



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 09/15/2020

ITEM NO: 6

DATE: September 10, 2020
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Discuss the Police Department Budget and Provide Direction for Potential Reforms to Practices, Service Delivery, Oversight, and Related Matters

RECOMMENDATION:

Discuss the Police Department budget and provide direction for potential reforms to practices, service delivery, oversight, and related matters.

BACKGROUND:

After the killing of George Floyd by Minneapolis Police in May 2020, the Town received over 150 emails and phone calls from concerned Los Gatos residents regarding police practices, the diversion of funds from the Department to other Town services, potential reforms, hiring practices, and other related matters. The Town Manager's Office responded to each email and phone call.

Beginning in early June, students led peaceful protests and marches in Town to highlight systemic racism, Blacks lives matter, and the need for meaningful change. On June 5, 2020, the Mayor signed a proclamation affirming the Town's commitment to stand in solidarity with the Black community. In addition, she signed the Obama Foundation's Mayor Pledge, committing to the following actions:

- Review Police Department Use of Force Policies.
- Engage the community by including a diverse range of input, experiences, and stories in the review.
- Report the findings of the review to the community and seek feedback.
- Reform the community's Police Department Use of Force Policies.

Reviewed by: Assistant Town Manager, Police Chief, Town Attorney, and Finance Director

SUBJECT: Consider the Police Department Budget and Provide Direction on Potential Reforms and Related Matters

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BACKGROUND (continued):

These actions complement the action taken by the full Council in May 2017 when it adopted a resolution affirming a commitment to Los Gatos being a diverse, supportive, equitable, and inclusive community and to protecting the constitutional and human rights of its residents, workers, and visitors. All of these materials can be found on the Becoming an Inclusive Community webpage on the Town's website: <https://www.losgatosca.gov/2604/Becoming-an-Inclusive-Community>

At the June 16 Council meeting, Council Member Rennie requested two future agenda items: (1) a high level overview of the Los Gatos/Monte Sereno Police Department budget and (2) an item to address racism in the community. Council Member Sayoc seconded the request. This Council item is in response to these requests and as described below, the Council will have additional opportunities to address racism in the community.

In preparation for the requested agenda items, the Town Manager convened a focus group during the summer to assist with determining the appropriate approach to community engagement on racism in the community and police issues. The focus group consisted of Town officials (Mayor, Council Member Sayoc, Chief Decena, and Captain D'Antonio), school partners (Superintendent Johnson and Superintendent Grove), business leaders (Chamber Executive Director Somers, Netflix Executive Jon Hicks, and business owner Nancy Chin), faith leaders (Rabbi Aron and Kareem Syed), Los Gatos Anti-Racism Coalition (Jeffrey Suzuki, Kinsey Lee, and others), and student leaders of local protests (Nika Sabouri, Donya Behroozi, and others).

The focus group met twice and identified several topics in which racism could be discussed in a series of community conversations. These topics included police practices and potential reforms, affordable housing, school curricula, business community, and overall community culture. Each conversation is intended to provide opportunities to listen, learn, share experiences, identify potential action items, and provide other comments. Based on the focus group input, the Town is holding three workshops over the Zoom platform:

- September 8: Police Practices and Potential Reforms
- September 29: Affordable Housing
- October TBD: Community Culture (inclusive of the business and school communities)

After each community workshop, the Mayor is placing the respective topic on the Council agenda for the Council to listen to additional public testimony and determine appropriate next steps. This Council agenda report addresses the June Council request and provides the Town Council an opportunity to direct specific next steps regarding potential police reforms.

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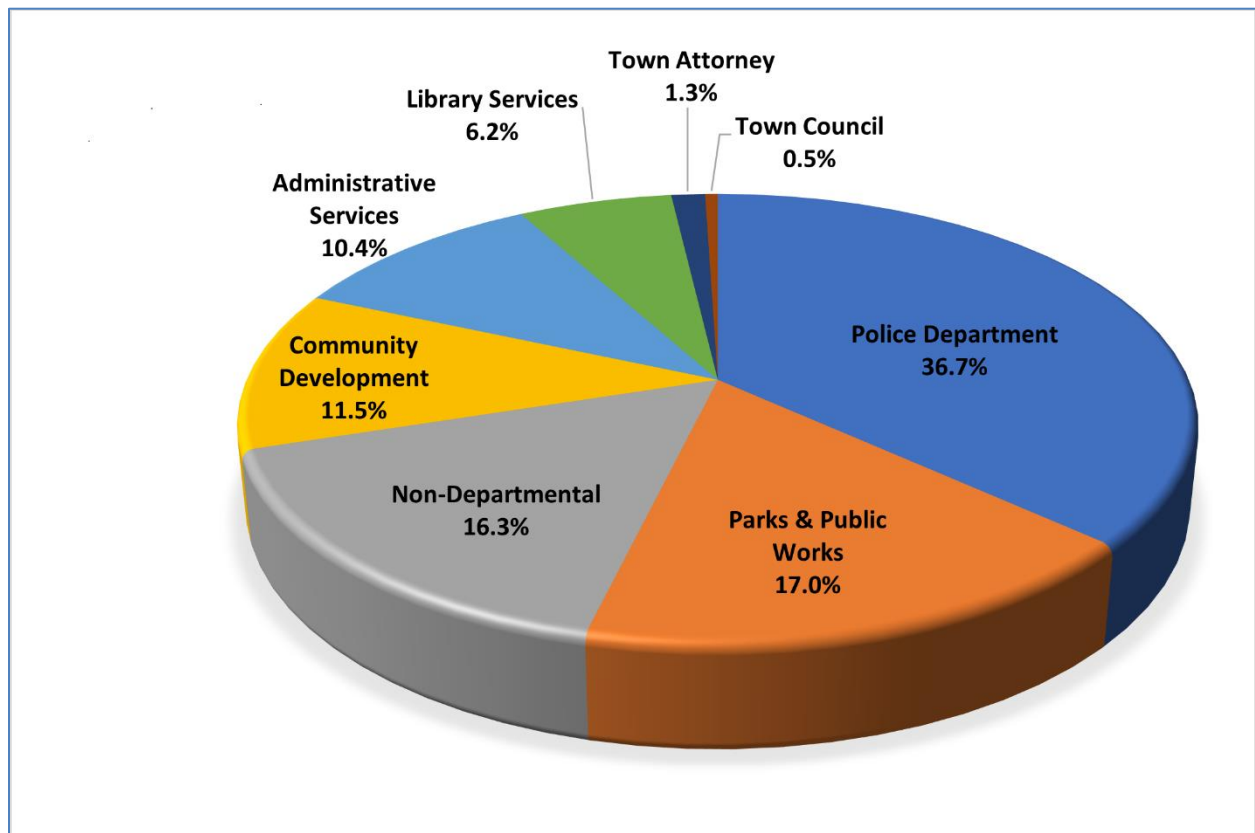
DISCUSSION:

