

LARA WEISIGER

From: Rasheed Shabazz <hopein510@gmail.com>
Sent: Tuesday, December 05, 2017 12:22 PM
To: City Clerk
Subject: Re: Consider Creating a Police and Crime Citizens Oversight Advisory Committee
Attachments: mayors-committee-ethnic-cultural-diversity.pdf; 1991-11-04 Special CC Minutes.pdf

Greetings Lara,

Please share this message with the Council. Thank you.

Dear Mayor and City Council Members,

I am writing to express both my interest and my concern about the proposed Police and Crime Citizens Oversight Advisory Committee, as its purpose and scope is currently written. Instead of adopting this proposed committee, the Council can request specific information from Staff at regular intervals, or develop an independent Police Oversight body with actual power to investigate complaints.

For the past few meetings, a pending referral for a report on crime in Alameda has been on the Council's agenda, and as you know, the Police Chief's crime update/response was recently published in both the *Sun* and *Journal* newspapers.

Reading the op-ed made me wonder: How often does the City Council receive formal reports from the department? From the 1930s until at least the 1970s, an Annual Report of the Police Department was compiled—these are available in the Alameda Collection of the Alameda Main Library.

Since the motivation for this committee appears to be based on a perceived increase of crime in Alameda, there may be better mechanisms to provide transparent information about public safety on the island. For instance, providing “vision, guidance, and oversight” might be best done by a police chief and a professional police department, under the supervision of a City Manager. This Council can provide additional oversight by requesting information about more predictable intervals, for example, annual, semi-annual, or quarterly reports.

In regards to the “collaborative partnership” to “Facilitate communication” and “mutual understanding,” could be more appropriate for graduates of a Citizens Police Academy.

Considering the “needs of the diverse community” of Alameda and the need to “monitor police activity,” this Council may consider developing a Police Oversight body, with either the “Civilian Review” or “Civilian Control” models. Other cities have various forms of the later, Review Boards like Berkeley, Police Commissions like Oakland and San Francisco, and the hybrid model of BART: an independent auditor and an Oversight Board.

An oversight body can be responsible for investigating complaints and developing policy recommendations, for instance, monitoring use of force complaints and allegations of bias-based policing/racial profiling. An oversight body can be responsible for hearing reports, such as the impact of the Council approving Tasers for APD last year. There is currently no civilian review of use of force. Or, considering that Alameda Police have collected racial data on stops and use of force for over a decade in a half, it would be prudent that this body require a regular report on those statistics.

If this proposal was for Police Oversight Committee, or if this Committee was being assembled to address racial profiling or bias-based policing, I would likely ask you to support this; however, as it is written, this looks like it would be a fear-based citizens council that could contribute to racial profiling.

In summary, I encourage you to be cautious adopting such a proposal. Through proper oversight of the public employees you hire to run the police department, you can require regular reports and updates on public safety issues. If there is concern about how different communities experience policing, I would encourage you to consider requiring additional reports on racial and stop data, and consider developing an Oversight body similar to other cities.

For some historical context: I've attached minutes from the November 1991 City Council meeting when a Committee was adopted in response to four Alameda police officers threatening violence against Black people, and using the computers in their service vehicles to do so. I've also attached the "Mayor's Committee on Ethnic and Cultural Diversity" final report.

Thank you.

Rasheed Shabazz

1991 was not so fun

http://articles.latimes.com/1991-11-09/news/mn-1096_1_police-chief

http://articles.latimes.com/1991-11-10/news/mn-2154_1_police-department

Berkeley Police Review Commission

<https://www.cityofberkeley.info/prc/>

San Francisco Police Commission

<http://sanfranciscopolice.org/police-commission>

Oakland Citizens' Police Review Board

<http://www2.oaklandnet.com/government/o/CityAdministration/d/CPRB/index.htm>

On Tue, Dec 5, 2017 at 12:06 PM, Rasheed Shabazz <hopein510@gmail.com> wrote:

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Rasheed Shabazz

Berkeley Police Review Commission

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Oakland Citizens' Police Review Board

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Photography: ShabazzImages.com

"The pillar of the world is hope." – African Proverb

SPECIAL COUNCIL MEETING OF THE ALAMEDA CITY COUNCIL
NOVEMBER 4, 1991

The Special Meeting was convened at 6:30 p.m., with President Withrow presiding. The Pledge of Allegiance was led by Councilmember Roth.

ROLL CALL- Present: Councilmembers Arnerich, Camicia, Lucas, Roth
 and President Withrow - 5.
 Absent: None.

President Withrow announced that at the Closed Session, convened at 6:30 p.m., Council adjourned to Closed Session to consider:

91-745 Personnel Matters: Evaluation of Appointed Employees; Appointment, Employment and Dismissal of Certain City Employees; pursuant to Government Code Section 54957 of the Brown Act: President Withrow stated the Council reviewed and reached a consensus on a formal annual evaluation for the three appointed employees, the City Manager, City Attorney and City Clerk; they will, within seven days, be provided a written evaluation on the Council's opinion on how they have performed in their roles, and the type of things Council would like to see them focus on in the coming year.

91-746 Significant Exposure to Litigation, pursuant to Subsection (b) of Government Code Section 54956.9 of the Brown Act: President Withrow stated no action was taken.

91-747 Resolution No. 12167 "Condemning and Apologizing for the Racially Oriented Comments made by certain City of Alameda Police Officers and Reaffirming the City's Commitment to Eradicating Racism.

* Written Communication from Natalie Fay, Alameda, recommending the termination of the Police Officers responsible for recent racist messages.

President Withrow stated there is no question in his mind that each member of the Council, including himself, were severely embarrassed and shocked over what it considers the repugnant action taken by four police officers; commented on the background of the matter, noting discovery of the behavior during a routine Police Department audit, the Chief of Police, at his own volition, chose to take the action to the public, to send a message to officers throughout the force and to the community that such behavior would not be tolerated; that the City is proceeding in conformance with due process of law; explained the review process, including the Appeal process; nothing that the Council, by Charter, by law, in the City Manager-type structure, is precluded from interfering in personnel matters of the City staff; Council will conform to that legal process in order to ensure that whatever is proper takes place, and is bound by that process irrespective of how emotionally we may feel about it, how upset we may be; and each Councilmember is exceedingly upset.

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Councilmember Lucas stated she supports the Mayor's statements; Council feels the need to apologize to the community for damage and insults caused by four officers on all Alamedans; Council wants a community that will live well together, and will not tolerate actions or words by police officers who will not provide fair and equal treatment to all citizens; hopes Alamedans will accept the apology and work together for a future where such things do not occur.

Councilman Arnerich moved adoption of the resolution. Councilmember Lucas seconded the motion.

Councilmember Roth stated he would like the resolution amended to state the apology is to "all" rather than just to "all Alamedans."

Councilman Arnerich agreed to amend his motion. Councilmember Lucas seconded in agreement.

Don Roberts, Alameda, stated he would encourage Council to hear the speakers before voting.

Councilman Arnerich stated he would withdraw his motion until after the speakers are heard; agreed with President Withrow that Councilmembers are policy makers of the City and cannot be involved in disciplinary action which is left to the chief administrative officer, the City Manager; what has happened is repugnant, has hurt everyone very much, and Council must apologize.

Councilmember Camicia stated he also wants to apologize for the comments that were made; there is no question that all of Council feel very strongly about this issue, are disgusted about what happened, and some officers should be fired; but the problem is that Council does not have the power; the Council in Los Angeles was not able to fire officers involved with Rodney King; in order to rectify this problem, Council must be very careful to follow every rule.

Councilmember Roth stated he is very sorry [the incident] happened; there are some redeeming qualities in the fact that it was caught by the Police Department and brought forward by the Police Department, and he believes there has been no attempt to cover up anything; some training programs are in place to ensure [such incidents] do not happen again, and those programs will be strengthened.

Anthony Bradford, Oakland, stated he is disturbed about the incident, and this type of behavior causes people to be afraid to call on the police when they have a problem.

Albert DeWitt, Alameda, stated he lived in the City 37 years, raised his children here, loves the City and community in which he lives; the police are an honorable group doing a hard job, and the question is how to keep a quiet community, honor police and remove bad policemen who discriminate.

Maxine Jackson, Oakland, President, NAACP, Alameda Branch, stated she has secured, for representation, Jim Chanin and Julie Houk [Attorneys-at-law], who will do a thorough investigation.

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Lorrain Taylor, Alameda, stated she does not condemn the entire Police Department, has called on police who have helped her and she wrote a letter expressing her gratitude; she now is writing a letter regarding the incident calling for dismissal of officers involved.

Muhammed Ali, Alameda, stated officers should be terminated; the statements made were professionally unethical and morally wrong.

Bonny Moore, Alameda, stated there is a problem in the training; suggested Council has the power to set up a commission that can impartially look at this; she has done such with the Navy, and volunteers her service.

Julie Houk, Alameda, Attorney for NAACP, stated, by only releasing a partial transcript, the City is doing a disservice to the people targeted by the racial slurs; the officers should be fired; a full audit of all transcripts should be conducted; a wider investigation should be made; commission has been suggested, and rather than just the Chief of Police imposing discipline, outside oversight is needed.

Catherine Wright, Alameda, stated she has worked in Alameda as a low-income advocate; does not accept Council's apology; and does not believe Council has no power.

Dwayne B. Hall, Alameda, stated Council should be ashamed of allowing the Chief of Police to jeopardize the integrity of other officers and the Department by hesitating to release names of officers who made statements; African-Americans no longer feel safe with the Police; Council should show sincerity by its actions; other ethnic groups are moving in and this City will change.

Councilmember Camicia stated he wants to make clear that the majority of the Los Angeles City Council are minorities but were unable to remove officers that beat Rodney King; if Council breaks rules to remove officers, there is every indication the officers would get jobs reinstated and back pay, which would send a message to everyone that it is alright to be racist and their jobs cannot be threatened.

Dorothy Kinerman, Alameda, stated she brought her children to school in Alameda; all are equal in God's sight; being mistreated is not a good feeling; when the law is broken a penalty must be paid; she hopes and prays the police officers' hearts will be changed.

Reverend Betty Williams, Alameda, stated she was upset at statements made; would like the officers to be terminated, would like to know the names of the officers; would like review of tapes for the last few years; and would like to serve on a committee if one is formed.

Lawrence Van Hook, Alameda, stated verbal slander crucifies people; the officers should be removed immediately; he would like the money from officers' suspension to be used to put youth in training to become police officers; requested officers be taken off the streets.

Mosetta Rose London, Alameda, stated she has done a lot of work in this community to promote racial harmony; read a poem she wrote concerning the incident and its results; and requested racism be

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removed from the police force.

Kamala Valencia Wright, Alameda, stated people have requested help many times; expressed concerns that Council is powerless, about credibility of police; doubt that officers' names are unknown to Council; asked why President Withrow states the names are unknown.

President Withrow commented on the need for due process.

John Carmody, Alameda, stated Alameda has fine officers but four have disgraced the City; discussed sexual harassment case of two years ago; noted sensitivity training is good but making sure policy is carried out is the responsibility of City leaders and policy makers.

John Scott Graham, Alameda, commented on his personal experiences related to racism.

Roy Mita, Alameda, stated he favors the apology because it is a first step in recognizing a problem; questioned why officers would put words on computer; would like community-type organization to investigate Police Department; would like a Human Rights Commission to deal with all City employees; discussed revealing names of officers.

Kelly Hartman, Alameda, stated if something is not done about Police Department racism, she will tell her cousin Oprah Winfrey [television personality] and when she comes, Council will be on national daytime television.

Phyllis Marshall, Member, NAACP, described NAACP's complaint process; requested Council recognize NAACP as wanting to do what is right; stated Police Department needs to spend all of its time taking care of business, not harassing people.

Nick Cabral, Alameda, stated his family had been in Alameda since 1906; he works in Alameda with youth; has told them they must be responsible for what they do, or pay the price; the officers must pay the price; City attitude is at fault; he was Man of the Year in 1976 but no one invited him to join a service organization so he could promote youth work, because he is a man of color; Council must make a commitment; and the commitment should be to fire them.

Clayton Guyton, Alameda, stated this is a government of the people, by the people, and for the people, and the people are speaking in a united voice to remove officers off the street; a commitment should be made to fire the officers; a strong signal should be sent so the community can regain trust in the Police Department; if Council does not take action, it is forcing people to take action, which is divisive.

David McIntyre, Alameda, stated a company was hired about a year and a half ago to review the Police Department; Council should find out what the scope of the problem is, and start at the top; and if Council cannot handle it, then Council should resign.

Anthony Amaya, Alameda, stated some people are afraid and are not
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calling the police; something needs to be done.

Orlando Bouttie, Alameda, stated if you can't trust the police, who can you trust.

Alex Nonan, Alameda, stated, as a youth in the community, when he does something wrong, he has to pay for it; and if the police officers are doing something wrong, that should be taken care of.

President Withrow stated the public session is closed; and there is a motion and second for the resolution.

At Councilmember Lucas's request, the City Attorney explained who can request firing the officers and what the legal process is, noting Charter, Section 7-4 states the Chief of Police has the authority "to discipline any employee under his control by imposition of a fine not to exceed one month's salary or by suspension without pay for not to exceed thirty days, or other penalty, less than dismissal, subject to Appeal to the City Manager who shall have the final authority to affirm, modify, or revoke such penalty without Appeal therefrom;" and that speaks about discipline for less than thirty days, and that is within the jurisdiction of the Police Chief; in excess of thirty days, which would include termination, the jurisdiction for the initial decision is with the City Manager and after either decision is made, there are specific requirements for due process of law that must be followed, including notice, an opportunity to be heard, appeal processes, etc., covered both by the Constitution, the Police MOU and case law; also she would like to point out to Council that they [Council] are under specific restrictions, under the Charter, from interfering with the City Manager; and read Section 7-3 of the Charter; Council is the policy making body; and it is the City Manager or the Police Chief that makes the decision about disciplining or terminating an employee.

At the request of Councilman Arnrich, the City Attorney explained that Penal Code 832-7 is a provision that claims that police officer personnel files are confidential and there is a clause in there "except for civil or criminal discovery;" until June of 1990, that Code Section prohibited the City from releasing police personnel files, however after that time an Appellate Court case came down that made that section now unclear; the City could have used that Section to block the public release of the MDT transmissions, the ranks of the officers, or the names, or the statements, however, the City chose not to use that, nor the provisions of the Public Records Act, and balanced the public interest in disclosure being greater than the public interest in non-disclosure.

The City Attorney, at the request of Councilman Arnerich, explained the Peace Officer Bill of Rights, a complex set of legislation that gives peace officers specific rights and privileges; the Skelly Rights which sets forth minimum due process requirements for notice and hearing, an opportunity to be heard, prior to imposition of any type of discipline; explained how it affects due process that must be given before discipline can be imposed.

Councilmember Roth questioned, since Council sets policy, can Council

change [the requirements].

