



CITY COUNCIL  
**Staff Report**

**Meeting Date:** March 23, 2021

**To:** Mayor and City Council

**From:** Scott Chadwick, City Manager

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**Subject:** Results of Community Input Meetings Regarding Civilian Oversight of the Police Department

**District:** All

**Recommended Action**

Receive a presentation regarding the results of the police community input meetings held in each City Council district and provide direction to staff as necessary.

**Executive Summary**

With issues related to policing gaining increased attention nationwide, the Carlsbad City Council directed staff on Oct. 20, 2020, to hold one public meeting in each City Council district to gather input from the public about citizen oversight of the Police Department. Staff held these meetings and conducted an online survey to better understand the differing perspectives on the value, need and key considerations of integrating civilian oversight into the Carlsbad Police Department.

The public's feedback about these issues has now been compiled and is ready for the City Council's consideration.

**Discussion**

On Oct. 20, 2020, city staff presented an overview of the different options for citizen oversight of police departments. At that time, the City Council voted to direct staff to hold four public meetings, one in each of the four City Council districts, to obtain public input on the topic and bring back a report to the City Council by March 2021.<sup>1</sup>

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<sup>1</sup> Minute Motion by Council Member Bhat-Patel, seconded by Mayor Pro-Tem Blackburn, to hold four public meetings, one with each of the four different districts and the district representative, and bring back a report to City Council by March 2021, unless circumstances arise to shift the timeline. Motion carried unanimously, 4/0.

City staff assembled a project team to assist with the public input process. The project was led by

- Kristina Ray, Director of Communication & Engagement (project manager)
- Sheila Cobian, Assistant to the City Manager

Subject matter experts also participated on the project team:

- Mickey Williams, Assistant Police Chief
- Allegra Frost, Deputy City Attorney
- James Willis, Police Sergeant (Representative of Carlsbad Police Officers Association)
- Jesse Flores, Police Corporal (Representative of Carlsbad Police Officers Association)

City staff engaged a professional facilitator to develop the public involvement process to fulfill the City Council’s direction, lead the discussions at the four meetings and compile the input into a report (Exhibit 1).

**Awareness of opportunity to provide input**

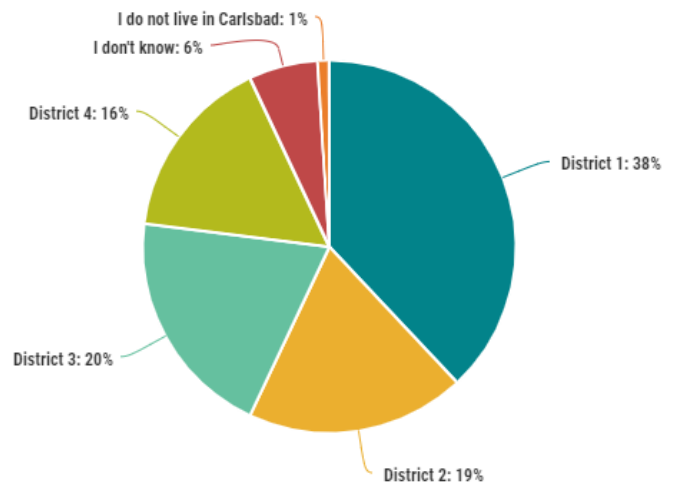
The public was encouraged to participate in the public input process through a variety of city communication channels, including:

- City website (page viewed by 1,425 unique individuals)
- City social media channels (posts resulted in a combined 42,474 impressions)
- NextDoor (citywide post went to 52,061, in addition to neighborhood specific posts prior to each meeting)
- News release: story ran in The San Diego Union-Tribune, the Coast News, KUSI and Fox San Diego sent reporters to meetings
- Articles in the City Manager’s Update public newsletter (distributed to 9,950)
- Neighborhood watch group email sent to 797 emails



**Participation**

Community members participated in one or more meetings and through the online survey. The percentages shown below are the total percentage of participation from each district, including the survey and virtual meetings. Individuals who attended more than one meeting or took the online survey in addition to participating in meetings are counted each time they participated.



The community input meetings were held via Zoom on the following dates:

<b>District</b>	<b>Date</b>	<b>Registered</b>	<b>Attended</b>
District 1	Monday, Feb. 8, 2021	118	69
District 2	Thursday, Jan. 28, 2021	73	32
District 3	Monday, Feb. 1, 2021	65	29
District 4	Wednesday, Feb. 3, 2021	70	36

Participants were encouraged to attend the meeting in the district where they lived or had a business, but all meetings were open to the public. Some attended a meeting in a different district due to scheduling conflicts. Some attended multiple meetings:

- A total of 281 people registered for one or more meetings
- A total of 150 people attended at least one meeting
- 2 people attended all 4 meetings
- 1 person attended 3 meetings
- 8 people attended 2 meetings

To provide those unable to attend the public meetings an opportunity to provide input, city staff also created an online survey that was available Jan. 11 – Feb. 10. Questions in the online survey were similar to those discussed at the public meetings. A total of 512 people took the online survey.