High Level Police Budget Overview

Every year, the Council identifies its Strategic Priorities that become incorporated in the work plans for Town Departments in addition to the ongoing municipal services provided to the community. These Priorities are incorporated into the annual Operating Budget. In addition, the Council has consistently affirmed the Core Goals of the Town to be:

- Community Character
- Good Governance
- Fiscal Stability
- Quality Public Infrastructure
- Civic Enrichment
- Public Safety

The Town's Adopted Budget for Fiscal Year 2020/21 reflects and aligns to these Core Goals:



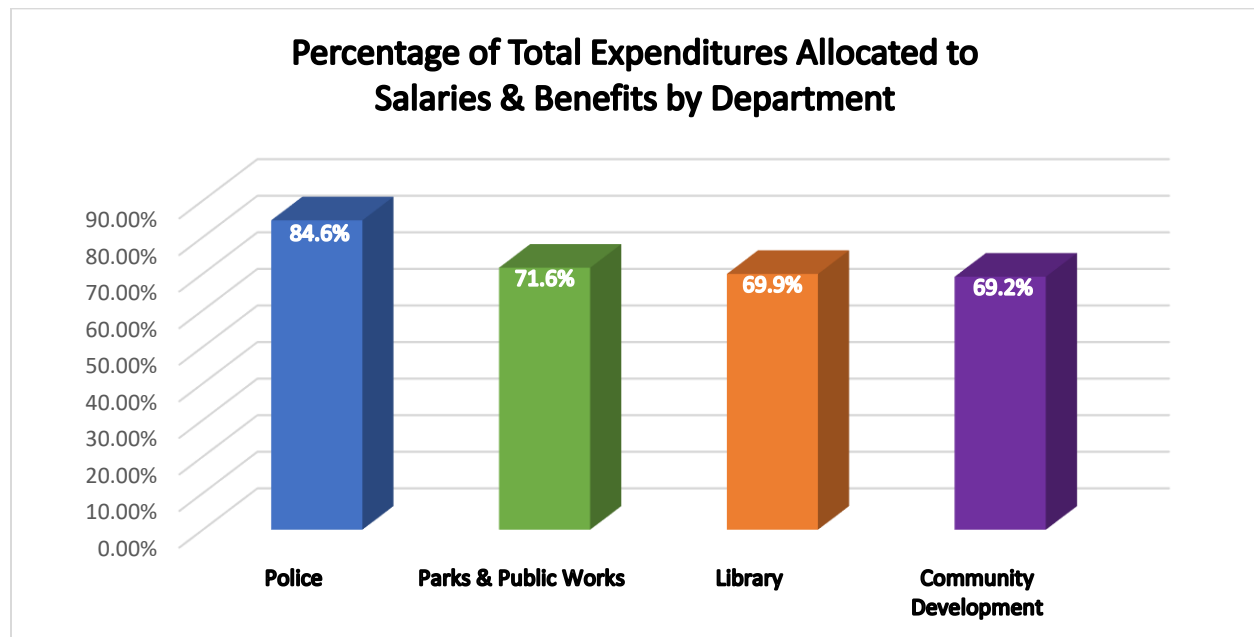
SUBJECT: Consider the Police Department Budget and Provide Direction on Potential Reforms and Related Matters

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DISCUSSION (continued):

For FY 2020/21, the Police Department budget is \$17.6 M. By way of comparison, approximately \$18.7 M of the Town's property tax went directly to the County Fire District in FY 2019/20 (the Town's 2019/20 adopted budget for the Police Department was \$16.9 M). We do not yet know what the County Fire District share will be in 2020/21.