President Withrow inquired if changes could be made retroactively.

The City Attorney stated Council cannot retroactively make changes but can evaluate imposing and setting forth some stringent discipline or criteria for discipline; what must be taken into consideration in imposing discipline is the officer's record or the progressive nature of the discipline, the type of activity; there are four different officers and each made different statements.

President Withrow questioned whether Council could establish a policy which would subject employees to immediate dismissal for actions like those alleged to have occurred with the four police officers.

The City Attorney replied not immediate dismissal because due process would still be necessary.

President Withrow inquired if Council can take any action whatsoever to affect, right now, the discipline that is placed upon the four officers.

The City Attorney replied no.

The motion was carried by unanimous roll call vote - 5.

Councilmember Roth noted the resolution includes the statement "Be it further resolved that we are determined to eradicate the racism expressed by four officers and promise to do our best to ensure that Alameda City Government provides fair and equal services to all;" and concluded that the resolution is the first step.

* * * * *

Following brief discussion, Council, by consensus, agreed to consider reports (91-749) regarding reduction of salaries, and (91-750) regarding reorganization, at a future Special Council Meeting. [Subsequently reagendaized for November 14, 1991]

* * * * *

91-748 Cultural and Ethnic Diversity Training Outline.

Councilmember Camicia stated in response to the release of the information about the Mobile Digital Terminals [MDTs], he believes it appropriate that Council put together a committee that would develop goals and objectives for cultural diversity training for all City employees; he believes it appropriate an outside group come in at this time, to set goals and objectives for this community to reach for, in terms of sensitivity training and eradicating any racism that exists; he has suggested the committee structure; Council and public may have other suggestions, but he wants it started quickly; the committee is to be a short-term group, not huge, and not dominated by people already involved in City government.

Councilman Arnerich stated he has no fault with the statement and position of Councilmember Camicia regarding diversity training program and also to look into Alameda's problems; however he favors a number of people in the community who know and can best serve the

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community; he does not agree Assemblywoman Barbara Lee [listed in Camicia's Diversity Training Outline] would be a viable choice for Alameda; Alameda has Mr. DeWitt who has served the community for many years; Reverend Betty Williams has offered her services, he has no problem with the organizations mentioned [NAACP, SSHRB, United Pilipinos of Alameda]; he would like Asian citizens represented, possibly by Roy Mita; believes a list of persons could be looked at, time taken to organize and the true ethnic makeup of Alameda reflected.

Councilmember Camicia stated that is perfectly acceptable, but he would stress that he would like the Committee to become active quickly, and its goals and objectives for diversity training moved back to the staff quickly so Council can begin.

Councilmember Lucas stated she completely agrees with the idea, which is a timely suggestion; getting started immediately is important; she would like a few more members at large from the community also included to allow input from all groups in the community.

At Councilman Arnerich's request, the Personnel Director explained the cultural diversity training program for all City staff, intensive training in January through April, 1991, was given to 322 of the City's 550 employees; more sessions are scheduled; suggested the trainers from Personnel, Police and Fire be on the Committee to hear citizen input firsthand; Council adopted a policy prohibiting harassment and discrimination of any kind, at the July 16, 1991, Council Meeting; Police Department has an outstanding training effort in their training program; believes the incident which is the subject of this item, and happened in 1990, would not happen in 1991 and the City is working very hard to make sure it does not and staff is willing to accept any suggestions to strengthen training.

Councilmember Camicia stated the City of Hercules is successful, due partially, because it focuses its training on that particular community.

The Personnel Director noted differences are not to be stressed; the need is to look at persons individually and understand differences, e.g., ethnic, religious, educational, socio-economic level, and treat each as a worthwhile person.

* * * * *

Councilman Arnerich moved to extend the meeting past 11:00 p.m. Councilmember Roth seconded the motion which was carried by unanimous voice vote - 5.

* * * * *

Councilmember Lucas stated Councilmember Camicia's proposal requested cooperation of the NAACP; and inquired if NAACP representatives present would like to comment; and they responded affirmatively in favor of cooperation.

Councilmember Camicia inquired if approving the matter in concept, and seeing what signups and structure presents itself, would be appropriate.

President Withrow inquired if Councilmember Camicia wanted the

November 4, 1991

Committee set up as a Mayor's Committee, as it is the most expeditious in terms of time to put the Committee into effect. Councilmember Camicia agreed.

Councilmember Roth stated he would want the matter to proceed without the necessity of coming back to Council for nominations.

Councilman Arnerich expressed a desire for a group of City of Alameda citizens to serve.

Councilmember Camicia moved the concept, along the lines of Council's discussion. Councilmember Lucas seconded the motion.

The motion carried by unanimous voice vote - 5.

91-749 Report from Vice Mayor Karin Lucas regarding reduction of salaries of appointed officials by five percent. Not heard.

Held over. See paragraph immediately preceding 91-748.

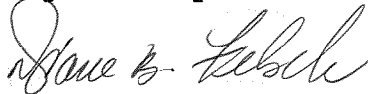
91-750 Report from City Manager concerning the reorganization of certain departments and contracting for City services. Not heard.

Held over. See paragraph immediately preceding 91-748.

ADJOURNMENT

President Withrow adjourned the meeting at 11:05 p.m.

Respectfully submitted,



DIANE B. FELSCH, CMC
City Clerk

The agenda for this meeting was posted in accordance with the Brown Act.

November 4, 1991

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CITY OF ALAMEDA

MAYOR'S COMMITTEE ON ETHNIC AND CULTURAL DIVERSITY

INSTITUTE OF GOVERNMENTAL
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FINAL REPORT

OCT 21 1992

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Oakland
Tribune

Monday, January 25, 1993

Organization urges diversity in government

By Susan Richter
STAFF WRITER

ALAMEDA — A new group calling itself Alamedans for Diversity in Democracy is dedicated to making the Island City's government look more like America.

Taking from the theme behind President Bill Clinton's more ethnically diverse cabinet, the group wants a better representation of minorities in city government positions, from the city council to the police chief.

"If a citizen interest group doesn't come up with it's own candidate, then the same type of candidates from the good-'ol-boys network will be elected over and over again," said James Howard, founder of the group ADD.

At a local Green Party meeting a few months ago, Howard said he decided to form a coalition dedicated to social justice, quality of life and multiculturalism. The goal of ADD is to influence appointed and elected officials in Alameda so that they reflect the changing face of the community.

In 1990, the U.S. census recorded a 35 percent minority population in Alameda, up from 20 percent in 1980. The numbers continue to climb rapidly.

Among those who have agreed to join ADD are the Green Party, Alamedans for a Civilian Economy, and the Alameda Peace and Education Network.

"I've always believed in attacking from all sides," said Judy Pollard, a spokesperson for ACE. "But we need people from government to be in alliance with ACE's goals, with progressive goals in general."

Numerous groups advocating cultural diversity and sensitivity sprung up following the Alameda Police Department racial slurs incident of October 1991. But Howard believes that they are focused on specific issues and serving the needs of their constituents.

For example, Mayor Bill Withrow appointed an 18-member Ethnic and Cultural Diversi-

"If a citizen interest group doesn't come up with it's own candidate, then the same type of candidates from the good-'ol-boys network will be elected over and over again."

James Howard
founder of ADD

ty Committee for the primary purpose of evaluating a cultural sensitivity program for the police department.

The Coalition of Alamedans for Racial Equality (CARE), also organized after the racial slurs incident, focuses on youth empowerment, education and social and economic issues.

Another group, the Community Cultural Diversity Committee, is run by several Alameda school district officials, such as John Searles, superintendent of Alameda Unified School District, and Marie Smith, president of the College of Alameda.

It's concerned with improving cultural relations in the long-term, instead of waiting for a crisis, such as the one brought on by the police-tapes incident.

Rev. Michael Yoshi, who is active in both the school district committee and CARE, agrees with Howard that change is slow "because of a lack of response from political efforts."

"We are looking for a voice," he added.

Howard hopes that voice will be ADD by drawing as many other groups and individuals together behind a common political front.

The size of ADD will determine how much help it provide in getting candidates elected, as well as funding costly campaigns.

"It costs about \$8,000 to run a campaign," said Howard. "It's democracy based on who has the most money."

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CITY OF ALAMEDA

MAYOR'S COMMITTEE ON ETHNIC AND CULTURAL DIVERSITY

FINAL REPORT

I. INTRODUCTION AND BACKGROUND:

PURPOSE AND ORGANIZATION OF THE COMMITTEE:

This Committee was formed by City Council Resolution 91-748 on November 4, 1991 with these words: "In response to the release of the information about the Mobile Digital Terminals (MDT'S), it would be appropriate for the Council to put together a committee that would develop goals and objectives for cultural diversity training for all City employees, and to set goals and objectives for this community to reach for, in terms of sensitivity training and eradicating any racism that exists."¹

The "MDT incident" refers to the information regarding racial slurs typed into police officers' patrol car terminals which has been the subject of much media coverage and public attention. These messages involved several officers. While the MDT incident was the precipitating event to the formation of the Committee, it appeared that prior incidents regarding claims of sexual harassment and discrimination, may also have motivated the City Council to take action.

Eighteen persons were appointed; four from City staff, and fourteen from the community. The initial group reflected the ethnic diversity of the Alameda community: 2 Chinese-Americans, 1 Japanese-American, 2 Filipino-Americans, 3 African-Americans, 4 Hispanics, and 6 Caucasians. There have been some resignations, and new appointments have been made. The committee still has eighteen members, 3 Chinese-Americans, 1 Japanese-American, 2 Filipino-Americans, 2 African-Americans, 3 Hispanics, and 7 Caucasians.² The Mayor serves as the chair.

The Committee was briefed by the City Attorney, Carol Korade, on its responsibilities regarding open meetings under the Brown Act, its limitations as to its charge, restrictions as to its investigatory powers (it has none), and the police officer's bill of rights. All meetings have been public, and properly noticed. All confidential information has been kept confidential.

The Committee as a whole formed itself into these three operating committees to gather information and discuss specific issues in detail: Systems, Policies and Procedures, Personnel Practices, and Cultural Sensitivity. Special work groups were also formed as the work of the Committee as a whole progressed. They were assigned the tasks of developing a work plan and time schedule; planning for three community forums; writing interview questions; and drafting the reports on each segment of the work.

¹ Minutes of Special Meeting of the Alameda City Council, Nov. 4, 1991.

² A list of current Committee members may be found in Appendix G.

II. SUMMARY OF FINDINGS AND RECOMMENDATIONS:

A. RACIAL PROBLEMS DO EXIST IN THE CITY AND POLICE DEPARTMENT

B. APPROPRIATE TRAINING OF POLICE PERSONNEL CAN BE UNDERTAKEN TO MAKE THINGS BETTER

C. APD LEADERSHIP NEEDS SPECIAL TRAINING TO HELP IT TO BE MORE EFFECTIVE IN PROVIDING GUIDANCE TO STAFF

D. MANY CITY AND APD STAFF, AND OTHERS IN THE COMMUNITY, FEEL CHANGE IS IMPERATIVE

E. "A NEW WAY OF DOING THINGS", SPECIFICALLY COMMUNITY POLICING, WILL HELP TO ALLEVIATE RACIAL TENSIONS

F. SOME SORT OF FORMAL MECHANISM FOR POLICE-COMMUNITY COMMUNICATION NEEDS TO BE ESTABLISHED.

G. THERE MUST BE EDUCATION AND TRAINING OF BOTH COMMUNITY AND POLICE TO EFFECTIVELY WORK ON RACIAL CONCERNS.

III. METHODOLOGY AND STRUCTURE OF THE REPORT:

A. METHODOLOGY USED BY THE COMMITTEE:

Because the Committee was not given any investigatory powers, but needed a great deal of factual information to complete its assigned task of assessing the racial climate of the Alameda Police Department (APD) and making recommendations on appropriate training, it proceeded to gather this information in the following ways³:

- Obtaining written documentation on some aspects of recruitment, hiring, training and promotion of police staff from the City Personnel Department.
- Obtaining State Police Officer Standards and Training (POST) rules governing same.
- Obtaining information regarding law suits based on discrimination, arrest data by ethnicity, prior discipline of police staff (not by name), etc.
- Obtaining the City's Equal Opportunity / Affirmative Action policy and complaint procedures and a copy of its Affirmative Action Plan.
- Obtaining APD organization charts and staffing information.
- Obtaining an ethnic breakdown, by classification, of APD staff.
- Obtaining written information on prior training efforts, hearing presentations on these, as well. and seeing video tapes of prior training.
- Exploring the concepts of racism and institutional racism with Rev. Michael Yoshi, an expert on this subject.
- Obtaining materials on the concept of "community policing".
- Conducting three public forums at which citizens' impressions and opinions regarding the APD were heard. Also, listening to our friends and neighbors.
- Conducting, in teams of two, over fifty structured interviews of Police and City personnel, at all levels, including listening to police personnel during their daily work.
- Asking City and Police personnel questions of clarification and explanation of written materials.
- Observing all aspects of the work of the Department by individually spending time at the Department, and with the officers on walking and car patrols. Touring the Police facilities, and watching booking and jail procedures.

³ Details of much of this information may be found in Appendices A.-F. Mayor's Committee

REPORT
III. METHODOLOGY AND STRUCTURE OF THE REPORT, A., CONTINUED:

While some of this fact-gathering and questioning took place in the operating committees, the Committee as a whole discussed the findings and their implications. There was often lively debate over what was fact, and what was opinion. The Committee felt that people's perceptions, especially those that were held by many inside and outside of the APD, were important, and should be included in our findings and recommendations. Appropriate City and APD staff has had full input on all interim reports and discussion of all interim findings.

B. REPORT STRUCTURE:

Following this introductory section is an Expanded Narrative of the Findings and the Training Recommendations. It contains opinions formed by the Committee, which we believe are based on the facts and perceptions we gathered and analyzed. Following this Expanded Narrative are the Appendices, which contain our interim reports, and copies of some of the most important data we gathered.

C. WHAT STRENGTHS WERE IDENTIFIED:

While this report focuses on the problems and training solutions the Committee was asked to report, it is very important to note that many very good things were observed, as well. What is right with the APD might be the subject of another report, perhaps longer than this one. We found:

- Many, many citizens and members of the police force at all levels have total confidence in the APD, and commend it for its excellent service and dedication to the public good.
- The Committee members' personal observations, particularly in the ride-and walk-a-long work and in watching the dispatch and jail staff, were that police personnel work hard, and handle themselves well with the public.
- Many of the staff interviewed were eager for change, and ready to participate in new ways of doing things. They were candid with the Committee about problems.
- The "letter of the law" has, for the most part, been very carefully observed. The Chief has issued many memos and orders regarding prohibitions against racial discrimination.
- Training programs have been given, and were attended by all levels of staff.
- The courtesy and extra work extended by the police and city personnel to this committee was given freely and with a good deal of graciousness.

by Council, Nov. 4, 1979

and in Agreement G.