<b>District</b>	<b>Respondents</b>	<b>Percentage</b>
District 1	206	40%
District 2	108	21%
District 3	101	20%
District 4	73	14%
Not from Carlsbad	21	4%

### Questions

Community members were asked the following questions in the meetings and via the online survey:

- What District of Carlsbad do you reside or have a business in?
- How do you get most of your information or knowledge related to policing or policing services?
- How would you describe your overall level of trust that the Carlsbad Police Department is serving the community?
- Based on your own experiences, what is the level of need for adding civilian oversight of the Carlsbad Police Department?
- What would be the value and/or need of adding civilian oversight of the Carlsbad Police Department?
- What problems, issues or concerns would use of civilian oversight of the Carlsbad Police Department solve or create?
- What additional input or feedback would you like the City of Carlsbad and Police Department to consider?

## Meeting format

The meeting format was designed to enable participants to provide input in a manner most comfortable to them, including:

- Poll questions
- Responses in the chat box
- Small group discussions
- Open forum and Q&A

The facilitator provided a tutorial for those unfamiliar with Zoom, including several warmup questions to allow participants to get accustomed to the format. Following breakout group discussions, the entire group heard a summary of each group's discussion.

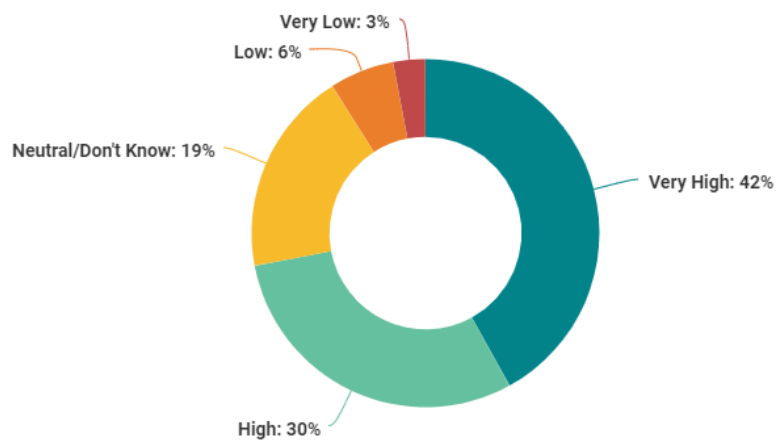
## Findings

The input gathered through this process is considered qualitative. It describes a range of perspectives that exist in the community, but responses cannot be generalized to the entire population with a known margin of error. The data below represent all participants and all formats, the meetings and the online survey, and include some duplication, if a participant attended multiple meetings or took the survey and participated in the meetings.

### Trust in the Police Department

When asked to describe their overall level of trust that the Carlsbad Police Department is serving the community well, the majority, 72%, of participants indicated they had a "high" or "very high" level of trust. However, a total of 9% of participants indicated they had a "low" to "very low" level of trust, while 19% of participants indicated "neutral/don't know".

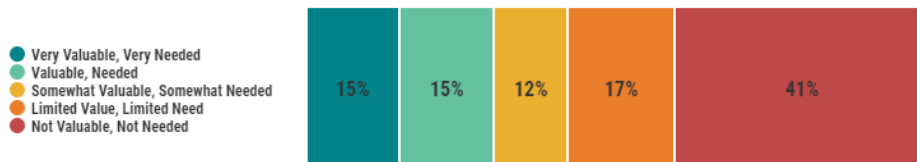
**72%** of participants indicated they trust that the Carlsbad Police Department is serving the community well.



### Need for civilian oversight

Participants were asked to indicate, based on their own experiences, the level of need for adding civilian oversight for the Carlsbad Police Department. While 58% of participants indicated oversight had limited to no value or need, 42% of respondents indicated they found some degree of value and need based on their experiences.

**30%** of participants believed civilian oversight of the Carlsbad Police Department was valuable and needed based on their experiences.



Participants were asked to identify and explain the value and/or needs of adding civilian oversight of the Police Department. While most participants indicated they did not believe there was a need nor value in adding civilian oversight, other themes emerged for those who would like to see civilian oversight in the City of Carlsbad:

Could increase transparency, accountability and trust

- Community oversight of police services, practices, and policies would be beneficial
- Could improve communication, dialogue and diverse perspectives
- Could improve understandings and relationships between police and community

When asked to share concerns about civilian oversight of the police department, participants shared that it:

- Could create bias, conflicting agendas and mistrust
- Could reduce effectiveness of police
- Could increase red tape and unnecessary costs
- Does not achieve meaningful oversight
- Could create an opportunity for political agendas infiltrating the oversight (e.g., political groups, police unions, etc.)
- Would not have the proper functional frameworks or resources required to support effective oversight

Finally, participants were asked to share any additional issues they think should be considered. Two main themes were:

- Oversight needs to be fair, balanced and inclusive of different perspectives. It cannot be overrepresented by one interest group.
- There must be a way to measure success.