Of the \$17.6 M budget, the majority is for salaries and benefits. This is typical for a municipality as service organization, relying on the high quality talent of employees to deliver high quality, high touch services to the Los Gatos community. In comparison with other Town Departments, the Police Department has a higher percentage of its budget allocated to personnel costs:



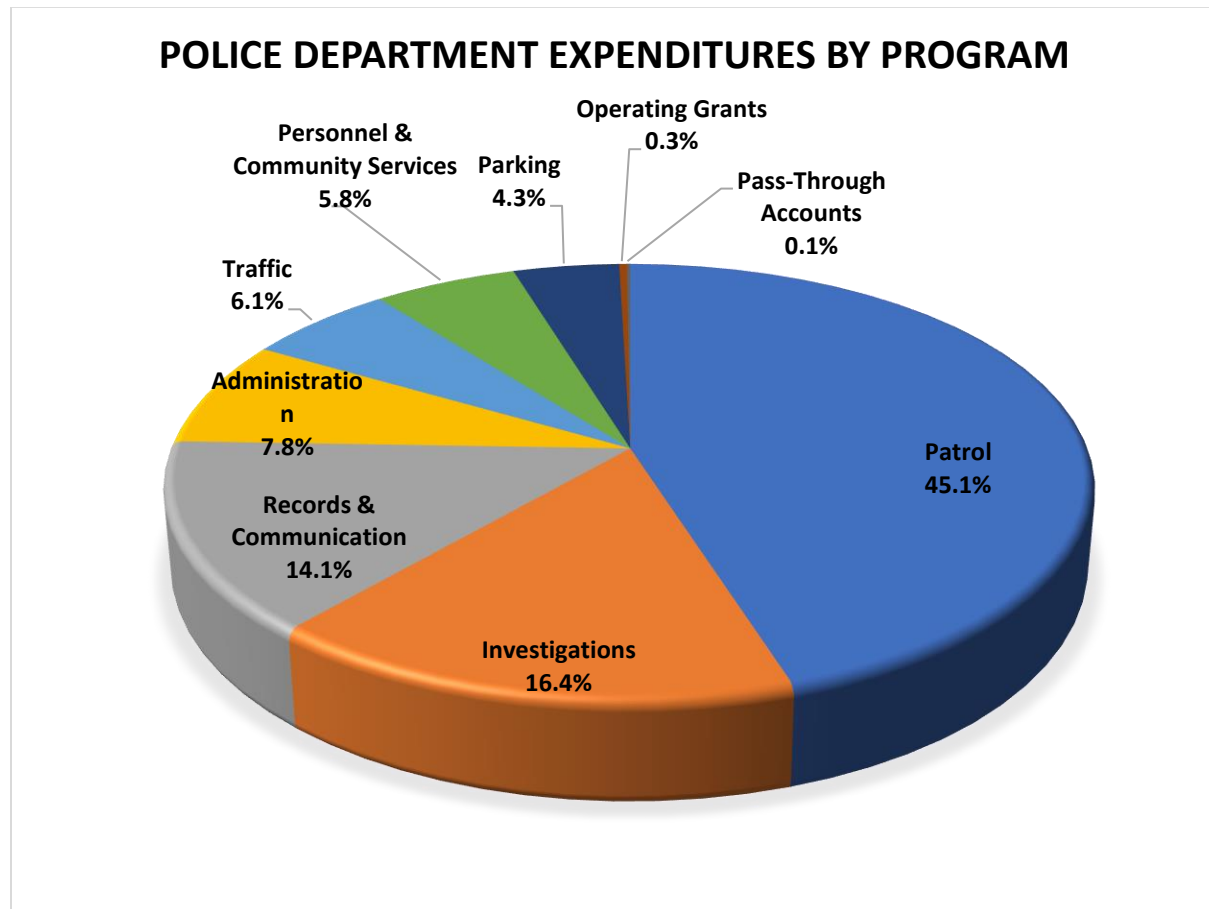
The Police Department budget supports 39 sworn positions and 22 civilian positions. Civilians are in the administration, records, outreach, and dispatch operations. In addition, 206 volunteers assist the Department. The majority are Community Emergency Response Team (CERT) members, followed by Disaster Aid Response Team (DART), and Volunteers in Policing (VIP). The Department is redesigning the Victim Services Unit which is another volunteer opportunity. In addition to servicing the needs of the Los Gatos community, the Police Department has a contractual relationship with the City of Monte Sereno to provide Police services to that community.

SUBJECT: Consider the Police Department Budget and Provide Direction on Potential Reforms and Related Matters

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DISCUSSION (continued):

The Department offers a variety of programs which all work together to support public safety:



September 8 Community Workshop

On September 8, the Town hosted its first community conversation, focused on Police Practices and Potential Reforms. Judge LaDoris Cordell facilitated the meeting and used her expertise to guide a respectful and constructive workshop. Chief Decena presented a brief overview with statistics on use of force, crimes, and the racial composition of those arrested or who received citations (see Attachment 1). Town Attorney Schultz identified the low number of settlements due to Police misconduct in Los Gatos. Judge Cordell provided an overview of bills pending the Governor's signature that could reform some aspects of policing throughout California. Town Manager Prevetti identified three potential areas of reform that had been raised at Town Council meetings, General Plan Update Advisory Committee meetings, or in correspondence:

SUBJECT: Consider the Police Department Budget and Provide Direction on Potential Reforms and Related Matters

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DISCUSSION (continued):

- Divert funding from the Police Department to hire Social Workers to respond to mental health and/or homeless calls for service
- Disarm or cancel the School Resource Officer partnership with the school districts
- Consider some form of Police oversight to improve accountability

Judge Cordell welcomed community comments on these and other potential reforms, community experiences with the Police Department, and other items. Community questions were answered in real time by the Police Chief with support from the Town Attorney and Town Manager in limited instances. Attachment 2 contains a workshop summary of all community comments, questions, and answers.

The social worker reform received the most positive feedback followed by the Police oversight concept. These ideas would need to be developed further as described in the next section.