IV. EXPANDED NARRATIVE OF FINDINGS AND TRAINING RECOMMENDATIONS:

A. THE PURPOSE OF TRAINING:

What do we mean by training? Training recommended by the Committee means involvement of all levels of staff relating to the operations of the Police Department in individual study and assessment of their own deeply held values, interactive work in groups, and situational experiences with people of diverse cultures within the APD and the community. It must be structured and facilitated by experts in the field of multicultural and interpersonal skill development.

The development of communication skills with people of diverse cultures was one of the most strongly suggested types of training. It includes learning to speak and listen to people with differing backgrounds, and especially non-English speakers. Other specific types of communications training suggestions include management and leadership training, particularly in communicating with a changing work force, and how to communicate "ownership" and belief in the concepts of non-discrimination.⁴

B. THE GOALS TRAINING SHOULD ACHIEVE:

It is hoped that through training Alameda's police force, and City staff working with the police, will be able to:

- Work efficiently and effectively with people of all backgrounds
- Avoid offending those who are different than they
- Feel more secure around people whose values, opinions and priorities are different
- Learn to appreciate, understand, and gain full cooperation from those who talk and act differently
- Build an organization which encourages the full potential of all its members
- Learn to influence those who are in the dominant culture to treat others fairly and with respect
- Combat prejudice and injustice in whatever form it takes
- Know how to put learned values about cultural diversity into practice
- Broaden "meeting the letter of the law" in practices which aim for equal opportunity to "meeting the letter and the spirit of the law"

⁴. See APPENDIX B., particularly Questions 8. and 12.

IV. EXPANDED NARRATIVE OF FINDINGS AND RECOMMENDATIONS, CONT.:

C. HOW WE ARRIVED AT THESE FINDINGS:

1. Where did they come from? The findings and recommendations covered in this section of the report reflect the deep concern held by many Alameda residents, particularly its minority residents, that a wide range of solutions needs to be offered to not only correct the situation but also to strengthen the relationship between the police and the city's minority community.⁵ These findings are a result of countless hours of looking at operations within the Police Department, taking public testimony, conducting police interviews, sharing information with various community groups and individuals and reviewing media accounts regarding police department activities.

2. What is the key finding? The key finding is that racial problems do exist in the City and the Police Department, and are reflected in how minorities feel they are treated by the police. Also, that in order to correct these problems, meaningful cultural awareness and sensitivity training is called for, proactive leadership is recommended, and some type of community/police relations program is needed with a focus on changing existing racial attitudes of both the citizens and the police.

3. What are the areas of concern? The following analysis is drawn from a careful review of all the information gathered. The information and recommended training and other actions contained in this report address the concern that racism, whether conscious or unconscious, influences how minorities are treated by the police. This Expanded Narrative is organized by identification of each group of findings, followed by training recommendations designed to address it. The key areas are grouped by what the committee found to be at the core of this community's concerns. These groupings are:

- Group 1. Policing in a multi-ethnic community;
- Group 2. Leadership and management of a diverse police force; and
- Group 3. Agents for Change: How to forge a partnership between police and community.

⁵ See APPENDIX. A.

IV. EXPANDED NARRATIVE OF FINDINGS AND RECOMMENDATIONS, CONT.:

D. THE CONCERN GROUPINGS, AND TRAINING RECOMMENDED FOR EACH:

GROUP #1. Policing effectively in a multi-ethnic community.

- a. **Findings.** The racial slur incident is a wake-up call to the City of Alameda, its police department, and the city's minority community. Because of it, improving race relations has been propelled to the top of the City's agenda. For the City and the APD, the controversial incident created an embarrassment and a crushing blow to its image and credibility with its citizens, the surrounding communities, and beyond.

To minority residents, the racial slur incident had a greater impact as expressed by those attending the public forums. It changed the way many viewed the APD as well as their feelings of security and safety in this city of 75,000 plus people. African-American persons in particular felt hurt, insulted and angered by the remarks by those sworn to uphold the law and protect them. They felt humiliated by being singled out as the objects for ridicule, jokes, and threats. Some felt strongly that the Chief should have been fired and that the officers involved should have been punished more harshly for their lack of professionalism and the verbal abuse aimed at their community.⁶

The Committee heard that some citizens feel that the attitudes held by the officers involved in the incident reflect those of top management--that it demonstrates that they condone this type of racial behavior. They hold this management and the City's leadership responsible for the actions of those serving under them. Questions persist as to whether police officials model the type of behavior expected of leaders, which should be that discrimination in any form will not be tolerated in the APD. They suggest that officials in management created an environment in which prejudice, racism and discrimination is either ignored, accepted or encouraged.

The Committee also heard that some citizens do not believe the MDT incident was an "isolated" incident but one which reflects real anti-Black feelings among some in the police force. Some persons expressed concerns and real doubts whether minorities are treated fairly in routine day-to-day activities of arrests, investigations and report preparation.

While the Committee cannot substantiate the charges of unfair treatment, we find there is a strong and persistent perception that racism exists. There were enough instances cited to justify the recommendation of training to address these concerns, as summarized at one of our Forums by the statement: "racism is alive and unwell in Alameda".⁷

There appears to be a major need for learning to communicate better with other cultures, particularly non- or limited-English speakers and persons in the African-American community where the friction and problems appear to be the greatest.

⁶ See APPENDICES A. & B., also information from media interviews and private conversations.

⁷ See APPENDIX A. Theme 2.

IV. EXPANDED NARRATIVE OF FINDINGS AND RECOMMENDATIONS, ITEM D. 1., CONT.:

- b. **Training Recommendations.** Cultural awareness and sensitivity training is required. The Committee recommends that this training include:

- Techniques for handling feelings of prejudice
- Study of racism and stereotypes and their effects on human interaction
- How to handle calls from the minority community
- Understanding of community based policing as a way to gain more harmonious relations between the police and the community. We recommend a thorough study of the programs being developed in Hayward, Vallejo and Oakland.
- Communications, including listening skills, sensitivity, communicating with non- or limited-English speakers, and special workshops with African-American citizens to answer the question "Can't we get along?".⁸

GROUP #2. Leadership of a diverse police force.

- a. **Findings.** Both citizens and police department personnel place a high value on management's showing and modeling leadership, particularly in matters involving racial issues.

Top management in the APD has a responsibility to provide leadership and direction for the police force. This was heard in our public forums and in many of our interviews with members of the APD.⁹ Leadership was voiced as a major concern throughout the assessment phase. The public said it expects the police chief and his top managers to show leadership in solving problems such as the racial slur incident and to model positive behaviors for their staff. They need to demonstrate leadership in upholding the City's affirmative action plan and non-discrimination policies in observing both the letter of the law and the spirit of the law. It was felt that they should take a proactive approach to leading a police department hit hard by revelations of acts of racism, and perceptions of racism held by those inside their own department. It is believed that the Chief has the main role in instituting changes within the department by his personal example and leadership to demonstrate that certain attitudes and behaviors are unthinkable, and will never be tolerated. Many believe that he has not done enough to reassure the minority community, specifically the African-American community, that positive and specific steps are being taken to correct the perception that racism is tolerated in his department. We believe that the Chief must be proactive and willing to take the lead in being trained. He must be open to training which will result in personal change, as well as become the main change agent within his department.

⁸. Rodney King, 1992

⁹. See APPENDICES A. AND B.

IV. EXPANDED NARRATIVE OF FINDINGS AND RECOMMENDATIONS, ITEM D. 2., CONT.:

- b. **Training recommendations.** Training in being open to doing things very differently is required. The Committee recommends that this training include:
- Methods of policing a diverse community, and managing a diverse work force.
 - Community based policing - taking a radically different approach to police-community relationships
 - Training in how to effectively recruit minority officers, so that the workforce more accurately reflects the ethnic composition of the City.
 - Training in methods to effectively model the behavior desired regarding handling racial and sexual sensitivity issues
 - Training in alternative management styles which promote ethnic and cultural fairness and sensitivity. (Example: The Committee recommends the Chief and City Personnel staff look at practices in cities and counties which include police and citizens from outside their jurisdictions to examine and select officer candidates.)

GROUP #3. Agents for Change--How to forge a new partnership between police and community.

- a. **Findings.** Alameda is an island city that has, over the past 10 years, experienced many profound changes in the ethnic composition of its residents. It has now changed from a population that was predominantly white to one that is over thirty percent minority. Its attractions, such as the beach, and three modern shopping areas, draw visitors from other parts of the Bay Area, particularly from Oakland.

While the City has grown in population and diversity, it remains one that sees itself as a small and isolated all-white town. In part, the racial problems within the police department mirror the city's attitude of denial that racial problems exist. Minority residents and visitors alike describe being viewed as "problems" - either real or potential, and at the very least "suspicious characters". One of the major findings of the Committee's work on this issue is a theme that has run through the whole assessment process -- the need for change both in the city and the police department. This change is needed both in behavior and in attitudes.

As was stated earlier, the racial slurs incident is the city's wake up call to change how it does business; how it interacts with its minority residents and non-residents who come here for business and recreation. This was pointed out in the forums and in the interviews with police personnel.¹⁰

Many of the suggestions by the Committee for training centered around not only training officers, but also key people in the community. The reasoning was that negative attitudes are perceived to exist both in the APD and the community. There must be education and training of both community and police to effectively work on racial concerns and create a basis for community policing to work. The fact that many speakers at the Forums called for a police review board or ombudsman points to the need for the establishment of some sort of formal mechanism for working out police-community issues.

¹⁰. See APPENDICES A. AND B.

IV. EXPANDED NARRATIVE OF FINDINGS AND RECOMMENDATIONS ITEM D. 3., CONT.:

b. Training Recommendations.

- New ways to approach police-community relations
- Educational programs to raise public consciousness about racism and its detrimental effects on the community
- Sensitivity training to change attitudes and behaviors
- Training on becoming change agents
- Community training to improve appreciation of the public of the milieu in which police work is done; its hardships and its challenges.

Final note: The Committee encourages promotion of the ride-a-long program as it is an excellent way to promote dialogue between police and citizens and to allow citizens to obtain a true appreciation of the work of our police officers.

APPENDIX A.

MAYOR'S COMMITTEE ON ETHNIC AND CULTURAL DIVERSITY
PUBLIC FORUMS

PART I - INTRODUCTION AND BACKGROUND

The Committee invited citizens of Alameda to three public forums held on May 14, 15 and 16 to share their experiences or interactions with the Alameda Police Department and to recommend ideas or strategies for enhancing community/police relationships and cultural sensitivity in Alameda. To insure accommodation of citizen's schedules, two of the forums were held during evening hours, and one during the day on a week-end. The three sites were chosen to represent three geographic areas of the City: West End at the Independence Plaza Meeting Room; Central, at the City Hall; and Bay Farm Island at the Leydecker Park Recreation Center. All these meeting places were accessible to the disabled.

These forums were widely advertised in the local media. Letters of invitation were sent to key ethnic and community organizations and churches. The committee also prepared and distributed/posted flyers announcing the times, locations and the purpose of the forums to businesses, laundromats, libraries, and other places of gathering. Information regarding the forums was given on Cable Channel 51 at the break time during the City Council meeting broadcast, and shown on the "scroll" on Channel 3. All information distributed included a special telephone number for the hearing impaired, and for requesting sign or foreign language interpreters.

More than 150 people attended the forums, including members of the Committee, the Mayor, Police Chief, and managers of various City departments. The meetings were chaired by the Mayor with assistance from the three operating committee chairs, Lee Perez, Kate Quick, and Edmond Wong. The Mayor and Police Chief spoke and/or answered questions at all three forums.

It was pointed out at the opening of each session that all comments were very important for the committee's assessment of the Police Department. Perez briefly summarized the purpose of the meeting and provided some general background information. He said that the Mayor's Committee was formed last December following the discovery that several racist remarks had been transmitted and received over police patrol car computers. Since then, the Committee has been assessing the racial climate in the Police Department by studying the Department's policies, practices and training programs, actively riding along with police, observing activities in the Police Station, and conducting staff interviews. The Committee's mission is to recommend to the Alameda City Council training that may be needed in the areas of systems, policies and procedures, personnel practices and cultural sensitivity. He said the purpose of the May forums is to get public input on experiences, good and bad, with the Alameda Police Department, and suggestions on how the Police Department can be improved.

PART II - SUMMARY OF WHAT WAS SHARED WITH THE COMMITTEE

Many points of view were shared during the three sessions. **This report does not attempt to quote all testimony verbatim, nor does it judge whether what was shared is true, accurate or fair.** Our attempt is to capture the sense of what the Committee heard about how people felt about their experiences with the Police Department and how the speakers thought things should be corrected as a result of this process.

Generally, many residents who spoke said they felt safe living in Alameda because the Police Department does a good job ("superb") of responding to calls for assistance and safeguarding residents, businesses and property. Some speakers acknowledged that police work was a tough job and that there is a need for the police and community to work together. Aware of the MDT (Mobile Display Terminal) incident, one person stated "everybody makes mistakes" and suggested the focus of the assessment not be on the past but on the future. "We must work together for a better police department and town", he said. He also supported the Mayor's Committee. In contrast, another expressed his feeling that Alameda is no different from the South in its treatment of minorities, and others said they did not feel comfortable with the police since the MDT incident and called for firing those involved.

There was some element of pessimism regarding the City's "will" to recognize its problems and to change, and regarding the value of the Committee, as well. Some stated that they believed the committee was hand picked, subject to control by the City, and that its report will be suppressed or come to nothing. This was contrasted with many comments about the possibilities for bringing the community and the police together for a more harmonious and peaceful future.

There were many who expressed strong feelings that the community was in need of a police commission, civilian review board, or other similar mechanism to act as a clearing house for complaints and a "connection" from the community to the activities of the police. There was also one suggestion for an ombudsman program.

Several specific examples of individual police officer's lack of sensitivity to race, culture, and sex were given. None of these involved gross excessive use of force, but many reflected that they felt there was a lack or failure in judgment.

Several commented on the community's lack of "connection" with the police, and gave historical perspectives on times when the police and community knew each other much better, and confidence in the police was higher.

The sub-committee assigned to review the forum information discovered that the comments made regarding **problems** fell into several "themes". We have grouped some specific comments under these theme headings in Part III of this report, which follows.

PART III - COMMENTS RECEIVED REGARDING PROBLEMS, GROUPED BY "THEMES"

THEME 1.

- PROBLEMS WITH COMMUNICATIONS/NEED FOR TRAINING IN COMMUNICATING WITH A CULTURALLY DIVERSE COMMUNITY
 - a. Language difficulties
 - b. Not understanding cultural barriers which make people fear communicating with the police
 - c. Violating culture through use of inappropriate approaches
 - d. Lack of opportunities to interact with police in non-criminal activity situations.

THEME 2.