## Options

The next step in this process would be for the City Council to consider whether or not it would like to proceed with developing a civilian oversight body for the Police Department.

### **Option 1: Create a civilian police oversight body**

If the City Council chooses to proceed with development of a civilian police oversight body, staff recommends that the City Council determine the model of oversight body desired: Investigation focused, review focused or auditor/monitor.

#### Investigation-focused model

This model provides independent investigations of incidents involving police personnel. It requires professional staff and is basically a duplicate internal affairs office of a police department, with highly skilled and trained investigators working within the agencies to investigate complaints. Some may recommend discipline.

This sort of oversight agency is typically found in jurisdictions with large numbers of peace officers, or in cities confronting significant issues of police misconduct or long-standing problems in police-community issues.

#### Review-focused model

This model of police oversight generally involves a board of citizen volunteers that reviews already completed internal affairs investigations to determine if they were adequate and states their agreement or disagreement with the findings. It may also request further investigation be conducted and make recommendations to police executives. This model often includes public meetings for community members to comment on police conduct, practices and policies. The focus is on improving community-police relations.

A commission can review and provide recommendations to the city and police department on police related issues such as policies, procedures, practices, community-police relations, use of force, and the priority and importance of services provided by the police department.

#### Auditor/monitor model

This model focuses on examining patterns in complaint investigations and discipline as well as policies, practices or training to make broad organization-level recommendations. Some of these bodies have independent experts who actively participate in open internal investigations.

Under this model, the oversight body and its staff may be involved with every part of the police agency's response when a community member complains about an officer. This can be a significant amount of work – classifying the complaint, investigating it, documenting the findings, analyzing the data – often done in duplicate or alongside police internal affairs investigators. However, it can reveal problems that might otherwise be missed.

Once the City Council chooses the type of oversight, staff would then proceed with hiring an expert consultant with experience forming successful civilian police oversight bodies. The council-identified model and any specific council-identified goals of this civilian oversight body would then be provided to the consultant, who would advise staff on the body's formation and management.

#### Pros

- Provides an independent review of police practices and policies to ensure they are or remain in sync with community values
- Increases transparency, accountability and trust
- Improves communication, dialogue and diverse perspectives
- Improves understanding and relationships between police and community

#### Cons

- Could reduce effectiveness of police by decreasing trust, providing an opportunity for politicization of the Police Department
- Would require significant staff time in the Police Department and City Attorney's Office to establish an oversight body and the cost of a consultant. Would require ongoing staff resources to manage
- It could be difficult to measure outcomes
- Not consistent with the feedback and priorities of a majority of the participants in the recent public engagement

#### **Option 2: Continued operation of the Police Department under existing oversight, including enhanced community engagement**

With this option, Police Department staff would continue regular communication and consultation with stakeholder groups, residents and businesses to identify areas of concern and work collaboratively to address them. This may include hosting community meetings for the purpose of getting input, small group meetings with stakeholder groups, and one-on-one meetings with residents and businesses to discuss concerns or issues. The Police Department would also continue to make departmental policies, training materials and additional resources easily accessible on the city's for review by the community.

#### Pros

- Enables those most interested in the issue to continue to provide feedback and make suggestions directly to the Police Department
- Increased public engagement will help Police Department staff become more aware of community concerns as they develop so they can be addressed early
- Provides a forum for interested community members to engage with the Police Department to discuss departmental policies, operations, and community concerns or issues
- Most consistent with participant feedback

### Cons

- Does not provide ongoing, consistent community involvement and oversight of the Police Department
- Does not establish a timeline or performance measures for suggested changes to policies or practices
- Will not be satisfactory to community members who feel strongly that community oversight is needed

### Next steps

Staff awaits the City Council's directions on the next steps on this matter and will proceed according to the council's directions.

### Fiscal Analysis

Planning and carrying out this public engagement initiative required about 240 hours of city staff time over four months and \$12,000 in consultant fees, which were covered by existing budget appropriations in the Communication & Engagement Department. Future costs would depend on City Council direction.

### Environmental Evaluation (CEQA)

In keeping with California Public Resources Code Section 21065, this action does not constitute a "project" within the meaning of the California Environmental Quality Act in that it has no potential to cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. Therefore, it does not require environmental review.

### Public Notification and Outreach

Public notice of this item was posted in keeping with the Ralph M. Brown Act and it was available for public viewing and review at least 24 hours before the scheduled meeting date.

### Exhibits

1. What We Heard Report – Your Police Department: A Conversation with Our Community
2. Oct. 20, 2020, staff report