Other themes from the public comments included but are not limited to:

- Increasing transparency by publishing police statistics annually and fully explaining why people of color are arrested, cited, and/or stopped at a higher rate than Caucasians;
- Improving accountability of Police Officers;
- Having unarmed personnel (e.g., Community Services Officer) respond to non-emergency calls, such as barking dogs;
- Determining what it would take to have Officers walk their beats; and
- Explaining why Officers have military style vests, rifles and other weapons.

The workshop was recorded by KCAT and is available on YouTube. Links to the YouTube video and the Chief's slides are posted on the Becoming a More Inclusive Community webpage on the Town's website.

Council Direction on Potential Reforms

Based on the community discussion, staff is seeking the Town Council's direction on next steps. Given the strength of the existing Department, the potential reforms are offered in the spirit of how the Department could be even better. To guide the Council's discussion, below are some options for consideration.

- Determine an appropriate Police Oversight model for Los Gatos: Judge Cordell is available to provide consultant services to the Town to identify potential oversight and accountability models. This consultant engagement could occur quickly, within the Town's Adopted Budget, and Town Manager authority.

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DISCUSSION (continued):

- Examine Different Options for Providing Social Services for Mental Health and/or Homeless Needs: While the Town is currently working with County Behavioral Health on some homeless and mental health situations, the County's resources are stretched thin and cannot meet all of the needs of each city within Santa Clara County. If directed, staff could explore expanding partnerships with existing non-profit partners, hiring Social Workers directly, or pursuing other approaches. The costs associated with these options would be identified.

This work should also include an analysis of calls for service over the last two to five years pertaining to mental health and/or homeless issues to understand the magnitude of the Town's needs in these areas. The analysis should also identify the number of times a crime or potentially dangerous situation was part of the incident such that a sworn Officer would have needed to participate in specific situations. (In other words, there may not always be Police cost savings if other partners respond first.)

- Utilize Non-Sworn Personnel for Non-Emergency Calls and Determine Any Potential Cost Savings in Sworn Personnel: The Police Department is budgeted for one non-sworn Community Services Officer (CSO) and this position is currently vacant. If directed, staff could analyze calls for service over the past two to five years to determine the number of non-emergency calls for which a CSO could have been dispatched and calculate the potential cost savings of not deploying a sworn Officer to such calls. Some non-emergency calls escalate to require an Officer and the calculation would need to consider these scenarios.
- Identify Options for Increasing Foot Patrols: To implement the current Department mission and values, how could Officers spend part of their shifts on foot getting to know community members? To what extent does the removal of non-emergency, mental health, and homeless calls from their workload create this capacity?
- Identify Other Pioneering Ideas to Maintain LGMSPD as a Premier Law Enforcement Agency: The Department reimagined itself under the leadership of former Chief Seaman to embrace community policing, and under Chief Decena, the Department has expanded its work with de-escalation, inherent bias, and compassion training consistent with the updated mission statement. What are the next set of best practices/partnerships in pursuit of excellence in policing?

The Council may offer other ideas and/or request other data as it considers future potential reforms.

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CONCLUSION:

Staff looks forward to the additional public testimony and Council direction on appropriate next steps. Depending upon the direction provided, staff anticipates being able to return to Council within a month or two with the additional requested information and options.

COORDINATION:

The preparation of this report was coordinated with the Police and Finance Departments, and the Town Manager and Town Attorney Offices.

FISCAL IMPACT:

Discussion of this item by itself does not have a fiscal impact; however, the direction provided by the Town Council may have budgetary implications as discussed in the body of this report. Should the Council direct the hiring of consultant(s) to assist in this work, the Adopted Budget contains sufficient funds to allow the Manager to engage a consultant within the Manager's contract authority of \$50,000 or less.

ENVIRONMENTAL ASSESSMENT:

This is not a project defined under CEQA, and no further action is required.

Attachments:

1. Workshop Slides
2. Workshop Summary

Community Workshop #1

September 8, 2020

Police Practices/Potential Reforms



DEPARTMENT OVERVIEW



■ Mission Statement

The Los Gatos-Monte Sereno Police Department is committed to ensuring public safety with **integrity, compassion, and professionalism.**

- Providing exceptional law enforcement services
- Building community partnerships
- Engaging the community in problem solving

DEPARTMENT OVERVIEW



■ Los Gatos and Monte Sereno Jurisdiction Data

- 13.1 Square Miles
- 33,649 Population

■ Staffing

- Sworn
 - Authorized: 39
 - Operational: 32
- Civilian: 22
- Volunteers: 206

CRIME STATISTICS



- **Calls for Service and Self-Initiated Activity**

- Annual Average: 28,977

- **Reports Written (Annual Average)**

Crimes Against Persons	Property Crimes	Mental Health	Other	Total
150	791	131	1,541	2,613

- **Arrests**

- Annual Average: 1,059

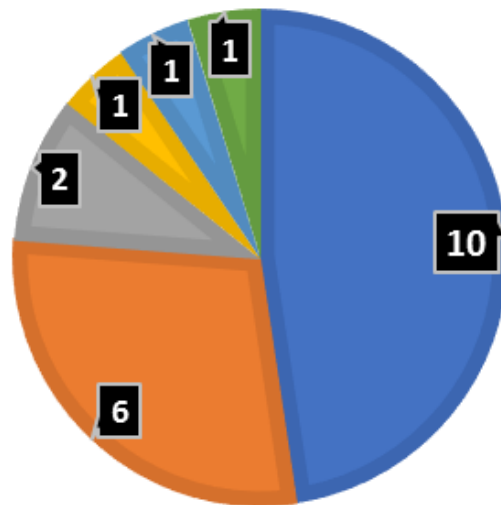
USE OF FORCE



From 2015 to 2019, LGMSPD Officers had over 85,000 contacts with the community. Of these contacts, approximately 5,000 arrests were made. In all of these contacts and arrests, Officers used force in only 21 cases (0.024%).