- LACK OF RACIAL/CULTURAL SENSITIVITY/NEED FOR TRAINING IN CULTURAL RELATIONS
 - a. "Police came at my complaint and told me to 'sit down' while they talked to the person I was complaining about, first." [African-American elderly male / White female involved]
 - b. "Police refused to write my complaint about racist incident in the report until I persisted."
 - c. We need more minority officers
 - d. "Two Asian families were nervous about talking to the police about interrogating their children because the police had already acted without consulting them. The police volunteered that 'this incident is not racial' which only made it seem more so to us."
 - e. "Racism is a fact of human existence, but we can have faith in our ability to overcome our prejudices."
 - f. "Police make comments to kids who have bicycles stolen that they are going to look 'in the projects' - this promotes racism".
 - g. "Police are more forgiving of white kids - even when they deserve the worst".
 - h. "Racism is alive and unwell in Alameda".

THEME 3.

- INAPPROPRIATE POLICE ACTIONS/NEED FOR BETTER TRAINING ON CONTROL AND RESTRAINT
 - a. "Police are very aggressive. They drive way past speed limits with no lights or sirens. They should be obeying the law just like everyone else."

PART III - COMMENTS RECEIVED REGARDING PROBLEMS, GROUPED BY "THEMES", cont.

THEME 3, CONT.

- b. "I was thrown against a window when police came to settle a domestic dispute."
- c. "When I called with a complaint and the officers arrived, it was I who was treated as a criminal."
- d. "Police are slow to respond to the West End."
- e. "The MDT incident was inexcusable".
- f. "The police hassle kids when its three Black kids hanging out together, but don't similarly handle White kids in the same circumstances.

THEME 4.

- PROBLEMS WITH LEADERSHIP/NEED FOR TRAINING IN MODERN MANAGEMENT METHODS
 - a. "Chief should be a leader and set the standards"
 - b. Good behavior should be modeled at the top
 - c. Need to develop more ways to demonstrate certain behaviors will not be tolerated
 - d. Leadership needs to be more "in charge"
 - e. Leadership needs to be more open to change and "own" the problems
 - f. City leaders have collaborated in covering up, not solving the problems.

THEME 5.

- NEED FOR CLOSER RELATIONSHIP BETWEEN POLICE AND COMMUNITY/NEED FOR PROGRAMS TO PROMOTE COOPERATIVE RELATIONS WITH THE CITIZENRY
 - a. "People do not know who their police officers are"
 - b. "Community-based policing is a good idea which should be implemented"
 - c. "We are afraid of each other"
 - d. "Most police, like many other of our civil servants, don't live in the community"
 - e. Police need to get more involved with the youth - Police Activities League (PAL) and cadet programs, in-school, etc.
 - f. There is a need for a community liaison officer.

PART III - COMMENTS RECEIVED REGARDING PROBLEMS, GROUPED BY "THEMES", cont.

THEME 6.

- **DISTRUST IN CITY ATTEMPTS TO RESOLVE POLICE ISSUES/SUGGESTIONS FOR VEHICLES TO INSURE THAT POLICE DEPARTMENT REFLECTS COMMUNITY VALUES**
 - a. "We need more Blacks from the community on the committee, picked for their contacts/dealings with the police so that they can offer their expertise".
 - b. "Confidence of the community in the Police Department could be enhanced by the establishment of a civilian review committee".
 - c. "Because there was no appeal board in Alameda, I was forced to file a lawsuit to attempt to improve police behavior".
 - d. "We lack a set of rules which define how we, and the police behave".
 - e. "I have personal knowledge of many complaints against the police; the City should have a police commission or review board to insure these complaints are investigated and solved".
 - f. A member of the SSHRB (Social Services/Human Relations Board) reported that the Board was prevented from pursuing the police complaint procedure with the explanation that they were not allowed to look at other City departments.
 - g. "When the Mayor says he philosophically opposes a police review board or commission, people think it will never happen - so why do you ask us our opinions if you are not prepared to consider them"?
 - h. "People feel powerless in the face of authority - we need an ombudsman program to help to empower them."
 - i. "The people are the only body that legitimize the actions of our elected officials."
 - j. "The destruction of evidence allowed some police personnel to escape investigation. There should be a Grand Jury investigation."

PART IV - COMMENTS REGARDING POSITIVE ASPECTS OF POLICE-COMMUNITY RELATIONS AND SUGGESTIONS FOR PLANNING AND CREATING A MORE HARMONIOUS FUTURE

- "We have an excellent police department - not perfect; they make mistakes, but they do good work".
- "Our focus should not be on the past, but on the future. United we will go forward; divided we will fail".
- "If we can learn to live as citizens of Alameda first, and our racial identities second, we can find ways to live harmoniously and in peace".
- "Crime could be prevented if only we all would get involved".

PART IV - COMMENTS REGARDING POSITIVE ASPECTS OF POLICE-COMMUNITY RELATIONS AND SUGGESTIONS FOR PLANNING AND CREATING A MORE HARMONIOUS FUTURE - Cont.

- "We need to seek better definitions of police-community relations and relations in general in our ethnically diverse community."
- "A sub-station on Bay Farm would be of help".
- "Police have been helpful to me". [Several situations cited]
- "We need to explore community policing as a style of management".
- "We need more police officers working with youth and with neighborhoods." [Several times]

PART V - CONCLUDING REMARKS

The Committee feels that the Forums were useful, and the information gained will be of great assistance to our final recommendations regarding the racial climate of the police department and training needs. Generally, while the citizens attending were eager to share their experiences, they were not overly emotional, negative, or accusatory. We feel that they were sincerely trying to share their experiences with, and feelings about, the Alameda Police Department.

The Committee appreciates the assistance given it by City staff, especially Liz Kingsley and Susan Freeman in getting out the mailing of our letter to churches and community organizations and setting up the room arrangements. It also appreciates the presence and sharing of the Mayor, and Chief Sheills, and the attendance by other City department heads. We thank them all.

THE MAYOR'S COMMITTEE ON ETHNIC AND CULTURAL DIVERSITY

The Mayor's Committee on Ethnic and Cultural Diversity invites you to participate in a Community Forum. This is an opportunity for you to comment or to tell about your experiences - good or bad and to make suggestions regarding the Alameda Police Department.

THREE FORUMS WILL BE HELD AT THE FOLLOWING TIMES AND PLACES:

Thursday, May 14, 1992 at 7:30 p.m. at
Independence Plaza Community Room, 703 Atlantic Avenue, Alameda

Friday, May 15, 1992 at 7:30 p.m. at
City Hall Council Chamber, 2nd floor, Santa Clara Av. at Oak St.

Saturday, May 16, 1992 at 10:00 a.m. at
Leydecker Park Recreation Center, 3225 Mecartney Road, Alameda

For bilingual information.....please call (510) 748-4521
Hearing Impaired.....please call TDD# 522-7538

APPENDIX B.

MAYOR'S COMMITTEE ON ETHNIC AND CULTURAL DIVERSITY**INTERVIEWS REPORT****PART I - INTRODUCTION AND BACKGROUND**

In order to assess the racial climate in the Alameda Police Department, and determine the need for additional training of police staff, the Committee interviewed a cross-section of badge and non-badge personnel from the APD, as well as most of its top management; employees of the City Personnel Department, the Mayor and City Manager, and some Council Members. A draft of the questions was developed by one of the operating committees, and finalized by the Committee as a whole. Structured questions were asked of all interviewees, except for one question, which was asked only of non-White and all female interviewees. These interviews were conducted by teams of two, selected at random based on time availability.

Staff from the City Personnel Department assisted with scheduling the interviews. Most of the interviews took place at the Police Department. Before interviewing began, guidelines were prepared and shared with Committee members. Confidentiality of the interviews was stressed to the interviewers and interviewees. Each interviewer was asked to record the responses independently, and to mail the responses to the acting chair, Lee Perez.

A special work group was formed to review and code the responses. Since well over 50 interviews were conducted, resulting in ninety-five questionnaires to be reviewed, their task was monumental. This group produced a document with a rough count and breakdown of the responses. For those who may review these source documents, it should be noted that the first review group made no attempt to "make the numbers add up". That is, since two people were writing on each interview, and may have had differing interpretations of what was said, each interview sheet was reviewed as an independent response. Some failed to record an answer for some questions. Some did not turn in a sheet or two. While the recording was generally very good, occasionally a recorded answer was difficult to read or to understand. As citizen volunteers, the product was not the result of professional interviewers or pollsters, and so did not reflect perfect numbers. However, the large number of interviews certainly led the committee to some real understandings of the racial/sexual climate of the Alameda Police Department, and the impact of the City's policies and procedures on the general health of police-community relations. Their work was taken to the Committee as a whole, which in turn appointed a special work group to finalize a report on the interviews which will be incorporated into the final report of the Committee's work. This report is the product of that work group.

PART II - SUMMARY OF WHAT WAS SHARED WITH THE COMMITTEE

A general impression of the Committee was that almost all the respondents were quite candid and open, even when discussing difficult issues. They did not appear to be "coached". However, many responses reflected a consistency of content which would indicate that there was some sharing and discussion going on among the staff during the two week period in which the interviews took place.

By and large, the interviewees believed that the police do a good job. While they felt proud of their police force, they were candid about problems and forthcoming in sharing their ideas for solutions.

PART II - SUMMARY, CONTINUED

- The need for **change** was a consistent theme reflected in responses to many questions. Change was mentioned in relation to individuals, management and leadership styles, personnel and police practices, relationships between the APD and City Hall, and APD and the media.
- **Community policing** was frequently seen as a solution to many current problems, such as perception of the police, police-community relations, and maintenance of a pleasant community.
- The need for greater **consistency** in management practices, including discipline, hiring, and training opportunities, was frequently mentioned.
- The theme of racism was explored through several of the questions, and while a majority of the respondents stated that racism did not exist, a significant minority said it was a problem and cited examples. This raises a concern that **institutional racism may, in fact, exist** in the Alameda Police Department and the City of Alameda.
- The Committee has had information regarding several ways in which the City personnel department recruits applicants for police officer examinations. However, whether police personnel indicated they did or did not know of these efforts, the interviews revealed that they had minimal knowledge about any specifics of minority recruiting which was done. This may point to the need for **greater public relations** or communications efforts by City Personnel in its minority/female recruitment efforts within the Department.

PART III - QUESTIONS, AND SUMMARY OF RESPONSES TO EACH QUESTION

**Question #1 - What do you think the community perception is of the Alameda Police Department?
Is the perception valid?**

A majority of the respondents felt the community perception of the APD is good. However, a significant number felt there may be a problem which can be attributed, in part to media misrepresentation, or other politicizing of the police.

Questions #2 and #7 - What can the department do to improve the perception of the racial climate at the APD? Can you suggest any specific ways to improve or correct the climate at the APD?

Can you tell me some ways in which APD can reach out to the community?

Nearly 100% of the respondents felt that the APD needs to do things differently to improve the community's perception of the police. These responses mentioned specifically building community understanding through closer non-enforcement contacts with the police, a different approach toward policing, and additional training in cultural differences and in how to exhibit respect for these differences.

Question #3 - Do you believe the APD, as an institution, is racist/sexist? Why?

A large majority believed that institutional racism and sexism does not exist in the APD. However, a significant minority (one in three) said they believed there is definitely such a problem. This gives rise to a concern that there well may be a problem with "hidden" or institutionalized racism/sexism in the APD.

Question #4 - Have you worked with different ethnic groups in the course of your duties with APD? What were some of your experiences, good and bad?

The majority of the staff has worked with a variety of ethnic groups in the course of their employment. Many had a hard time recalling specific experiences.

Question #5 - Do you think police personnel need to protect themselves from other folks in the community? Why?*

A large number of police personnel felt that they needed to protect themselves from attacks on their physical person or on their characters or reputation.

*Since the interviewees interpreted this question in various ways - focusing either on physical or psychological protection, there was discussion about removing it from the report. The Committee voted to include it, with the disclaimer that it was interpreted, and answered, in various ways.

Question #6 - Assuming that we all have some prejudices, how do you cope with yours?

While a significant number felt that they had no prejudice whatsoever, a preponderant majority felt that they had developed some methodology for exercising coping mechanisms.

NOTE: Question #7 was combined with Question #2.

Question #8 - Do you believe that top management effectively:

a. models good behavior?

Properly characterizing the opinions on modeling of good behavior by top management was problematic, at best. The opinions were split, but it is enough to say that when such a significant number of negative comments are made there are areas that need to be addressed. For example, many mentioned favoritism; problems with communications such as: communications tend to be "top down" and when "bottom up" communications are attempted, they are "short-circuited"; openness and accessibility to all levels of management are not fostered; and there was a failure to provide good personal example.

b. values diversity?

Many felt that the racial makeup of the APD reflects a failure to place a value on diversity, and others felt that diversity was valued only out of duty or pressure from others, and was not really internalized as a personal value top management held.

c. reinforces non-racist/non-sexist values?

A majority of the respondents felt that non-racist, non-sexist values are reinforced through impersonal methods only, such as memos and orders. Many felt these values were not modeled effectively by personal involvement and the department's not assuming strong leadership with clear definition of problems and appropriate remediation.

d. manages diversity?

The responses were much the same as to c., above.

Question #9 - What is your assessment of the "MDT communications" incident?

The preponderance of the respondents felt the MDT incident was very bad and brought discredit on the Department, yet there were many others who felt betrayed, denied a fair hearing in the media, or otherwise felt that the incident was blown out of proportion.

Question #10 - Do you agree with the level of discipline meted out for the MDT incident? Why or why not?

The preponderant majority felt the punishment meted out was correct. Of the minority who felt it was not, it was about evenly split between those who felt it was too severe or too lenient.

Question #11 - Are you aware of specific actions APD and City personnel takes to actively recruit minorities and women?

A large majority, whether they said yes or no to their awareness of minority/female recruitment appeared to have minimal understanding or knowledge of any special recruiting practices undertaken by the City.

Question #12 - If you could make one change in the way the City government/APD operates, what would it be?

The largest number of responses spoke to a need for a change in leadership at various levels in the police department. Many called for replacement of lead personnel; others wanted a change in style or improvement of skills in leadership and management practices. Some called for changes at City Hall, particularly pertaining to City Hall - APD relationships.

Question #13 - Asked of members of minority groups, or females only -

Do you feel that you have been treated equitably in selection and promotion? Why or why not? Do you feel that you are fully accepted by the police community? The community at large?

Most respondents felt that they had been equitably treated and accepted. Some felt that they were not. The ones who felt they were not, were concerned about the slowness of change in male officers' attitudes toward female officers, or favoritism issues.

Question #14 - Is there anything you would like to add?

Some added comments about the need for improvement in management/leadership skills and practices. Also, many ended with some sort of positive statement about the police department, the interview, the Committee, etc.

PART IV - CONCLUSIONS

As was stated in the summary, the overall impression gained by these interviews was that police and city personnel at all levels were eager for change. While much pride was expressed in the police department, there was a clear recognition by a significant number of persons interviewed that problems did exist. Change was needed to correct them, to move forward to a better relationship between the police and the community, and to improve internal operations at the police department to insure racial and sexual equality there, as well.

