity to review and comment on changes made pursuant to the Agreement following approval by the Monitor and DOJ. The Department has also called upon the CAG to provide feedback regarding proposed changes, including patrol vehicle design and the *Cornerstones* plan. CAG primarily reviews tasks required of the school police department including:

- Department recruitment efforts and employee statistics
- Review of the Department’s Annual Report
- Review of community feedback regarding Departmental practices
- Review of the formal diversion program (see Task #15)
- Review of the District’s police assistance and student referral policy

The CAG has continually met on a quarterly basis; however, meetings for the last three quarters of 2020 were conducted remotely due to the pandemic. CAG meetings are coordinated and recorded by a Chairperson and Secretary chosen by members. A written summary of the meeting is submitted within 45 days for review by the DOJ approved Monitor, School Superintendent, the school Police Chief, and the public. Reports can be found online at: <https://www.stocktonusd.net/Page/13517>

**Revise Computer Aided Dispatch Form to Include “Ethnicity” Field**

**Task #4 Section X (A)**

The Department uses computer software to manage the thousands of calls for service received each year. In addition, officer generated activity is tallied for various record keeping purposes. Information is entered into the CAD, or Computer Aided Dispatch system, by dispatchers and other authorized persons, using fields to expedite entry and subsequent queries. The Agreement requires the addition of an “Ethnicity” field to the existing fields which include “Race.” All subsequent data reports required of the Agreement now include the ethnicity of persons contacted by officers for official purposes resulting in a record or report.

**Analyze and Disaggregate Monthly Data Regarding Contact with Students**

**Task #8 Section X (B)**

On a monthly basis, the Department collects statistical data regarding contacts with students to determine the following:

- School requests for assistance
- Resolution of requests for assistance and any resulting police action
- Citations issued
- Bookings
- Counsel and Release
- Instances where force was used and by whom

The data is required to be disaggregated by school site, type of offense or incident, resolution, and student demographics. Data reports are used to measure outcomes related to the District’s requirement to adopt a police assistance and student referral policy that states, “...police officers should not be involved in disciplinary infractions that are more appropriately the responsibility of school administrators and teachers.” Eleven specified types of low-level disciplinary conduct are included in the police assistance and student referral policy. The referral policy includes an exception for situations where a person’s safety is believed to be at risk.



## **Record All Calls for Service from a School Site That Did Not Warrant a Police Response**

### **Task #13 Section I (E)**

The District has developed a police assistance and referral policy to guide school staff on the recommended responses to 12 examples of specified behaviors for which referrals to the police are not appropriate. The policy places emphasis on relying on specified school staff to address minor incidents and non-threatening behaviors without requesting police assistance. The policy allows for requesting the police for those clear instances where a police response is deemed necessary, generally to protect people from harm and serious threats to property.

Police dispatchers have been provided training in the procedure to screen requests for service from school staff to ensure a police response is appropriate. Moreover, dispatchers are provided with resource information to provide non-law enforcement options to persons requesting assistance so that problems are not ignored.

When the police are not sent, the Department nonetheless notifies the school of the request so that the policy is reinforced. The Department maintains a record of requests for police assistance deemed inconsistent with the referral procedure that includes the identity of school staff making the request and the school site. This information is shared with the District and the Monitor to assess the need for additional training.

## **Develop Formal Diversion Program for School-Based Offenses**

### **Task #15 Section II (A)**

### **Task #17 Section II (B)**

### **Task #70 Section II (B)**

The Department has begun the process of identifying relevant stakeholders and community resources to develop a formal diversion program for school-based offenses that avoid the use of the criminal justice system to address these types of behaviors. Draft documents are currently under review. These tasks remain in progress.