TYPE OF FORCE USED 2015-2019

■ Body Force ■ WRAP Restraint ■ Taser
■ Impact Weapon ■ Canine ■ Carotid Restraint



PERSONNEL COMPLAINTS



Year	Description	Finding
2015	Inappropriate off-duty enforcement action	Unfounded
2015	Negligent discharge of a firearm on duty (without injury)	Sustained
2015	Abuse of authority; conduct unbecoming; discourteous treatment of a community member	Unfounded
2016	Discourteous treatment of a Department member	Not Sustained
2016	Unnecessary use of force	No Finding
2017	Conduct unbecoming; misuse of data systems	Sustained
2018	Failure to activate body worn camera	Sustained
2018	Conduct unbecoming	Exonerated
2018	Conduct unbecoming; discourteous treatment of a community member	Unfounded
2018	Conduct unbecoming; discourteous treatment of a community member	Unfounded
2019	Unlawful exercise of authority	No Finding
2020	Failure to take action	Exonerated
2020	Conduct unbecoming; discourteous treatment of a community member	Pending

ARREST/CITATION DATA



In the last 2 years:

Race	Total Population 30,222	Total Arrests 1,634	Total Citations 3,311	Arrests (Resident) 697	Citations (Resident) 1,036
White	72%	57%	56%	73%	72%
Hispanic	8%	28%	18%	15%	5%
Black	2%	6%	2%	2%	1%
Asian	14%	3%	9%	1%	8%
Other	4%	6%	15%	8%	15%

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Summary of Community Workshop #1: Police Practices and Potential Reforms September 8, 2020

Mayor Marcia Jensen welcomed the community, explained how we got here, and stated that Judge LaDoris Cordell would be facilitating the meeting.

Judge Cordell explained her background, provided an overview of the workshop agenda, and reviewed ground rules.

Chief Peter Decena presented a brief overview with statistics on use of force, crimes, and the racial composition of those arrested or who received citations.

Town Attorney Rob Schultz identified the low number of settlements due to Police misconduct in Los Gatos.

Judge Cordell provided an overview of bills pending the Governor's signature that could reform some aspects of policing throughout California.

Town Manager Laurel Prevetti identified three potential areas of reform that had been raised at Town Council meetings, General Plan Update Advisory Committee meetings, or in correspondence:

- Divert funding from the Police Department to hire Social Workers to respond to mental health and/or homeless calls for service
- Disarm or cancel the School Resource Officer partnership with the school districts
- Consider some form of Police oversight to improve accountability

Judge Cordell welcomed community comments on these and other potential reforms, community experiences with the Police Department, and other items. The workshop would run as long as people wanted to talk.

Q&A/Comments Addressed During the Workshop

Ali Miano

- Commented on concerns regarding overpolicing and racial profiling. Shared an experience regarding a time in Bachman Park where she witnessed a man that may have slept in the creek bed where four police cars, two social workers, a fire truck and an ambulance were present. Commented she had experienced racial profiling when stopped by a Los Gatos-Monte Sereno Police Officer.

Kathy Kroesche

- Inquired when body cameras are required to start and stop during all public interactions, if the recording is automatically sent to a neutral third party database where it cannot be altered, and how often officers change partners.

Chief Decena stated body cameras are required to be on during any contact with a community member and during all enforcement stops. The body camera footage has a cloud-based data system where it is automatically uploaded and has digital fingerprints, and LGMSPD does not have the staffing levels for partners with the exception of the K-9 officer (whose partner is a dog) and Officers-in-training.

ATTACHMENT 2

Lee Fagot

- Commented regarding his two Police ride-alongs. He observed during the first ride-along that the Officer actively prevented potential crime and traffic violations, and helped people find resources to assist with mental health issues. During the second one, the Officer de-escalated a situation where a person had already committed a crime.
- Commented that first responders should include personnel with expertise in social-emotional well-being.

Catherine Somers

- Inquired about the racial make-up of the Los Gatos Monte Sereno Police Department (LGMSPD) and commented the Police Department has a designated person who works with the homeless population to provide and connect them to resources.

Chief Decena stated the Police Department is made of up 69% white, 22% Asian/Pacific Islander, 6% Hispanic, and 3% Black individuals. 84% are male and 16% are female. There are no self-identified LGBTQ personnel.

Amy Nishide

- Commented in support of all the proposed reforms especially disarming the School Resource Officer (SRO) and creating a civilian oversight committee. Inquired why Officers were seen not wearing masks and why ex-Officer Silva was hired in the first place.

Chief Decena stated Officers are required to wear masks and encouraged the community to contact the Police Department if officers are seen in violation of the rule. He offered to meet with Amy to discuss the hiring of ex-Officer Silva.

Anonymous Attendee

- Inquired why Officers are wearing military-style uniforms (i.e., combat pants) instead of the usual blue uniform and requested the Town require the Officers to wear the blue uniform when patrolling.

Chief Decena stated Officers have been allowed to wear external vest carriers for the health of the Officers due to the weight of their gear. Some Officers wear a vest and others wear pants with multiple pockets. Town Attorney Robert Shultz stated Senate Bill 480 would bar law enforcement from wearing camouflage uniforms and other military style uniforms.

Anonymous Attendee

- Inquired how Officers are trained to handle situations of potential racial profiling. For example, community members calling the Police because of perceived threats posed by a Black or Brown person in a neighborhood, in a store, etc.?