Since the committee's understanding of the definition of "institutionalized racism/sexism" is that it is the exercise of power in indirect ways which has an adverse impact on racial/sexual issues, the Committee was not surprised to hear from the majority of respondents that racism/sexism does not exist at the APD. The significant minority (one in three) who said it definitely was a problem led us to the concern that the majority may not have recognized it.

The Committee was impressed by the candor of many of the respondents, since the content of many of the responses could be considered "risky" in that there were responses that were openly critical of some aspects of the department in which they worked. It is our impression that such responses must have been deeply felt for the persons expressing them to take such risks.

The Committee wishes to thank all of those participating, and particularly Susan Freeman of the City Personnel staff, and Sergeant Glover of the Police staff for assisting in the coordination of the interview appointments.

**STRUCTURED INTERVIEW QUESTIONS
MAYOR'S COMMITTEE ON CULTURAL DIVERSITY**

QUESTIONS:

1. WHAT DO YOU THINK THE COMMUNITY PERCEPTION IS OF THE ALAMEDA POLICE DEPARTMENT? IS THE PERCEPTION VALID?
2. WHAT CAN THE DEPARTMENT DO TO IMPROVE THE PERCEPTION OF THE RACIAL CLIMATE AT APD? CAN YOU SUGGEST ANY SPECIFIC WAYS TO IMPROVE OR CORRECT THE CLIMATE AT APD?
3. DO YOU BELIEVE THE APD, AS AN INSTITUTION, IS RACIST/SEXIST? WHY?
4. HAVE YOU WORKED WITH DIFFERENT ETHNIC GROUPS IN THE COURSE OF YOUR DUTIES WITH APD? WHAT WERE SOME OF YOUR EXPERIENCES, GOOD AND BAD?
5. DO YOU THINK POLICE PERSONNEL NEED TO PROTECT THEMSELVES FROM OTHER FOLKS IN THE COMMUNITY? WHY?
6. ASSUMING THAT WE ALL HAVE SOME PREJUDICES, HOW DO YOU COPE WITH YOURS?
7. CAN YOU TELL ME SOME WAYS IN WHICH APD CAN REACH OUT TO THE COMMUNITY?
8. DO YOU BELIEVE THAT TOP MANAGEMENT EFFECTIVELY:

A. MODELS GOOD BEHAVIOR	C. REINFORCES NON-RACIST/SEXIST VALUES
B. VALUES DIVERSITY	D. MANAGES DIVERSITY

HOW DO THEY DO THESE THINGS?
9. WHAT IS YOUR ASSESSMENT OF THE "MDT COMMUNICATIONS" INCIDENT?
10. DO YOU AGREE WITH THE LEVEL OF DISCIPLINE METED OUT FOR THE MDT INCIDENT? WHY OR WHY NOT?
11. ARE YOU AWARE OF SPECIFIC ACTIONS APD AND CITY PERSONNEL TAKES TO ACTIVELY RECRUIT MINORITIES AND WOMEN?
12. IF YOU COULD MAKE ONE CHANGE IN THE WAY THE CITY GOVERNMENT/APD OPERATES, WHAT WOULD IT BE?
13. FOR PERSONS WHO ARE FEMALE, OR MEMBERS OF A MINORITY GROUP:

A. DO YOU FEEL THAT YOU HAVE BEEN TREATED EQUITABLY IN SELECTION AND PROMOTION? WHY OR WHY NOT?
B. DO YOU FEEL THAT YOU ARE FULLY ACCEPTED BY THE POLICE COMMUNITY?
C. DO YOU FEEL THAT YOU ARE FULLY ACCEPTED BY THE COMMUNITY AT LARGE?
14. IS THERE ANYTHING YOU WOULD LIKE TO ADD?

SUGGESTIONS FOR INTERVIEWERS:

Recognize that you are taking up their valuable time. Thank them at the beginning of the interview for allowing you to speak with them.

Advise the interviewee that, while we will use their comments, we will code the interviews, so their names will not be known.

Let them know that there are no right or wrong answers. We need to know how they really feel.

Ask them not to structure their answers to tell us what they think we want to know, or what would please their superiors. Just be frank and straightforward.

Listen carefully to their answers. Pick up on nuances of meaning, body language, tone of voice changes. People often say more than we hear!

Keep the interview brief. Don't waste their time.

Drop them a brief note after the interview thanking them formally for their time.

APPENDIX C.

MAYOR'S COMMITTEE ON ETHNIC AND CULTURAL DIVERSITY**RIDE-A-LONG REPORT****PART I - INTRODUCTION AND BACKGROUND**

One of the activities required of the committee in assessing the racial climate of the Alameda Police Department was six four-hour rides in police squad cars or walking patrols. An alternate suggestion to include observations of the jail operations, detective division and communications center as well as the ride-a-longs was proposed and accepted. The Committee felt this option would provide a more comprehensive view of the daily working of the police department. The ride-a-long program is highly encouraged by police personnel as it is felt that it is one of the best ways to expose the community to the real work of the police department.

Members were given the name and telephone number of the officer to contact to schedule these ride-a-longs and observations. Inasmuch as the APD operates on a twenty-four hour, seven day a week basis, the Committee members had great latitude to choose their own time frames, and even the specific officers they wished to ride with.

Some members have completed their assignments, while others are still in the process of finishing them. To date, members of the committee have devoted a total of approximately 200 hours in ride-a-longs, walk-a-longs or observations of different aspects of police operations. Approximately 40 officers were involved in the hours spent riding or walking.

PART II - SUMMARY

We rode with male and female officers of differing ethnic backgrounds, whose length of employment ranged from under six months to more than twenty years of service in the Department. We covered all sectors of the city, occasionally crossing the bridges or going through the tube into Oakland. We rode in the police cars all hours of the day and night, on weekdays and on weekends. Our reports indicated that we all found this to be a worthwhile and positive learning experience.

While all the reports praised the professionalism and dedication of the officers, in two of the reports, committee members indicated that they had heard an officer make several disparaging or derogatory remarks about differing lifestyles and the alternative high school. These were addressed to the committee members, not to those with whom the officer was dealing in a law enforcement capacity.

PART III - WHAT WE OBSERVED

In observing both the patrol and communications center staff, committee members were able to experience first hand the frequency of calls, the different types of calls and incidents, and the manner in which the officers responded. Good "social work skills" in dealing with indigents, inebriates, juveniles and the elderly were commented upon. The officers, and communications center staff showed great restraint under adverse and hostile conditions. On the whole, with the two exceptions noted above, members of the Committee were impressed with the quality of the officers' work.

We became somewhat familiar with certain police procedures and the practice of insuring officer safety through a system of backing each other up. In conversation, some of the material gained from the interviews was reinforced, or added to.

Ride-A-Long Report
Page 2.

Committee members reported observing officers speaking to the public with respect and a good degree of professionalism. They observed them making arrests in ways that preserved the dignity of the persons being arrested. They also observed them interviewing citizens for the purpose of taking reports.

Those who chose to do walk-a-longs commented on the many opportunities officers had to interface directly with children, adults, and the elderly on their routes. They felt these contacts were positive, and seemed to be beneficial to police-community relationships. Walking Webster Street in the evening and night hours was cited as a particularly interesting and revealing activity. Since those of us who did that had had little exposure to the Webster Street bar scene, it was a real eye-opener.

CONCLUSIONS

The Committee feels the ride-a-longs and observations were invaluable towards our understanding the daily demands upon the police department. The experience will be useful in our deliberations in recommending any further training. We gained new insights and respect for the work of patrol officers and technical crews. We feel that the City is in capable hands.

The Committee wishes to thank Capt. Schmitz, Sgt. Westmoreland, Sgt. Glover, and Officer Braten for helping to facilitate the scheduling of our ride-a-longs. We would also like to thank the patrol officers, jail staff, and communications center personnel for their graciousness in allowing us to participate in their daily work.

APPENDIX D.

TO: MAYOR'S COMMITTEE ON CULTURAL DIVERSITY
FROM: SERGEANT JON WESTMORELAND

December 18, 1991

**SUBJECT: INFORMATION PROVIDED TO THE COMMITTEE BY THE ALAMEDA
POLICE DEPARTMENT**

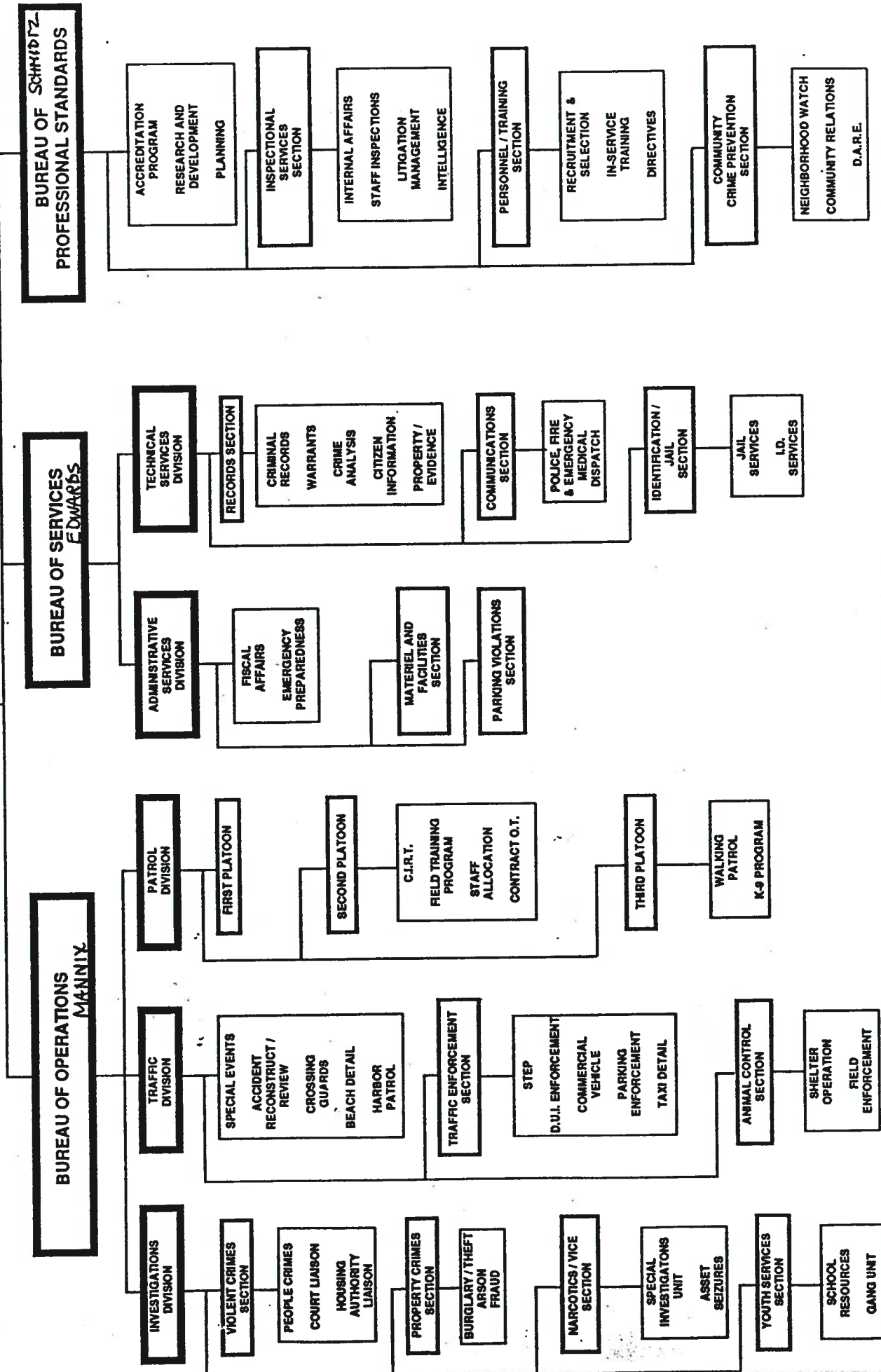
1. Observation of Police Operations (12/11/91) (NOT included in this APPENDIX.)
2. Alameda Police Department Table of Organization (12/11/91)
3. Arrest Information (12/18/91)
4. Juvenile Arrest Dispositions 12/90 Thru 11/91 (12/18/91)
5. Law Relating To Selection And Standards (12/18/91)
6. Police Department Internal Phone Number List (12/18/91) (NOT included in this APPENDIX)

Respectfully Submitted,


Sgt Jon Westmoreland

CHIEF OF POLICE

Shells



TO: MAYOR'S COMMITTEE ON CULTURAL DIVERSITY
FROM: SERGEANT JON WESTMORELAND

December 18, 1991

SUBJECT: ARREST INFORMATION

Following is a statistical analysis of arrests made by the Alameda Police Department between December 1990 and November 1991. Analysis is by arrestee's reported city of residence.

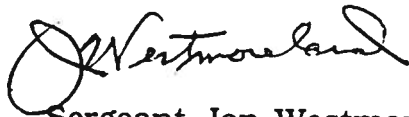
Over 150 locations were reported. Total arrests equal 5,272. The most frequent locations reported are as follows:

Alameda = 2,643 (50.1%)
Oakland = 1,324 (25.1%)
San Leandro = 108
Hayward = 82
Berkeley = 71
San Francisco = 60

Others that could not be fit into a specific location include:

Transient = 218
Unknown = 73
Homeless = 2

Respectfully submitted,



Sergeant Jon Westmoreland

City Of Alameda
Inter-department Memorandum

TO: MAYOR'S COMMITTEE ON CULTURAL DIVERSITY

**FROM: SERGEANT JON WESTMORELAND
ALAMEDA POLICE DEPARTMENT**

December 18, 1991

SUBJECT: JUVENILE ARREST DISPOSITIONS 12/90 THRU 11/91

Following is a statistical analysis of juvenile arrest dispositions. These dispositions reflect how a juvenile is handled after being arrested. Dispositions include Juvenile Hall (JUH), released to a family member on a citation (NTA), turned over to another agency (TRN), turned over to a juvenile welfare facility (JWF), or counseled and released either at the police department or in the home (C&R). Each disposition is catagorized by ethnicity.

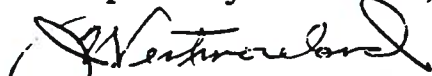
Total juvenile arrests = 1,180

	(JUH)	(NTA)	(TRN)	(JWF)	(C&R)	(TOTAL)
WHITE	52	108	9	23	140	332
BLACK	66	133	12	20	144	375
HISPANIC	55	82	8	20	76	241
FILIPINO	12	33	3	22	39	109
CHINESE	8	10	0	1	4	23
PAC ISLND	2	9	0	0	1	12
AM INDIAN	0	0	0	2	0	2
JAPANESE	0	0	0	0	1	1
OTHER	<u>19</u>	<u>23</u>	<u>0</u>	<u>3</u>	<u>40</u>	<u>85</u>
	214	398	32	91	445	1,180

The disposition of a juvenile arrestee depends on many factors. Some of these factors are:

- severity of the crime the juvenile has been arrested for. Some crimes require the juvenile to be taken to juvenile hall.
- arrestee's criminal history.
- parent(s) unavailable or refuses to take the juvenile back at home.
- a runaway may be in violaation of probaation and will therefore be taken to juvenile hall when found.
- court mandated juvenile hall.
- juvenile with a parent when the parent was arrested.
- violation of probation or parole up to age 25.