## **Formalize a Goal to Establish a Diversion Program and Continue a Community Policing Model**

### **Task #21 Section II (A)**

### **Task #61 Section II (D)**

During the development of the Department's most recent Strategic Plan (for 2019-2021), the Department outlined its commitment to build community trust and to create additional opportunities for outreach. Programs were developed or expanded to provide officers opportunities to serve as role models for students. These efforts include formal programs such as the Stockton Public Safety Academy and the Police Explorer Program, as well as a myriad of intimate presentations and special events held

throughout the school year. Despite the significant challenges posed by the pandemic, the Department nevertheless participated in a wide array of community-based events in 2020, which included the following:

- **Food Drive for Families in Transition** - Gift card donations from local grocery stores and fast-food restaurants were donated to 600 Families in Transition
- **Traveling Trunk** - A Mobile Trunk or Treat Halloween event in partnership with CanDaces Consulting provided candy for children living in impoverished neighborhoods
- **Desk Donation** - CanDaces Consulting donated recycled desks to families in need during distanced learning
- **Holiday Door Decorating** - Officers participated in a holiday decorating of school doors competition held at Weston Ranch High School
- **Sports Equipment Giveaway** - Officers partnered with the California Highway Patrol to provide sports equipment to students at Pittman Elementary during recess
- **Operation Shop** - Officers partnered with the San Joaquin Sheriff's Office to shop for Christmas presents for identified students and families in need
- **Toy drive for Mary Graham Hall** - Officers in partnership with Walmart and the San Joaquin Sheriff's Office gathered donated toys to fill a police boat for children at Mary Graham Hall
- **Walmart gift card donations to families in need** - In partnership with Walmart, officers handed out donated gift card to families in need or who had suffered from tragic events during the holidays
- **Trunk or Treat event @ Pittman** - Officers modified the Department's Annual Halloween event usually held at the police facility to allow for community members to instead drive-thru Pittman School to safely participate within COVID guidelines
- **Cram the Cruiser** - In partnership with Office Depot, officers provided donated school supplies to Families in Transition
- **Breckenridge Funeral Support Services** - Officers provided support, safety, and traffic control, for a viewing and funeral held on Edison High School's campus for a student who tragically died in a vehicle collision
- **Community Dialogue over Zoom with the District** - Staff participated in a series of community meetings for dialogues with district and community members on tough topics surrounding race, disproportionality, and police brutality
- **Graduation Events** - Provided the necessary support to all District High Schools and some elementary schools to allow for drive-thru graduation celebrations and allowing students to safely obtain their diploma
- **Birthday Drive** - Coordinated a drive-thru parade/birthday celebration for a 16-year-old student with autism who was having a difficult time understanding why he would not be able to celebrate his birthday due to COVID-19
- **Thanksgiving Meal Distribution** - Partnered with Oasis Church Center to package Thanksgiving meals and distribute to approximately 300 families. The process included partnering with a community member or juvenile to establish positive relationship.

- **Bike Raffle** - Approximately 10 bikes were raffled away and delivered to students by Officer Schwarz playing the role of Santa
- **Drive Through Parade** - Officers coordinated a drive-thru holiday parade and provided gifts for a Hoover School student suffering from cancer

In 2019, the Department made substantial modifications to their webpage <https://www.susdpolice.org/> to publicly express their commitment to engaging in community policing. This included a clear message about the characteristics they are seeking from potential employees. These changes were expanded in 2020 and mirror the tenants expressed in the *Cornerstones* plan including highlighting the desire to select officers who exemplify a guardian philosophy of policing. Under the “Careers” heading, the website asks, “Are we looking for you?” and states, “Our Department is seeking exceptional individuals who possess the unique qualifications needed to accomplish our specialized mission of protecting and serving others within a school environment.” The potential employee is asked the following questions:

1. Can you be the type of police officer the community will be proud of?
2. Will you step up to ensure our schools provide a safe and supportive environment where students can thrive?
3. Are you committed to improving our community?
4. Do you value the opportunity to help shape the future?
5. Can you serve as a mentor and role model for young people?