Chief Decena stated that Officers respond to all calls to provide a high level of customer service. All Officers are trained to assess a situation and handle it appropriately.

Folake Phillips

- Inquired how can Officers who are racist be addressed.

Chief Decena stated everyone has biases and while Officers cannot be told what to think, they can be told how to act. They are required to treat all people fairly or face appropriate consequences.

Jeffrey Suzuki

- Commented carotid restraint is cutting off the blood flow and is dangerous, supports establishing civilian oversight, and inquired if the use of force is so low, why armed Officers are the first responders.

Chief Decena agreed that the use of carotid artery hold can be dangerous. He said sending an armed Officer to what is likely not a violent call for service is a philosophical discussion and invited Mr. Suzuki to contact him to discuss further.

Nika Sabouri

- Commented her Iranian American uncle was pulled over by LGMSPD and was searched in front of his home. He was let go once his wife, who is a white woman, waved to her husband. They did not feel welcome to live in Los Gatos. They did not file a complaint. Commented that not all of the Police misconduct is investigated or reported. Commented that the LGMSPD tried to discourage/cancel a BLM protest in Town.

Kareem Syed

- Thanked the Town for holding this workshop. Inquired what civilian oversight forms have worked in the Judge's experience and what else can we do as a Town to ensure these issues are being addressed.

Judge Cordell stated it would take too long to address this particular question as there are several options. She encouraged the community to visit the website NACOLE.com to learn about different models that are working for similar sized Police Departments and cities. She stated the key is that the Police should not be investigating themselves when there are complaints about misconduct. She stated civilian oversight models vary greatly and encouraged the community to take a look at what the City of San Jose is considering with the proposed Charter change before the voters in November.

Anonymous Attendee

- Inquired why personnel complaints are investigated internally and requested the Town commit to an independent review body.

Chief Decena stated outside investigators are sometimes brought in and the Town is open to the idea of an independent review body.

Anonymous Attendee

- Inquired about what the disproportionately high arrest rate of Hispanic and Black individuals is attributed to.

Chief Decena stated that more research is needed to fully answer the question. The statistics presented are a small portion of the full stop data and with technology upgrades, the Town will be able to delve into the full picture.

Randi Chen

- Inquired about the ethnic make-up of the Police Department.

Chief Decena stated the Police Department is made of up 69% white, 22% Asian/Pacific Islander, 6% Hispanic, and 3% Black individuals. 84% are male and 16% are female.

Emeric Bisbee

- Commented in support of reallocating Police funds to unarmed first responders and social services. The Town needs different programs.

Daniel

- Thanked the Town for holding the workshop. Inquired how to report Police Officers that are not wearing masks, what percent of monies from patrol can be allocated to social services that would address mental health calls for service, where the contact numbers come from, how the Chief engages the Officers to ensure buy-in of compassionate policing, and if the Chief believes some services may be better handled by other Departments.

Chief Decena stated Officers are required to wear masks; the Captains are listening to this workshop and will address this issue with the Officers. All Police Officers are required to undergo Crisis Intervention Training. In addition, The LGMSPD has been working with the Santa Clara County Behavior Health Services to facilitate mobile crisis response to some mental health calls. The LGMSPD is open to hiring social workers but has seen difficulties in other jurisdictions finding licensed clinical social workers who are interested in the scheduling of rotating shifts/on-call. The Chief believes mental health calls and homeless issues can be better served by another Department. Buy-in is gauged by what the Chief sees and the feedback from the community. He sees the Officers demonstrate compassion in their work. All contacts are documented by the communication aided dispatch/records management system (CAD/RMS) which is being upgraded to better track data for each contact.

Clay Goodman

- Inquired why don't Police persons "Walk the Beat"?

Chief Decena stated Officers walk the beat when the workload permits it given the large beat areas and calls for service. They do premise checks. Currently, there is no single Officer assigned to the downtown walking beat due to staffing; however, he would like to see that in the future.

Wayne Heimsoth

- Inquired how many people are on this Zoom meeting?

Town Clerk Neis stated 80 participants was the highest number of attendees and 59 participants were on at the time of the question.

Clay Goodman

- Inquired if carotid artery moves are necessary to protect the Police force?

Chief Decena stated he was reluctant to remove the carotid artery hold completely, and internal policy was changed to allow the use of that hold only if absolutely necessary. Town Attorney Robert Shultz stated there is currently a bill that will ban the use of the carotid artery hold.

Amy Nishide

- Commented a positive experience with the LGMSPD when a man used her yard to urinate. The Officer notified Amy that if she wanted to press charges, the person may get caught up with I.C.E. She commented that the LGMSPD needs to take additional care of who they stop and requested the Chief publish the reasons why he hired ex-Officer Silva.

Chief Decena stated that hiring decisions are personnel matters so documents will not be able to be published; however, he is happy to discuss it with her. Town Manager Prevetti stated that last year

when the community was concerned about Officer Silva, both she and the Chief met with community members to discuss it. She added that the Town is now more rigorous in the hiring process and continues to learn from past experiences.

Lee Fagot

- Commented that he supports continuing reallocation of funds to other programs, requested this workshop topic be continued to the next workshop, that he supports the SRO be armed, and invited the Chief to the next Democracy Tent meeting on Monday, September 14.

Laurel Prevetti stated the next workshop topic will be on affordable housing. The Police topic would not be continued to that workshop, but it will be discussed by the Town Council on September 15.

Nika Sabouri

- Commented on the large Police presence at the Fisher Middle School walk out which seemed to prevent the students from protesting and inquired what the SRO has done to protect the students.