Respectfully submitted,


Sgt Jon Westmoreland

LAW RELATING TO SELECTION AND STANDARDS

CALIFORNIA GOVERNMENT CODE

Title 1

GENERAL PROVISIONS

DIVISION 4

PUBLIC OFFICERS AND EMPLOYEES

CHAPTER 1

GENERAL

ARTICLE 2

DISQUALIFICATIONS FOR OFFICE OR EMPLOYMENT

1029. Conviction of felony as disqualification for peace officer

Division 6 of the Welfare and Institutions Code.

- (a) Except as provided in subdivision (b), (c), or (d), each of the following persons is disqualified from holding office as a peace officer or being employed as a peace officer of the state, county, city, city and county or other political subdivision, whether with or without compensation, and is disqualified from any office or employment by the state, county, city, city and county or other political subdivision, whether with or without compensation, which confers upon the holder or employee the powers and duties of a peace officer:

- (1) Any person who has been convicted of a felony in this state or any other state.
- (2) Any person who has been convicted of any offense in any other state which would have been a felony if committed in this state.
- (3) Any person who has been charged with a felony and adjudged by a superior court to be mentally incompetent under Chapter 6 (commencing with Section 1367) of Title 10 of Part 2 of the Penal Code.
- (4) Any person who has been found not guilty by reason of insanity of any felony.
- (5) Any person who has been determined to be a mentally disordered sex offender pursuant to Article 1 (commencing with Section 6300) of Chapter 2 of Part 2 of

- (6) Any person adjudged addicted or in danger of becoming addicted to narcotics, convicted, and committed to a state institution as provided in Section 3051 of the Welfare and Institutions Code.

- (b) Any person who has been convicted of a felony, other than a felony punishable by death, in this state or any other state, or who has been convicted of any offense in any other state which would have been a felony, other than a felony punishable by death, if committed in this state, and who demonstrates the ability to assist persons in programs of rehabilitation may hold office and be employed as a parole officer of the Department of Corrections or the Department of the Youth Authority, or as a probation officer in a county probation department if he or she has been granted a full and unconditional pardon for the felony or offense of which he or she was convicted. Notwithstanding any other provision of law, the Department of Corrections or the Department of the Youth Authority may refuse to employ any such person as a parole officer regardless of his qualifications.
- (c) Nothing in this section shall be construed to limit or curtail the power or authority of any board of police commissioners, chief of police, sheriff, mayor, or other appointing authority to appoint, employ, or deputize any person as a peace officer in the time of disaster caused by

flood, fire, pestilence or similar public calamity, or to exercise any power conferred by law to summon assistance in making arrests or preventing the commission of any criminal offense.

- (d) Nothing in this section shall be construed to prohibit any persons from holding office or being employed as a superintendent, supervisor, or employee having custodial responsibilities in an institution operated by a probation department, if at the time of the person's hire a prior conviction of a felony was known to the person's employer, and the class of office for which the person was hired as not declared by law to be a class prohibited to persons convicted of a felony, but as a result of a change in classification, as provided by law, the new classification would prohibit employment of a person convicted of a felony.

1030. Fingerprinting of peace officers

A classifiable set of the fingerprints of every person who is now employed, or who hereafter becomes employed, as a peace officer of the state, or of a county, city, city and county or other political subdivision, whether with or without compensation, shall be furnished to the Department of Justice and to the Federal Bureau of Investigation by the sheriff, chief of police or other appropriate appointing authority of the agency by whom the person is employed.

This section shall not apply to any currently employed peace officer whose appointment antedates the effective date of this section and whose fingerprints have already been submitted by his appointing authority to the Department of Justice and to the Federal Bureau of Investigation.

1031. Public officers or employees having powers of peace officers; minimum standards

Each class of public officers or employees declared by law to be peace officers shall meet all of the following minimum standards:

- (a) Be a citizen of the United States or a permanent resident alien who is eligible for and has applied for citizenship.
- (b) Be at least 18 years of age.
- (c) Be fingerprinted for purposes of search of local, state, and national fingerprint files to disclose any criminal record.

- (d) Be of good moral character, as determined by a thorough background investigation.
- (e) Be a high school graduate, pass the General Education Development test indicating high school graduation level, or have attained a two-year or four-year degree from a college or university accredited by the Western Association of Colleges and Universities; provided that this sub-division shall not apply to any public officer or employee who was employed, prior to the effective date of the amendment of this section made at the 1971 Regular Session of the Legislature, in any position declared by law prior to the effective date of such amendment to be peace officer positions.
- (f) Be found to be free from any physical, emotional, or mental condition which might adversely affect the exercise of the powers of a peace officer. Physical condition shall be evaluated by a licensed physician and surgeon. Emotional and mental conditions shall be evaluated by a licensed physician and surgeon or by a licensed psychologist who has a doctoral degree in psychology and at least five years of postgraduate experience in the diagnosis and treatment of emotional and mental disorders.

This section shall not be construed to preclude the adoption of additional or higher standards, including age.

1031.5 Peace Officer Citizenship Requirement

- (a) Any person employed by a governmental agency on the effective date of this section as a peace officer or a peace officer trainee, or who, prior to the effective date of this section, had applied to fill a position as a peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, is not subject to the requirement of subdivision (a) of Section 1031 prior to its amendment at the 1981-82 Regular Session of the Legislature, provided that any person qualifying for this exemption shall, as soon as legally possible, apply for and meet all of the requirements for United States citizenship specified in existing law and shall be subject to subdivisions (c) and (d).
- (b) Any permanent resident alien who applies for employment as a peace officer shall have

whom reimbursement may be claimed, based upon actual job assignment, as determined and approved by the Commission.

- (r) "Paraprofessional" is a full-time employee of a department in the Regular Program and includes, but is not limited to, such job classifications as: community service officer, police trainee, police cadet, and for whom reimbursement may be claimed for attendance of POST-certified courses as determined and approved by the Commission.
- (s) "POST Administrative Manual (PAM)" is a document containing Commission Regulations and Procedures, and Guidelines which implement the Regulations.
- (t) "Public Safety Dispatcher" is a non-peace officer who is employed full-time or part-time to perform duties which include receiving emergency calls for law enforcement service and/or dispatching law enforcement personnel.
- (u) "Quasi-Supervisory Position" is a peace officer position above the operational level position, for which commensurate pay is authorized, is assigned limited responsibility for the supervision of subordinates, or intermittently is assigned the responsibility of a "First-level Supervisory Position", and most commonly is of a rank below that of Sergeant.
- (v) "Regular Officer" is a sheriff, undersheriff, or deputy sheriff, regularly employed and paid as such, of a county, a police officer of a city, a police officer of a district authorized by statute to maintain a police department, a police officer of a department or district enumerated in Penal Code Section 13507, or a peace officer member of the California Highway Patrol.
- (w) "Reimbursement" is the financial aid allocated from the Peace Officer Training Fund, as provided in Section 13523 of the Act.
- (x) "Reimbursement Plan" consists of a combination of training-related expenditures for which reimbursement is approved by the Commission.
- (y) "Resident Trainee" is one who, while away from his or her department or normal residence, attends a training course and takes lodging and meals at or near the course site for one or more days/nights.

(z) "Specialized Law Enforcement Agency" is:

- (1) A segment of an agency which has policing or law enforcement authority imposed by law and whose employees are peace officers as defined by law; or
- (2) An agency engaged in the enforcement of regulations or laws limited in scope or nature; or
- (3) An agency that engages in investigative or other limited law enforcement activities in the enforcement of criminal law; and
- (4) Authorized by the Commission to participate in the Specialized Law Enforcement Certificate Program.

(aa) "Specialized Peace Officer" is a marshal or deputy marshal of a municipal court, a regularly employed and paid inspector or investigator of a district attorney's office as defined in Section 830.1 P.C. who conducts criminal investigations or a peace officer employee of a specialized law enforcement agency authorized by the Commission to participate in the Specialized Law Enforcement Certificate Program.

(bb) "Trainee" is an employee of a department who is assigned to attend a POST-certified course.

1002. Minimum Standards for Employment.

- (a) Every peace officer employed by a department shall be selected in conformance with the following requirements:
 - (1) **Felony Conviction.** Government Code Section 1029: Limits employment of convicted felons.
 - (2) **Fingerprint and Record Check.** Government Code Section 1030 and 1031(c): Requires fingerprinting and search of local, state, and national files to reveal any criminal records.
 - (3) **Citizenship.** Government Code Section 1031(a) and 1031.5: Specifies citizenship requirements for peace officers.
 - (4) **Age.** Government Code Section 1031(b): Requires minimum age of 18 years for peace officer employment.

POST ADMINISTRATIVE MANUAL

COMMISSION PROCEDURE C-1

PERSONAL HISTORY INVESTIGATION

Purpose

1-1. Personal History Investigation: This Commission Procedure implements the personal history investigation requirements established in Section 1002(a) of the Commission Regulations. The purpose of the personal history investigation is to find examples of positive or negative behavior in the candidate's life indicative of characteristics which would probably favor or prevent the candidate from becoming a successful peace officer. The investigation must also examine the candidate's past work performance and impact on other people to determine whether or not those affirmative characteristics which are desirable in a peace officer are possessed by the candidate. The POST "Background Investigators Manual", or its equivalent should be followed in conducting an investigation.

Procedure

1-2. Personal History Investigation: This procedure shall be followed in the pre-employment investigation of each proposed peace officer employee and shall be completed on or prior to the appointment date.

1-3. Completion of Personal History Statement: The department head shall require the candidate to complete the POST Personal History Statement, Form 2.5, or its equivalent prior to conducting the background investigation.

1-4. Written Evaluation Required: The results of the investigation must be reduced to writing and made available to the department head for the purpose of evaluation to determine whether the candidate is suitable. The results shall be retained by the jurisdiction as a source of authenticated information on personnel for present and successive administrators.

1-5. Sources of Investigation: The investigation shall include an inquiry into the following sources of information for the purpose indicated:

- a. The State Department of Motor Vehicles, Division of Drivers' Licenses--to determine the candidate's driving record.

- b. High school and all higher educational institutions that the candidate attended--to determine the educational achievements, character and career potential of the applicant.
- c. State bureaus of vital statistics or county records--to verify birth and age records. In the case of foreign born, appropriate federal or local records.
- d. All police files in jurisdictions where the candidate has frequently visited, lived or worked--to determine if any criminal record exists.
- e. Criminal records of the California Bureau of Investigation and Identification. A copy of the return shall be retained in the candidate's personnel record.
- f. The Federal Bureau of Investigation records. A copy of the return shall be retained in the candidate's personnel records.
- g. All previous employers--to determine the quality of the candidate's work record.
- h. Within practical limits, references supplied by the candidate, and other references supplied by them, if any--to determine whether or not the candidate has exhibited behavior which would or would not be compatible with the position sought.
- i. The candidate's present neighborhood and where practicable, neighborhoods where the candidate may have previously resided--to determine whether or not the candidate has exhibited behavior which would or would not be compatible with the position sought.
- j. The candidate's credit records--to determine his/her credit standing with banks, department stores and other commercial establishments that would tend to give a clear indication of the candidate's reliability.

POST ADMINISTRATIVE MANUAL

COMMISSION PROCEDURE C-2

PHYSICAL AND PSYCHOLOGICAL SUITABILITY EXAMINATIONS

Purpose

2-1. Physical and Psychological Suitability Examinations: This Commission procedure implements the physical and psychological suitability examinations requirements established in Section 1002(a)(7) of the Regulations. The purpose of the physical examination is to select personnel who are physically sound and free from any physical condition which would probably adversely affect their performance as a peace officer. The purpose of the psychological suitability examination is to select personnel who are free from any mental or emotional condition which might adversely affect their performance as a peace officer. The use of the POST "Medical Screening Manual for California Law Enforcement, February 1977", or its equivalent, in conducting the physical evaluation is discretionary. The use of the "POST Psychological Screening Manual, December 1984", or its equivalent, in conducting the psychological suitability evaluation is discretionary.

Procedure

2-2. Physical and Psychological Suitability Examinations: The physical and psychological suitability examinations shall be conducted as specified in Government Code Section 1031(f) within 1 year before hire.

2-3. Medical History: Each candidate must supply to the examining physician a statement of the medical history of past and present conditions, diseases, injuries or operations.

2-4. Vision and Hearing: The hiring authority shall establish minimum standards for hearing, color vision and visual acuity, and is responsible for determining that each candidate meets those standards.

2-5. Physician's Findings and Record: The physician shall report in writing findings of the examination and shall note, for evaluation by the appointing authority, any past or present physical conditions, diseases, injuries, operations, or any evidence or indications of mental conditions displayed by the

candidate which should be further evaluated by competent professionals. The completed written report shall be retained by the local jurisdiction.

2-6. Psychological Suitability: Peace officer applicants shall be judged to be free from job-relevant psychopathology, including personality disorders, as diagnosed by a qualified professional, described in Government Code Section 1031(f). References in making this determination are identified in the "POST Psychological Screening Manual, December 1984".

2-7. Psychological Suitability Examination: Psychological suitability shall be determined on the basis of psychological test score information which has been interpreted by a qualified professional. A minimum of two psychological tests shall be used. One must be normed in such a manner as to identify patterns of abnormal behavior; the other must be oriented toward assessing relevant dimensions of normal behavior.

2-8. Clinical Interview: All final recommendations to disqualify candidates for psychological unsuitability shall be based, in part, on a clinical interview conducted by a qualified professional. An interview shall also be conducted when objective test data are inconclusive.

2-9. Updated Physical and Psychological Suitability Examinations: When more than one year has passed since initial examinations, physical and psychological suitability examination updates, as opposed to complete new examinations, may be conducted for individuals who:

- a) upgrade within the same agency to reserve peace officer or regularly employed peace officer status;
- b) were examined initially in accordance with all of the provisions of sub-paragraphs 2-1 through 2-8 of Commission Procedure C-2, and the results of such examinations are available for review; and
- c) have worked continuously for the agency since the time of initial appointment.

POST ADMINISTRATIVE MANUAL

COMMISSION PROCEDURE D-1

BASIC TRAINING

Purpose

1-1. Specifications of Basic Training: This Commission procedure implements that portion of the Minimum Standards for Training established in Section 1005(a) of the Regulations which relate to Basic Training. Basic Training includes the Regular Basic Course, District Attorneys Investigators Basic Course, Marshals Basic Course, and Specialized Basic Investigators Course.