The downloadable recruitment poster is free of images depicting arrests, tactical equipment, or similar images that are typically used by police agencies seeking to recruit officers. Instead, the poster seeks to inspire those looking for a career working with children and youth and reflects direct involvement between officers and these groups. The website provides the viewer with images reflecting diversity and officers engaging in community programs. The section titled *Our Stories* has been expanded and provides six powerful videos showing school police officers displaying compassion and genuine caring for others and one another.

Also new to the webpage is the addition of a short video message entitled “Hello SUSD Students.” The animated segment starts by stating, “This is going to be amazing!” and introduces changes to the Department with, “You spoke and we listened. Here’s what we are working on for you.” Information includes the Department’s name change to Department of Public Safety, and the redesign of Mission, Vision, and Objectives. The segment ends by inviting students to learn more about the Department via the internet and states, “We’re committed to change!”

Another noteworthy indicator of the Department’s commitment to community policing is its recent efforts to stay connected with the community when in-person meetings are not possible. This includes testing of the innovative platform provided by Every Voice Engaged, a non-profit foundation that provides support to citizens, governments, and non-profit organizations to solve problems through discussion, deliberation, and collaborative decision making.

Using software that is accessible via remote devices, the Every Voice Engaged program provides a forum for the Department to present topics to the community to assess their initial feelings, consider the pros and cons of various alternatives and eventually to move toward consensus supported by real-time data. Every Voice Engaged has been used by a significant number of colleges, members of Congress, municipalities and organizations. The Department is the first police department to explore using this platform as a community policing tool to promote greater input and review of its programs, policies and procedures. Currently, Department staff is being trained in the program to prepare them to begin trial sessions with the Community Advisory Group.

Lastly, the District and Department developed a memorandum of understanding to formally state the mutual commitment to maintaining a community policing philosophy. This document was signed by the then Superintendent and Chief of Police; however, as both have since resigned the document needs revision. At writing, this task is in progress.

### **Retain Outside Police Professional (Consultant)**

#### **Task #16 Section I (D)**

Mr. Alan Caddell was selected by the District to serve as consultant to the police department. Mr. Caddell had previously facilitated the development of the Department's Strategic Plan for 2019-2021. Alan retired as a Commander with the Santa Ana Police Department and has nearly 30 years of varied law enforcement experience. He holds a Bachelor of Arts degree in Public Administration and a Master of Arts degree in Education. Alan is a California Peace Officer Standards and Training (POST) Master Instructor, a member of the POST Quality Assessment Program and served on the POST Instructor Standards Advisory Committee for 10 years. His experience includes evaluation of police department performance, policing standards and training, and facilitating community advisory groups. Mr. Caddell provides consulting services to the Department regarding policy and procedure, serves as liaison between the Department, the Monitor, and the Community Advisory Group, and he is responsible for writing the annual State of the Department report.

### **Create a Protocol Requiring Supervisor Approval Before Citing/Booking Students for CPC 148**

#### **Task #26 Section I (D)**

The Department created a formal procedure to require supervisory authorization before citing or booking a juvenile offender for violations of CPC 148.

### **Create a Plan to Request the Expungement of Violations of CPC 415.5 by Students**

#### **Task #28 Section II (C)**

A review of prior citations and bookings by the Department for CPC 415.5 identified several cases where the involved person was a registered student on the campus where their behavior created a disturbance

and therefore were not in violation of the statute. Working with the San Joaquin Juvenile District Attorney, these cases were formally expunged by the Court.

### **Revise the Personnel Complaint Process**

#### **Task #29 Section IX (A)**

As with all California police agencies, the Department has a formalized process for receiving and investigating reports of misconduct by its employees. The Agreement required the modification of existing policy to formally assign a police official to ensure complaint forms are provided, in plain view, at its headquarters and that these forms be made available in languages other than English, pursuant to Education Code 48985. The Department has designated their Captain of Police as the person to ensure compliance.