Chief Decena provided a couple of examples of what the SRO does, including teaching a vaping diversion class, and participating in Behavioral Intervention Training with High School staff to help identify students in potential mental health crisis and connect them to resources.

Bill Ehlers

- Has the LGMSPD received any equipment from the Defense Department program called 1033? If so, what and where is it kept? The Police motorcycles, which I understand are primarily used for traffic matters, carry military style rifles. Why is this? Do the patrol cars and SUVs also carry such rifles?

Chief Decena stated they discontinued that supply source in 2015. Motorcycle Officers are mainly used for traffic stops but can be called to respond to patrol calls. All of the Officers have rifles because criminals have superior weapons.

Alicia Cinema Stereo

- Commented on the status of the world right now. Asked the Chief for his personal thoughts about the protests and the BLM movement and how he will support and protect everyone.

Chief Decena stated he is in support of peaceful protests and that the nation has a long way to go. He said that it is great that the Town's youth are organizing the protests. These recent protests feel different because more people are outraged. His family had negative experiences in the internment camps.

Jeffrey Suzuki

- Inquired if an armed Police Officer is the right response to non-violent calls for service, such as barking dogs. Commented on concerns that materials regarding ex-Officer's Silva's hiring are not available and requested the Town consider publishing materials. Inquired how the Los Gatos Anti-Racism Coalition can help the Town with these issues.

Town Manager Prevetti encouraged the community to stay engaged in these issues and to join the Town in working toward a better community. Later in the workshop, the Mayor would identify specific next steps.

Heidi Owens

- Inquired why 19 policies in the Police Manual are not available to the public and who reviews the policies.

Town Manager Prevetti and Town Attorney Rob Schultz stated that the policies that are not available to the public have to do with Police procedures for handling certain incidents and that this information is not publicly available to protect Officer safety. The Town Attorney reviews all policies.

Heidi Owens

- Is the Police Officers Association union Memorandum of Understanding or contract publicly available? If not, can you publish it?

Town Manager Prevetti stated the Police Department MOU is publicly available on the Town's Human Resources webpage.

Alicia Cinema Stereo

- Does the Chief believe that there is an issue of systemic racism in the history of the United States? Does he believe that Black lives are valuable and deserve to be treated with respect in this country? What are his thoughts on the police brutality that is occurring throughout the United States?

Chief Decena stated he has witnessed systemic racism and is committing to combating it. Yes, Black lives matter and there is no defense for recent Police killings, such as the murder of George Floyd.

Anonymous Attendee

- How much is the Judge (contractor) being paid to be on this call?

Judge Cordell stated the contract and information regarding her compensation will be made public upon payment.

Kareem Syed

- Thanked the participants for putting on the workshop.

Anonymous Attendee

- Asked can you define "community policing" as a term?

Chief Decena stated establishing relationships in the community, working with the community to decide any issues that need to be addressed, and it is how the LGMSPD does business every day.

Council Member Rennie

- Commented the LGMSPD have 32 operational sworn officers and 22 civilian officers. This is 40% civilian which means a not insignificant part of the budget is for civilians. It is easier for us to imagine what the sworn officer does, but since less visible, it is much harder to imagine why we have 22 civilians.

Chief Decena stated civilian personnel are dispatchers, records specialists, community outreach, and other essential positions. They are critical to how the Department conducts business.

Anonymous Attendee

- Commented the Police do not know what they will be encountering when they respond to calls for service.

Barbara Rogan

- Commented in opposition of cancelling the Police/school partnership.

Matt Hemmis

- Inquired if a third party evaluated any use of force action, what new types of training are in place for de-escalation tactics, if contacting Crisis Intervention Training (CIT) team for mental illness interactions should be a requirement and who makes that call, and if the Chief could provide examples of compassion training the Police force undergoes.

Chief Decena stated every use of force is evaluated internally and occasionally by an outside investigator. Officers learn de-escalation techniques in defensive training and go through 40 hours of Crisis Intervention Training. The Department utilizes the mobile crisis response team, and the Officers' CIT help to achieve long-term solutions. He and other Officers have gone through the Stanford University Compassion Institute Mindfulness program. He credited Palo Alto Chief Bob Johnson and Emeryville Chief Jennifer Tejada for introducing mindfulness to Police.

Alicia Cinema Stereo

- Inquired where the Compassion Institute is located and how she can get involved.

Chief Decena stated the Compassion Institute is located at Stanford and she could contact them directly for how she can get involved.

Barbara Rogan

- Inquired where are questions not located on the Q&A coming from.

Town Manager Prevetti stated some questions were received in advance via email.

Rachael Londer

- Inquired about the purposes of unmarked Police vehicles.

Chief Decena stated it depends on the scenario; however, unmarked vehicles are usually involved if having a marked vehicle may escalate a situation.

Ali Miano

- Inquired if tracking which Officers stop or arrest higher proportions of Black and Brown individuals may be a solution and may increase accountability, and inquired how to ensure each Officers' accountability.

Chief Decena stated the suggested solution is possible with updated CAD/RMS technology, and Officers are disciplined appropriately.

Emeric Bisbee

- Are the Officers who are the subject matter experts on mental health calls carrying weapons when they respond?

Chief Decena stated that the Officers carry weapons when responding to mental health calls.

Ali Miano

- Commented on the unmarked car and the racial profiling she experienced at local protests and asked what we are going to do about racial profiling by our Police. She inquired why are the Police

in charge of people living on the streets? Commented that's precisely an area to which we could allocate effective services, like homes for the homeless.