Training Content and Methodology

1-2. Requirements for Basic Training Content and Methodology: The minimum content standards for basic training are broadly stated in paragraphs 1-3 to 1-6. Within each functional area, listed below, flexibility is provided to adjust hours and instructional topics with prior POST approval. More detailed specifications are contained in the document "Performance Objectives for the POST Basic Course - 1989".

Successful course completion requires attendance of an entire course at a single academy except where POST has approved a contractual agreement between academies for the use of facilities. The Law Enforcement Code of Ethics shall be administered to peace officer trainees during the basic course. Instructional methodology is at the discretion of individual course presenters. Requirements and exceptions for specific basic courses are as follows:

- a. For the Regular Basic Course specified in paragraph 1-3, performance objectives must be taught and tested as specified in the document "Performance Objectives for the POST Basic Course". Successful course completion is based upon students meeting the established success criteria specified for all objectives in this document. Tracking performance objectives to document student achievement is mandatory; however, the tracking system to be used is optional.

For the Regular Basic Course, the POST-developed physical conditioning program must be followed within Functional Area 12.0 and

students must pass a POST-developed physical abilities test as described in the POST Basic Academy Physical Conditioning Manual at the conclusion of the conditioning program as a condition for successful course completion. The use of alternatives to the POST-developed physical abilities test is subject to approval by POST. Course presenters seeking POST approval to use alternative tests shall present evidence that the alternative tests were developed in accordance with recognized professional standards, and that alternative tests are equivalent to the POST-developed test with respect to validity and reliability. Evidence concerning the comparability of scores on the POST-developed test and the proposed alternative test is also required.

- b. For basic courses listed in paragraphs 1-4 to 1-6, the performance objectives of the Regular Basic Course are not required but illustrative only of the content for the broad functional areas and learning goals specified for each of these basic courses. Successful course completion shall be determined by each course presenter.

1-3. Regular Basic Course Content and Minimum Hours: The Performance Objectives listed in the POST document "Performance Objectives for the POST Basic Course" are contained under broad Functional Areas and Learning Goals. The Functional Areas and Learning Goals are descriptive in nature and only provide a brief overview of the more specific content of the Performance Objectives. The Regular Basic Course contains the following Functional Areas and minimum hours.

Functional Areas:

1.0	Professional Orientation	11 hours
2.0	Police Community Relations	16 hours
3.0	Law	52 hours
4.0	Laws of Evidence	20 hours
5.0	Communications	32 hours
6.0	Vehicle Operations	24 hours
7.0	Force and Weaponry	54 hours

10.0 Criminal Investigation	24 hours
*11.0 (Deleted)	0 hours
12.0 Physical Fitness and Defense Techniques	12 hours
13.0 Specialized Investigative Techniques	18 hours
Written Examinations	11 hours
Total Minimum Required Hours	220 hours

*Since the majority of the Specialized Basic Course is taken directly from the Regular Basic Course, it is important that the two numbering systems correspond. For that reason Functional Areas 9.0 and 11.0 (Traffic and Custody, respectively) are shown deleted. Conversely, a new functional area, 13.0 Specialized Investigative Techniques, has been developed for the Specialized Basic Investigators Course.

1-7. Basic Complaint/Dispatcher Course: The Basic Complaint/Dispatcher Course contains the following Functional Areas and minimum hours. This course provides instruction regarding entry-level skills and knowledge to personnel whose duties include receiving emergency calls for service and dispatching law enforcement personnel. With prior POST approval, flexibility shall be granted to adjust hours between functional areas.

Functional Areas:

1.0 Professional Orientation	4 hours
2.0 Administration of Justice	4 hours
3.0 Legal Aspects	16 hours
4.0 Telephone Procedures	10 hours
5.0 Radio Procedures	10 hours
6.0 Dispatch Practicals (Role-play exercise)	12 hours
7.0 Stress Management	6 hours
8.0 Telecommunications	6 hours
9.0 Basic Emergency Medical Services Dispatching	4 hours
10.0 Unusual Incidents	6 hours
Examinations	2 hours
Total Minimum Required Hours	80 hours

Historical Note:

Subparagraph 1-1 adopted and incorporated by reference into Commission Regulation 1005 effective September 26, 1990.

Subparagraph 1-2 adopted and incorporated by reference into Commission Regulation 1005 effective September 26, 1990.

Subparagraph 1-3 adopted and incorporated by reference into Commission Regulation 1005 on April 15, 1982, and amended on January 24, 1985 and September 26, 1990.

Subparagraph 1-4 adopted and incorporated by reference into Commission Regulation 1005 on April 27, 1983, and amended on January 24, 1985 and September 26, 1990.

Subparagraph 1-5 adopted and incorporated by reference into Commission Regulation 1005 on April 27, 1983, and amended on January 24, 1985, January 15, 1987 and September 26, 1990.

Subparagraph 1-6 adopted and incorporated by reference into Commission Regulation 1005 on October 20, 1983, and amended on September 26, 1990.

Subparagraph 1-7 adopted and incorporated by reference into Commission Regulation 1018 on December 29, 1988.

To: ROBERT M. SHIELDS
CHIEF OF POLICE

From: SGT JON WESTMORELAND
PERSONNEL & TRAINING

November 3, 1991

SUBJECT: CULTURAL DIVERSITY TRAINING HISTORY

1. Cross Cultural Training (16 hours, all sworn personnel and Technicians).
September, October, November 1988.

Conducted by: Cross Cultural Specialist Deena Levine (3 hours)
Hispanic Culture - Lt. Dan Ortega, SJPd, (2 hours)
So. East Asian - Lilly Nguyen-Duy, SoEast Asian
Resettlement Agency
Ofc Robert Sayaphupha, OPD (3 hours)
Pilipino Culture - Mr. Cris Corpuz, Mr. Ben Lopez
United Pilipinos of Alameda (4 hours)
Black Culture - Mr. Daniel Martin, DVC Department
Head of Admin of Justice (4 hours)

2. Harrassment/Discrimination in the Workplace (3½ hours, all personnel)
March 1989

Conducted by: Ms. Linda Lowe M.F.C.C., Oakland Psychotherapy Center
Mr. Daniel J. Vol, Ph.D., California Counseling Associates

3. P.O.S.T. Cross Cultural Awareness Training (24 hours, all sworn personnel
scheduled to be available 1992.

Alameda Police Department had one member on the Research Committee
for development of this state wide program. This was in Feb 13-14, 1990.

4. Managing Differences (1½ hours, 9 supervisors)
January 1991

Conducted by Ms Susan Freeman, City of Alameda Training Specialist

5. Diversity at Work (1½ Hours, 11 supervisors)
January 1991

Conducted by Ms. Susan Freeman, City of Alameda Training Specialist

Inter-department Memorandum

ROBERT M. SHIELLS

Page 2

6. Ethics & Integrity Training with a focus on racial/sexual discriminatory practices (3 hours, all officers & supervisors) October, November 1991.

Conducted by: Sgt Jon Westmoreland and Sgt Joe Dwyer as part of annual Advanced Officer Training. A brief session was also conducted with command staff. Another command staff session is planned for the future.

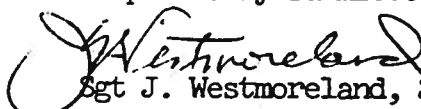
7. Cultural Diversity/Human Relations Training (8 hours, all personnel) F/Y 91-92.

Conducted by: Sgt Jon Westmoreland and Sgt Joe Dwyer. In response your memo of October 3 regarding Department Training, a proposal has been submitted to Capt Schmitz to conduct this training using the Ethics & Integrity format. This could be done in conjunction with an outside agency specializing in cultural diversity training.

In addition, all sworn personnel and supervisors have received training in handling Domestic Violence situations. Officers received eight hours training in 1987 and 1988. Sergeants received two hours in 1988. This is not to say minority groups have more domestic violence problems. It is to say that our officers have received training in being sensitive to the needs of victims in these situations and their responsibility to the those victims. The training also included social attitudes toward domestic violence, the impact of domestic violence, and the police role/response to domestic violence cases.

Lastly, line-up training was conducted with all sworn personnel when the order on Hate Crimes was issued in August 1989, and the order on Harrassment in The Workplace was issued in August 1990.

Respectfully submitted,


Sgt J. Westmoreland, S2
Personnel & Training

APPENDIX E.

CITY OF ALAMEDA

POLICY PROHIBITING HARASSMENT AND DISCRIMINATION

Harassment and/or discrimination violate Title VII of the 1964 Civil Rights Act. Both are illegal under the California Government and Labor Code, and under the regulatory guidelines of the Equal Employment Opportunity Commission and the California Fair Employment and Housing Commission. Further, harassment and discrimination debilitate morale and interfere in the work productivity of victims and their co-workers. All employees must be allowed to work in an environment free from unsolicited and unwelcome discrimination and harassment.

It is the policy of the City of Alameda that harassment and discrimination are unacceptable employee conduct and neither will be condoned or tolerated. Harassment or discrimination directed towards a job applicant, an employee or a citizen by an employee on the basis of race, religious creed, color, national origin, ancestry, handicap, disability, marital status, pregnancy, sex, age, or sexual orientation will not be tolerated. City officials, employees and contractors who violate this policy may be subject to firm disciplinary action up to and including dismissal.

Harassment or discriminatory conduct based on race, religious creed, color, national origin, ancestry, handicap, disability, marital status, pregnancy, sex, age or sexual orientation includes, but is not limited to, any conduct which has the purpose or effect of unreasonably interfering with any individual's work performance or creating an intimidating, hostile or offensive work environment, as well as the following:

- A. **Verbal Harassment or Discrimination** - Epithets, derogatory, offensive, prejudicial statements or jokes.
- B. **Physical Harassment or Discrimination** - Assault, any offensive touching, or physical interference with normal work or movement.
- C. **Visual Harassment or Discrimination** - Derogatory poster, notices, bulletins, cartoons, drawings or objects. Drawings do not include bona fide art displays.

Sexual Harassment or Discrimination - Unwelcome sexual advances, requests for sexual favors, and other deliberate or repeated unsolicited verbal comments, gestures or physical conduct of a sexual nature when:

- 1. Submission or tolerance of such conduct is made either explicitly or implicitly a term or condition of an individual's employment or;
- 2. Submission to or rejection of such conduct by an individual is used as a basis for employment or other decisions affecting such individuals or;
- 3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Employment Harassment or Discrimination - Refusal to hire, train, promote, or provide equitable employment conditions to any employee or applicant, or to discipline or dismiss an employee solely based on race, religious creed, color, national origin, ancestry, handicap, disability, marital status, pregnancy, sex, age or sexual orientation except where the doctrine of business necessity or a bona fide occupational qualification can reasonably be established.

Within the City government, a supervisory employee who uses implicit or explicit coercive behavior to control, influence, or affect the career, salary, or job of an employee is engaging in harassment. Similarly, an employee of the City who behaves in this manner in the process of conducting City business is engaging in harassment.

Each Department Head shall endeavor to provide a work environment that is free from harassment and discrimination. Department Heads shall post copies of this policy and the complaint procedure developed pursuant to this policy in conspicuous places. Department Heads shall also require managers and supervisors to inform their employees of this policy and the complaint procedure, and shall endeavor to have managers and supervisors report instances of harassment or discrimination to their respective supervisors or the Personnel Director. All Department Heads, supervisors, and employees are encouraged to be aware of and sensitive to potential incidence of discrimination or harassment.

Any employee or job applicant who feels that he or she has been harassed or subjected to discrimination should first discuss the concern with management of the department. Alternatively, or if a satisfactory solution is not accomplished through informal means, the individual may pursue the concern with the Personnel Director through the complaint process outlined in the Harassment and Discrimination procedure. The individual may also pursue the concern through the grievance procedure.

It is not the intent of the City of Alameda to regulate the social interaction in relationships freely entered into by City employees.

Adopted - City Council Meeting of
July 16, 1991

EK:SF:ra

CITY OF ALAMEDA - PERSONNEL DEPARTMENT

HARASSMENT AND DISCRIMINATION PROCEDURE

I. PURPOSE

To define and issue to all employees the City's procedure on the prohibition of harassment and discrimination.

II. INTRODUCTION

Harassment and Discrimination are unlawful employment practices prohibited by both State and Federal law. It debilitates morale and interferes in the work productivity of its victims and their co-workers.

It is the policy of the City of Alameda (see Resolution No. 9511, Adopted April 8, 1981; Affirmative Action Program Manual, Section II, Policy Statement; Civil Service Ordinance No. 2130, Revised Ordinance Adopted May, 1983) to treat its employees with respect and dignity and to provide a working environment free of discrimination and harassment.

It is the policy of the City of Alameda that harassment and discrimination are unacceptable and will not be condoned or tolerated. City officials and employees who violate this policy may be subject to firm disciplinary action up to and including dismissal. An individual grieving harassment or discrimination should discuss the concern with management of the department or the Personnel Department.

Prevention is the best tool for the elimination of harassment or discrimination. All Department Heads shall take the responsibility to inform all employees of the policy statement and of the sanctions. They shall also inform all employees of how a complaint of harassment or discrimination should be handled. They shall express strong disapproval of harassment or discrimination and develop methods to improve awareness of all concerned.

V. COMPLAINT PROCESS

An employee who believes they have been harassed on the job should inform the employer, its agents or supervisors of the harassment. To accommodate the unique nature of harassment complaints, a process is provided for the primary purpose of resolving complaints at the earliest possible date. Elements of this process are:

- A. Object - Many victims find using this informal approach to be effective. Just asking or telling the offender to stop usually improves the situation. However, anyone uncomfortable with this approach is encouraged to proceed with the next step.
- B. The employee who believes he or she has been the subject of harassment or discrimination is obligated to report the incident(s) to the immediate supervisor, the Department Head or the Personnel Department.
- C. The City's Personnel Department will be available to receive harassment complaints and to:
 - 1. counsel the employee and outline the options available;
 - 2. obtain a written statement of the complaint;
 - 3. conduct the investigation, interview the accused, witnesses and supervisors as appropriate;
 - 4. see that complaint is resolved in a timely manner usually within 30 days.
- D. Department Head and Personnel Director - Authorize investigation of the complaint, review factual information collected to determine whether the alleged conduct constitutes harassment, giving consideration to the record as a whole and the totality of circumstances, including the nature of the verbal, physical, visual or sexual favor aspect of the advance and context in which the alleged incidents occurred and initiate and/or recommend appropriate action.
- E. Confidentiality - Every effort will be made to protect the privacy of parties involved in a complaint. Files pertaining to complaints handled under the pre-grievance process will not be made available to the general public or any other persons not authorized access to employee records.
- F. If the above steps fail to resolve the complaint to the employee's satisfaction he/she may file a grievance through their Bargaining Unit or the Civil Service Board.