The Agreement further requires the modification of complaint procedure materials to be in a format which is easily understood by the community, including those with limited English proficiency. The Department developed a three-pronged approach to ensuring the complaint process is comprehensive, accessible, and understandable. The formal complaint process can be found in Department Policy 1020, which although primarily intended for internal use can be obtained online. It provides detailed instructions for the receipt, investigation, reporting, and maintenance of personnel complaints. As a policy document, it contains legalese and formal verbiage that is not necessarily layperson friendly.

To meet the intent of the Agreement, a second document entitled *Explaining the SUSD Police Department Community Complaint Process* provides a document intended for the general public including students, parents, and other interested parties. It was written with the intent to make the document informative, non-formal, free of extraneous or potentially confusing terminology, and one that encourages complaints and feedback regarding the performance of Department personnel.

The third document is a redesigned user-friendly brochure intended to explain the complaint process in a conversational and supportive tone. Its smaller size allows for easier access by employees carrying the document in the field, compact storage at District sites where the brochure can be found, and for easy grab-and-go by persons seeking to make a complaint. It contains the complaint form itself and an overview of the most significant parts of the other two complaint documents, to include:

- Who can make a personnel complaint?
- How do I make a personnel complaint?
- What do I need to make a personnel complaint?
- Can I remain anonymous?
- Who investigates my personnel complaint?
- What happens to the employee?
- Will I be informed of the results?
- What are my rights as a complainant?

The brochure also describes procedures to avoid potential conflict of interest by the investigator, the time frame for notification of findings, and a simplified explanation of the potential findings, e.g., defining “sustained” and “exonerated.”

The complaint forms can be obtained online and are available in English, Spanish, and Hmong. The community can access the forms from the Department of Public Safety webpage at <https://www.susdpolice.org/complaint.html> or from the District webpage at <https://www.stocktonusd.net/Domain/2939>

Hard copies are available at the Department of Public Safety Office located at:

640 North San Joaquin Street  
Stockton, CA 95202

And at the following District facilities:

The District Main Office  
701 North Madison Street  
Stockton, CA 95202

The Centralized Enrollment Office  
800 South Sutter Street  
Stockton, CA 95202

### **Create a Mandatory Training Plan to be Reviewed Annually and Train Officers in New Policy**

#### **Task #30 Section VIII (A)**

#### **Task #38 Section VIII (A) Page 18**

As Agreement tasks are approved and subsequent changes to policy and procedure are implemented, training is required to ensure new directives are carried out. The Department has developed a Mandatory Training Plan to reflect the topics recommended by the DOJ, including the following:

- Constitutional Civil Rights
- Childhood Adolescent Development
- Age-Appropriate Response to Student Conduct
- Disability/Special Education Issues
- Bias Free Policing, Implicit Bias, Cultural Competency
- Responses to Trauma
- Restorative Justice
- Interacting with specific student groups (i.e., students with disabilities)

The Training Plan includes the frequency of training and a list of current course presenters. In addition, the plan includes courses required by the California Commission on Peace Officer Standards and Training and the Stockton School District and its Police Department. The Department tracks all training attended by its personnel to ensure compliance.

The limitations on gatherings due to COVID have limited the ability to provide training and many training sessions are currently on hold; however, to the Department's credit they have conducted training related to the Agreement where possible and accomplished the following during this reporting period:

- Student Discipline and Intervention Matrix training completed by all police staff (District Task 5)
- Police Assistance and Referral Policy training completed by all police staff (District Task 7)
- Crisis Intervention Tactics (CIT) attended by four officers (District Task 24)
- Search and Seizure training conducted completed by all sworn personnel (District Task 32 and 45)
- Mental Health Crisis Protocol Training completed by all police personnel (Task 34)
- Crises Intervention Team training attended by four officers (Task 36)

### **Create a Protocol for Referring/Responding to Mental Health Assessments/Crisis and Related Training**

**Task #33 Section III (D)**

**Task #34 Section III (D)**

**Task #36 Section III (D)**

**Task #59 Section IV (C)**

Studies show that training police officers in crisis intervention and de-escalation techniques significantly reduces the risk of injury to the person experiencing a crisis and the officers responding to the incident. Moreover, this training provides officers with the knowledge to better understand the intent of persons exhibiting erratic or disruptive behavior and to distinguish between behaviors resulting from mental illness or from those reflecting actual criminal intent.