Chief Decena stated that an unmarked car was at the protest to provide presence without inflaming a potential situation. The Police Officers are last resorts to respond to homeless concerns. The Town has 13-16 unhoused persons that are residents of Los Gatos. We also have Officers that work directly with the homeless and know them well. Officers try to connect the homeless with available resources. Police response is a short-term solution to responding to homeless and mental health calls.

Daniel

- Commented about unmarked vehicles at the protests and inquired what the next steps are after this workshop.

Chief Decena stated the unmarked car was located at a BLM protest to monitor the event to ensure the safety of the protesters. The Mayor would describe next steps at the end of the workshop.

Jeffrey Suzuki

- Expressed his appreciation for the workshop.

Alicia Cinema Stereo

- Asked Judge Cordell if there was anything that should have been asked that wasn't and what she thought about the process and Los Gatos.

Judge Cordell stated she was there to facilitate the process and not to critique, she didn't think there were any unasked questions, and she thought Los Gatos was on the right path.

Maria Ristow

- Inquired how community members can sign up for ride alongs.

Chief Decena stated the community typically can sign up for ride alongs; however, the program is paused due to the pandemic. The Citizen's Police Academy is another opportunity to engage after the pandemic is over.

Anonymous Attendee

- Inquired if a SRO created a vaping sting operation and if the principal or faculty could have handled vaping discipline.

Chief Decena stated the SRO created a vaping awareness class, not a sting operation.

Anonymous Attendee

- Inquired if Police Officers are required to watch the recording of this meeting so they can hear the community's concerns and hear Town leadership's guidance.

Chief Decena stated a number of Officers are watching currently, and that all of these concerns will be brought up to staff.

Jeffrey Suzuki

- Commented on the second question I asked earlier in my statement was whether we can release data regarding the ethnic and racial composition of arrests and citations, perhaps on a yearly basis.

Chief Decena stated the LGMSPD will begin collecting full data in 2022, but will be collecting basic data on the new technology which can be published annually on the Town website.

Anonymous Attendee

- Inquired if the Chief understands the nature of implicit bias, and can further explain why implicit bias training is not mandatory. No “overt racists” on the force is a painfully low bar.

Chief Decena stated the Town encourages Officers to take implicit bias classes and has held diversity panels with members of the Islamic, Sikh, and Jewish religions. Implicit bias is something the LGMSPD is aware of and is something we attempt to expose the Officers to. Judge Cordell stated that Stanford Professor Jennifer Eberhardt is a MacArthur Genius and the leading expert on implicit bias and mentioned she may be available to offer more insight. Professor Eberhardt wrote the book “Biased: Uncovering the Hidden Prejudice That Shapes What We See, Think, and Do.”

C. Musser

- Commented that the LGMSPD does a great job with the homeless and just finding affordable housing will not solve the problem, it’s much larger than that.

Catherine Somers

- Inquired how allegiant the Chief is to the Police Foundation Board and how the community can be assured that the Chief makes his own decisions about the LGMSPD Force?

Chief Decena stated that was cautious about the Police Foundation. The Foundation has an excellent Board of Directors that is committed to this Town and provides financial support to the Police Department in the form of Police dogs, training, and some equipment. He is not beholden to them for law enforcement decisions.

Anonymous Attendee

- Inquired what are the next steps for the Town Council and this group, if this group solely responsible for determining how funds are allocated, and how to move forward with reallocating funds.
Commented the Chief himself said he’d be happy to accept defunding and reallocation to support mental health calls.

Closing/Next Steps

Mayor Jensen thanked the attendees for a constructive and positive session. She thanked all Council Members for being in attendance to listen with her. She thanked the Judge, and staff, and outlined the next steps at the end of the workshop. She invited the community to attend the next Council Meeting on September 15 via Zoom at which time the Council would decide how to proceed on Police reforms. The next community workshop is September 29 on affordable housing and in October, there will be a workshop on Community Culture. She invited everyone to attend. After each workshop, Town Council would take up the matter: listen/learn, then assimilate and take action.

Judge Cordell thanked the attendees and acknowledged the courage for leadership to take this step. She expressed that she is ever hopeful for a stronger, kinder nation and encouraged action.

Additional Written Q&A Previously Addressed During the Workshop

Rachael Londer

- Hello! Every time I have seen an Officer in a vehicle, walking or directing traffic they have not been wearing a mask. Is this a rule for them? It has made me feel extra unsafe to have to interact with unmasked Officers.

Anonymous Attendee

- Yes to civilian oversight; yes to reallocating some Department funds to social services to support homeless folks, folks with mental health issues, etc. so Police aren't the first dealing with those calls; and yes to disarming School Resource Officers and investing in counselors in the schools. And please wear a mask. Thank you.

Daniel

- You got them, thank you.

Emeric Bisbee

- Answer to the Anonymous Attendee: I think the masks the Officers are wearing are better than the ones they put on Daniel Prude's head.

Emeric Bisbee

- Anonymous Attendee: you can get enough oxygen wearing a mask.

Emeric Bisbee

- no armed Police on campus.

Anonymous Attendee

- Police Officers Association MOU: <https://www.losgatosca.gov/1702/POA>

Terry Duryea

- Thank you for organizing this and inviting Judge Cordell, she is worth every penny.

Bill Ehlers

- Thanks for the engagement.

Maria Ristow

- Thank you all around.

Clay Goodman

- We support armed Police at our schools.

Anonymous Attendee

- The Police uniforms do not look militaristic. They are functional only.

Anonymous Attendee

- We want our Police force to receive enough oxygen. The masks do not protect anyone from any viruses!!