VI. POLICY IMPLEMENTATION

Each Department Head is responsible for ensuring that the work environment in their Department is free of harassment or discrimination by:

- Setting a positive example of behavior appropriate to the work place;
- Posting copies of the policy and this procedure in conspicuous places;
- Having managers and supervisors inform their employees of the City policy and complaint resolution procedure; and,
- Requiring managers and supervisors to report instances of harassment or discrimination to their respective supervisors and/or the Personnel Director;
- Encouraging managers and employees to attend training and to read materials supplied by the City to increase their awareness of and sensitivity to the problem of harassment or discrimination.

**CITY OF ALAMEDA
PERSONNEL DEPARTMENT**

HARASSMENT/DISCRIMINATION

WHAT TO DO IF YOU FEEL YOU ARE A VICTIM

- ACTION

- * Tell harasser to STOP!

or

OBJECT to the harassing/discriminatory behavior. (If you are uncomfortable with this approach proceed with the next step.

- * Advise your Supervisor, Department Head or Personnel.
- * If harasser is your Supervisor, go directly to your Department Head or Personnel.
- * Present the facts citing specific examples and/or incidents and make note of these in case of future investigation.
- * Focus on eliminating the offense, not destroying the offender.

IF YOU ARE AN OBSERVER

- ACTION

- * Advise your Supervisor, Department Head or Personnel.
- * Make note of your observations in case of future investigation.

IF YOU ARE THE ALLEGED HARASSER

- ATTITUDE

- * Take the complaint seriously.

- ACTION

- * Make note of your version of the situation in case of future investigation.

**CITY OF ALAMEDA
PERSONNEL DEPARTMENT**

HARASSMENT/DISCRIMINATION

IF YOU ARE THE SUPERVISOR AND RECEIVE A COMPLAINT

- ATTITUDE

- * Take the complaint seriously.
- * Be calm and objective.

- ACTION

- * Notify Department Head immediately.
- * Make note of the complaint and specific details in case of future investigation.
- * Department Heads must report all harassment/discrimination complaints to Personnel.
- * Insure confidentiality.

- RESPONSE

- * Investigation/evaluation will be conducted by Personnel and the Department Head.
- * Disciplinary action, as needed, will be taken.

- PREVENTIVE STEPS

- * Make sure your staff is aware of the City's Harassment/Discrimination policies and procedures.
- * Express strong disapproval of harassing or discriminatory behavior or actions.
- * Set a good example.



CITY OF ALAMEDA • CALIFORNIA

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PERSONNEL DEPARTMENT

CITY OF ALAMEDA

POLICY PROHIBITING SEXUAL HARASSMENT

Sexual harassment is an unlawful employment practice prohibited by both State and Federal law. It debilitates morale and interferes in the work productivity of its victims and their co-workers. All employees must be allowed to work in an environment free from unsolicited and unwelcome sexual overtures.

Sexual harassment is deliberate or repeated unsolicited verbal comments, gestures or physical contact of a sexual nature which are unwelcome.

Within the City government, a supervisorial employee who uses implicit or explicit coercive sexual behavior to control, influence, or affect the career, salary, or job of an employee is engaging in sexual harassment. Similarly, an employee of the City who behaves in this manner in the process of conducting City business is engaging in sexual harassment. Any employee who participates in deliberate or repeated unsolicited verbal comments, gestures, or physical contact of a sexual nature which are unwelcome is also engaging in sexual harassment.

It is the policy of the City of Alameda that sexual harassment is unacceptable employee conduct and will not be condoned or tolerated. City officials and employees who violate this policy may be subject to firm disciplinary action up to and including dismissal. An individual grieving sexual harassment should first discuss the concern with management of the department. If a satisfactory solution is not accomplished through informal means, the individual may pursue the concern with the Senior Personnel Analyst in the Personnel Department. The individual may also pursue the concern through the grievance procedure.

Prevention is the best tool for the elimination of sexual harassment. All City departments shall take the initiative to inform all employees of the policy statement and of the sanctions. They shall also inform all employees of how a complaint of sexual harassment should be handled. They shall express strong disapproval of sexual harassment and develop methods to improve awareness of all concerned.

However, it is not the intent of the City of Alameda to regulate the social interaction on relationships freely entered into by City employees.

Resolution #9511

Adopted-City Council Meeting of
April 8, 1981

APPENDIX F.


ETHNIC AND GENDER DISTRIBUTION OF THE ALAMEDA POLICE DEPARTMENT

The following is a breakdown of the gender and ethnic categories of all employees of the Alameda Police Department as of 12/18/91. The categories include: sworn members, full-time civilian members and part-time employees. The definitions of the various ethnic categories have been taken from the Equal Employment Opportunity Commission guidelines.

They do not take into consideration employees such as Officer Durani, an Afghan; the EEOC does not consider Middle Easterners as a distinct race.

All Police Employees:

Male White:	89	48.1%
Female White:	49	26.4%
Male Black:	7	3.7%
Female Black:	11	5.9%
Male Hispanic	6	3.2%
Female Hispanic	6	3.2%
Male Asian or Pacific Islander:	11	5.9%
Female Asian or Pacific Islander:	6	3.2%
Total:	185	100 %
Male White:	89	48.1%
Minority (includes all females):	96	51.8%
Minority (excludes white females):	47	25.4%
Total Female:	72	38.9%

Sworn Employees:


Male White:	77	81.0%
Female White:	5	5.2%
Male Black:	3	3.1%
Female Black:	0	0 %
Male Hispanic	5	5.2%
Female Hispanic	0	0 %
Male Asian or Pacific Islander:	4	4.2%
Female Asian or Pacific Islander:	1	1 %
Total:	95	100 %

Male White:	77	81.0%
Minority (includes all females):	18	18.9%
Minority (excludes females):	12	12.8%
Total Female:	6	6.3%

Non-Sworn Full Time Employees:

Male White:	3	6.8%
Female White:	21	47.7%
Male Black:	3	6.8%
Female Black:	8	18.1%
Male Hispanic	1	2.2%
Female Hispanic	4	9.0%
Male Asian or Pacific Islander:	1	2.2%
Female Asian or Pacific Islander:	3	<u>6.8%</u>
Total:	44	100 %

Male White:	3	6.8%
Minority (includes all females):	41	93.1%
Minority (excludes white females):	20	45.4%
Total Female:	36	81.8%

Non-Sworn Part Time Employees:

Male White:	9	19.1%
Female White:	24	51.0%
Male Black:	1	2.1%
Female Black:	3	6.3%
Male Hispanic	0	0 %
Female Hispanic	2	4.2%
Male Asian or Pacific Islander:	6	12.7%
Female Asian or Pacific Islander:	2	<u>4.2%</u>
Total:	47	100 %

Male White:	9	19.1%
Minority (includes all females):	38	80.8%
Minority (excludes white females):	14	29.7%
Total Female:	31	65.9%

EXPIRES
12/31/91

[illegible]

PAGE 1

D. EMPLOYMENT DATA AS OF JULY 30

(Do not include elected/appointed officials. Blanks will be counted as zero)

1. FULL-TIME EMPLOYEES (Temporary employees not included)

JOB CATEGORIES	ANNUAL SALARY (In thousands 000)	TOTAL (COLUMNS B-K) A	MALE					FEMALE				
			NON-HISPANIC ORIGIN		HISPANIC	ASIAN OR PACIFIC ISLANDER	AMERICAN INDIAN OR ALASKAN NATIVE	NON-HISPANIC ORIGIN		HISPANIC	ASIAN OR PACIFIC ISLANDER	AMERICAN INDIAN OR ALASKAN NATIVE
			WHITE B	BLACK C				WHITE G	BLACK H			
OFFICIALS/ ADMINISTRATORS	1. \$ 0.1-7.9											
	2. 8.0-11.9											
	3. 12.0-15.9											
	4. 16.0-19.9											
	5. 20.0-24.9											
	6. 25.0-32.9											
	7. 33.0-42.9											
	8. 43.0 PLUS	1	1									
PROFESSIONALS	9. 0.1-7.9											
	10. 8.0-11.9											
	11. 12.0-15.9											
	12. 16.0-19.9											
	13. 20.0-24.9											
	14. 25.0-32.9											
	15. 33.0-42.9											
	16. 43.0 PLUS	9	9									
TECHNICIANS	17. 0.1-7.9											
	18. 8.0-11.9											
	19. 12.0-15.9											
	20. 16.0-19.9											
	21. 20.0-24.9											
	22. 25.0-32.9											
	23. 33.0-42.9											
	24. 43.0 PLUS	19	19									
PROTECTIVE SERVICE	25. 0.1-7.9											
	26. 8.0-11.9											
	27. 12.0-15.9											
	28. 16.0-19.9											
	29. 20.0-24.9											
	30. 25.0-32.9	6					4		2			
	31. 33.0-42.9	25	9	1	1	2	9	2	1			
	32. 43.0 PLUS	57	46	3	3	2	3					
PARA-PROFESSIONALS	33. 0.1-7.9											
	34. 8.0-11.9											
	35. 12.0-15.9											
	36. 16.0-19.9											
	37. 20.0-24.9											
	38. 25.0-32.9											
	39. 33.0-42.9											
	40. 43.0 PLUS											
ADMINISTRATIVE SUPPORT	41. 0.1-7.9											
	42. 8.0-11.9											
	43. 12.0-15.9											
	44. 16.0-19.9											
	45. 20.0-24.9	2						1		1		
	46. 25.0-32.9	9					6	1		2		
	47. 33.0-42.9	1					1					
	48. 43.0 PLUS											

EMPLOYMENT DATA AS OF JUNE 30 ()

(Do not include elected/appointed officials. Blanks will be counted as zero)

1. FULL-TIME EMPLOYEES (Temporary employees not included)

JOB CATEGORIES	ANNUAL SALARY (In thousands 000)	TOTAL (COLUMNS B-K) A	MALE					FEMALE				
			NON-HISPANIC ORIGIN		HISPANIC	ASIAN OR PACIFIC ISLANDER	AMERICAN INDIAN OR ALASKAN NATIVE	NON-HISPANIC ORIGIN		HISPANIC	ASIAN OR PACIFIC ISLANDER	AMERICAN INDIAN OR ALASKAN NATIVE
			WHITE	BLACK				WHITE	BLACK			
			B	C	D	E	F	G	H	I	J	K
SKILLED CRAFT	49. \$ 0.1-7.9											
	50. 8.0-11.9											
	51. 12.0-15.9											
	52. 16.0-19.9											
	53. 20.0-24.9											
	54. 25.0-32.9											
	55. 33.0-42.9											
	56. 43.0 PLUS											
SERVICE/ MAINTENANCE	57. 0.1-7.9											
	58. 8.0-11.9											
	59. 12.0-15.9											
	60. 16.0-19.9											
	61. 20.0-24.9	1							1			
	62. 25.0-32.9	1							1			
	63. 33.0-42.9											
	64. 43.0 PLUS											
65. TOTAL FULL TIME		131	84	4	4	4	-0-	23	6	3	3	-0-
(LINES 1-64)												

2. OTHER THAN FULL-TIME EMPLOYEES (Include temporary employees)

66. OFFICIALS/ADMIN.												
67. PROFESSIONALS												
68. TECHNICIANS												
69. PROTECTIVE SERV.	11	1						9		1		
70. PARA-PROFESSIONAL	19	5				3		10			1	
71. ADMIN. SUPPORT	4							1	3			
72. SKILLED CRAFT												
73. SERV./MAINT.	4					3		1				
74. TOTAL OTHER THAN FULL TIME	38	6	-0-	-0-	6	-0-	-0-	21	3	1	1	-0-
(LINES 66-73)												

**3. NEW HIRES DURING FISCAL YEAR - Permanent full time only
JULY 1 - JUNE 30**

75. OFFICIALS/ADMIN.												
76. PROFESSIONALS												
77. TECHNICIANS												
78. PROTECTIVE SERV.	7	5				1		1				
79. PARA-PROFESSIONAL												
80. ADMIN. SUPPORT												
81. SKILLED CRAFT												
82. SERV./MAINT.	1								1			
83. TOTAL NEW HIRES	8	5	-0-	-0-	1	-0-	-0-	1	1	-0-	-0-	-0-
(LINES 75-82)												

REMARKS (List National Criminal Information Center (NCIC) numbers assigned to any Criminal Justice Agencies whose data are included in this report.)

*** INCLUDE LIST OF AGENCIES IN THIS FUNCTION ***

POLICE DEPARTMENT

CERTIFICATION. I certify that the information given in this report is correct and true to the best of my knowledge and was reported in accordance with accompanying instructions. (Willfully false statements on this report are punishable by law, U.S. Code, Title 18, Section 1001.)

NAME OF PERSON TO CONTACT REGARDING THIS FORM

Mrs. Elizebeth B. Kingsley

TITLE

Personnel Director

ADDRESS (Number and Street, City, State, Zip Code)
CITY OF ALAMEDA - PERSONNEL DEPARTMENT
CITY HALL, ROOM 312
Santa CLARA AVENUE & OAK STREET
ALAMEDA, CA 94501

TELEPHONE NUMBER
AREA CODE

(415) 748-4521

DATE

9-20-91

TYPED NAME/TITLE OF AUTHORIZED OFFICIAL

WILLIAM C. NORTON, CITY MANAGER

SIGNATURE

APPENDIX G.

ORIGINAL
LIST OF MEMBERS
MAYOR'S COMMITTEE ON CULTURAL DIVERSITY

1. ALLEN, Rodger, Captain - Alameda Fire Department
2. BENIPAYO, Charito
3. DEWITT, Albert
4. FAYE, Natalie
5. FLORES, Jolen
6. FREEMAN, Susan - Personnel Analyst/Trainer, Personnel
Department,
7. GROH, Lynn
8. GUYTON, Clayton
9. HUIE, Alice
10. KINGSLEY, Elizebeth B. - Personnel Director, Personnel
11. MORALES, Linda
12. NARAHARA, Joan
13. ORTIZ, Arturo
14. POZOS, Loretta Gonzales
15. QUICK, Kate
16. QUINTERO, Laurence
17. WESTMORELAND, Jon, Sgt - Alameda Police Department
18. WONG, Edmond

ATTACHMENT TO MINUTES

CURRENT
MAYOR'S COMMITTEE
ON
ETHNIC & CULTURAL DIVERSITY
WEDNESDAY, APRIL 29, 1992
ALAMEDA HOSPITAL, 2070 CLINTON AVENUE
7:30 P.M.

1. Rodger Allen
2. Charito Benipayo
3. Natalie Faye
4. Jolen Flores
5. Susan Freeman
6. Robert Glover
7. Lynn Groh
8. Alice Huie
9. Elizebeth B. Kingsley
10. Fred Leitz
11. Joan Narahara
12. Lee Perez
13. Kate Quick
14. Lucille E. Rodriguez
15. Phyllis Walker
16. Laurence Quintero
17. Edmond Wong
18. Chester Young