The District, in conjunction with the Department, has created a six-step procedure to guide school staff when responding to students experiencing mental health crises and not requesting a police response unless it is an emergency. The protocol includes the following categories:

- Ensure Safety
- Evaluate the Crisis-Triage
- Initial Inquiry
- Refer to Risk Assessment Tool
- Develop Action Plan
- Follow-Up

The protocol places emphasis on staff contacting the school counselor, school psychologist, school nurse, and/or mental health clinician for assistance. In addition, the protocol includes contacting the student's parent/guardian when determining the appropriate course of action. Training officers in the above procedure has been temporarily halted due to COVID and currently is on hold.

### **Develop a Complaint Mechanism to Resolve Complaints Through Mediation**

#### **Task #35 Section IX (A) (2)**

Mediation offers a potential alternative to the traditional citizen complaint process that has been shown to provide more satisfactory outcomes for the complainant and involved officer alike. The less-formal process voluntarily brings together the complainant, involved officer, and a trained mediator to openly and safely discuss their mutual feelings surrounding the incident that led to the complaint. The complaint is deemed resolved when both complainant and officer agree the mediation session was successful—which generally means both parties express satisfaction with having a chance to fully explain their point of view. Studies have shown that mediation can provide the complainant (and often the officer) with a greater sense of empowerment over the traditional complaint process with its rigorous rules governing the investigation, officer rights and confidentiality.

The Department formally partnered with the San Joaquin County Bar Association Dispute Resolution Services to provide professional trained mediators at no cost to the complainant. The process is confidential, but the Department maintains records of the original complaint and documents that mediation was used to resolve it. Not all complaints are eligible for mediation and they are generally limited to allegations of incivility, poor service, or minor breeches of policy. Serious allegations such as criminal behavior, threats, excessive force, or bias do not qualify for mediation.

### **Submit the State of the Department Report**

#### **Task #46 Section XI (A)**

This annual report is intended to provide the District, the Monitor, the Community Advisory Group (CAG), and the public with information about how the Department is complying with Agreement requirements. The report is authored by the Police Professional consultant and includes input from the Monitor. Feedback provided from the CAG throughout the year is included where applicable and the report is provided to the CAG for their review and comment.

### **Revise Policy to Include the Use of On-Call Sign Language Interpreters**

#### **Task #47 Section III (E)**

The Department takes seriously its responsibility to be responsive to all persons they serve and have established policy to provide guidance to its personnel when communicating with persons with disabilities. These guidelines include communicating with persons who are deaf, hard of hearing, have



impaired speech or vision, or who are blind. To accomplish this effort, resources have been identified and these now include on-call qualified sign language interpreters.

The Department entered into a contract with Access Communication Today, a provider of sign language interpreter services, and has modified its policy to include the use of these on-call resources. These interpreters are experienced in providing services related to law enforcement matters and are aware of related legal and ethical issues involving their use. They provide timely response to requests for assistance in the field or for investigatory purposes. Officers can request a sign language interpreter as needed and/or at the request of a student or their parent unless exigent circumstances would otherwise prevent it.

### **Revise the Use of Force Policy to Require Supervisory Review**

#### **Task #53 Section IV (D) (7)**

The Department has modified its Use of Force policy to assign a Captain to be specifically responsible to regularly convene a group of supervisors to review use of force incidents to identify performance issues and trends. Recommendations for training, policy modifications, equipment and related issues are presented to the Chief of Police for review.

### **Use of Force Review by Designated Lieutenant**

#### **Task #54 Section IV (D) (5)**

Modifications to the Department's use of force policy now require that a designated Lieutenant review each use of force investigation to ensure thoroughness including an assessment of whether the investigation was appropriately handled, that the findings reflect compliance with policy, proper accountability, and overall supervision of the event. Issues of training and equipment arising from the review are to be noted for follow-up.

### **Require Notification of Parent/Guardian When Student Injured by Police Activity**

#### **Task #55 Section IV (A) (9)**

Policy and reporting forms were modified to reflect the requirement to ensure that parents or guardians of any student injured as a result of police activity will be notified as soon as practicable. The supervisor's reporting form now includes a signature line to verify who was notified, when the notification was made, and by whom.

## **Revise the Leg Restraint Policy**

### **Task #56 Section IV (B) (1)**

The Department modified its Leg Restraint Device policy to clarify that ordinarily officers shall not use handcuffs or other approved mechanical restraints unless a student poses an immediate danger of serious bodily injury to self or others. In cases of criminal conduct where a student has been physically arrested, or where there is an immediate and articulable risk of the student destroying evidence or fleeing, officers may use their discretion regarding the use of restraints but must document their use and explain the justification in their report. If force was required to apply the restraints, the force used is subject to review under the Department's use of force policy.

## **Foot Pursuit Policy**

### **Task #58 Foot Pursuit Policy**

The Department revised its Foot Pursuit Policy to ensure safe and effective communication between their officers and dispatchers, and those of assisting agencies. Supervisory oversight of foot pursuits, restrictions on foot pursuits, and reporting requirements have been included in the revised documents.

## **Use of Force Policy**

### **Task #57 Section IV (D) (1-3, 5, 7)**

### **Task #62 Section IV (D) (4)**

### **Task #65 Section IV (A) (1-8)**

The above tasks involving procedures for the supervisory review of use of force incidents are currently in progress.

## **Modify Employee Performance Evaluation System to Reinforce Specified Behaviors/Actions**

### **Task #64 Section IV (D) (8)**

To truly achieve the Department's intent to infuse a community policing philosophy throughout the organization requires that employees be evaluated by their ability to demonstrate the application of community policing principles. In this way, behaviors which encourage and promote community policing are rewarded and become part of the criteria for advancement, special assignments, and overall job satisfaction.

Modifications to the evaluation system address:

- Seeking alternatives to the use of force and using de-escalation techniques where possible
- Engaging the community in meaningful, respectful, and problem-solving relationships
- Seeking opportunities to use diversion and other non-criminal strategies where appropriate

## **Develop Training for Working with Students with Disabilities**

### **Task #68 Section III (C)**

The Department is working with the District Disability Coordinator to develop training curriculum to guide officers when responding to incidents involving students with disabilities, including students with mental health disabilities. Draft instructional outlines are in progress.

## **Provide the Superintendent with a Summary of Personnel Complaints**

### **Task #73 Section XI (B) Page 21**

The Department is required to immediately notify the District Superintendent of personnel complaints involving allegations of excessive force, racial profiling, harassment, or discrimination. In addition, a report containing the above information is required to be sent to the Superintendent on a quarterly basis. This Task is ongoing.

## **CONCLUSION**

Despite facing unprecedented challenges in 2020, the Stockton Unified School District Department of Public Safety did not waver from its commitment to meet or exceed requirements of their Agreement with the Department of Justice. Most required tasks have now been completed, although two substantial areas remain in progress: the revision of remaining use of force policies and the implementation of a formal diversion program. In addition, curriculum development and training on new policy and policy revisions remains a sticking point as restrictions surrounding the pandemic remain.

Guided by a community seeking greater transparency and responsiveness, the Department is moving in a new direction. The new management team has responded to these concerns with a series of new initiatives and a visible commitment to embracing change. Programs like *Cornerstones* and *Every Voice Engaged* are providing fresh perspectives on the Department's longstanding efforts to forge and maintain viable community partnerships. The Department is on track for the successful completion of the Agreement for the betterment of their agency and the community they serve.

**ATTACHMENT**



Agreement.pdf