



## **REPORT TO COUNCIL**

### **City of Sacramento**

915 I Street, Sacramento, CA 95814-2604  
[www.CityofSacramento.org](http://www.CityofSacramento.org)

Staff Report  
**March 31, 2009**

**Honorable Mayor and  
Members of the City Council**

**Title: Update to the Traffic Stop Data Analysis Project: Implementation of  
Recommendations made by Lamberth Consulting**

**Location/Council District: Citywide**

**Recommendation: Review and Comment**

**Contact: Katherine Lester, Lieutenant, 808-0375**

**Presenters: Rick Braziel, Chief of Police, Brian Louie, Deputy Chief and Katherine  
Lester, Lieutenant**

**Department: Police**

**Division: Office of the Chief**

**Department ID: 11001011**

#### **Description/Analysis**

**Issue:** This report provides an update on the implementation of the recommendations made by John Lamberth, Ph.D., of Lamberth Consulting resulting from the Traffic Stop Data Analysis Project of the Sacramento Police Department.

This report is based on the information and the findings of Lamberth Consulting on the Racial Profiling Study conducted from 2007 to 2008 related to self-initiated traffic stops by the Sacramento Police Department. The final report was presented to City Council on August 12, 2008.

On August 12, 2008, the City Council directed the Sacramento Police Department to implement the six final recommendations as suggested by Lamberth Consulting. Additionally, the City Council requested an update on the status of the implementation of these recommendations.



**Policy Considerations:** The work of Lamberth Consulting directly supports the City Council policies of inclusion, establishing and strengthening community partnerships, and enhancing educational opportunities for the entire community.

The Police Department is committed to providing continuous training in the prevention of Racial Profiling and Bias Based Policing, examining Cultural Diversity at the Basic Recruit and Dispatcher Academies, in-service training, training at the Simon Wiesenthal Museum of Tolerance, and City Inclusion Commitment Workshops.

**Environmental Considerations:**

**California Environmental Quality Act (CEQA):** This report concerns administrative activities that will not have any significant effect on the environment, and that do not constitute a "project" as defined by the California Environmental Quality Act (CEQA) [CEQA Guidelines Sections 15061(b)(3); 15378(b)(2)].

**Sustainability Considerations:** There are no sustainability considerations associated with this report.

**Commission/Committee Action:** Not Applicable

**Rationale for Recommendation:** Not Applicable

**Financial Considerations:** There are no General Fund impacts or financial considerations associated with this report.

**Emerging Small Business Development (ESBD):** Not Applicable

March 24, 2009

Respectfully Submitted by: Katherine Lester  
Katherine Lester, Lieutenant

Approved by: Rick Braziel  
Rick Braziel, Chief of Police

Recommendation Approved:

*SK* Ray Kerridge  
Ray Kerridge  
City Manager

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**Attachment 1**

**Background**

In July 2000, the Sacramento Police Department undertook a comprehensive study of traffic stops to address perceptions of racial profiling. In March 2004, City Council established a formal advisory commission to provide equitable representation, accountability, and reporting from Sacramento residents on this issue of national importance. The Commission was also established to provide the City with a greater opportunity to be inclusive. In November 2004, City Council confirmed selections for membership on the Community Racial Profiling Commission (CRPC), the purpose of which is to assist the City with its racial profiling vehicle stop study. The CRPC held its first meeting in January 2005 and set its future meeting dates as every third Thursday of the month at 6 p.m. at the Public Safety Center.

Beginning in February 2006, Lamberth Consulting staff studied Police Department processes of data collection and mapping, in-car camera recording of pedestrian and bicycle stops, and Police Department policies related to stops. The study's benchmarking phase used data collected at 25 deployed locations (high traffic stop locations) and 30 random locations, to determine the racial makeup of the driving population at each location considered to be a more accurate standard of measurement than that provided by using census data. Lamberth Consulting surveyors visited each benchmark location 8 times.

Surveyors for all sessions were accompanied by an SPD officer who provided transportation, security and lighting during all sessions where the ambient lighting was insufficient for accurate recognition of the race/ethnicity of motorists. The results of their observations provided the data for determining the "odds ratio" (used to determine whether racial profiling is occurring) as the odds of a minority being stopped versus the odds of a minority available in the driving population to be stopped. Some of the driving population surveying was observed by the Chair of the CRPC.

Lamberth Consulting staff conducted its study on data collected between December 1, 2007, and May 31, 2008. The commission members continued to meet with Lamberth Consulting staff throughout the duration of the data collection project and participated in a series of stakeholder meetings in the community following the study presentation to Council. Throughout the study, Police Department staff reported to the CRPC on the compliance percentages for data collection.

In response to the data collection study, the Police Department and the CRPC members created an electronic Vehicle Stop Data Form with 22 points of information to capture for each traffic stop. The form captures the reasons for the stop, date, time and location of the stop, race and gender of the driver, specific driver identifiers, passenger information, search authorities, results of the stop, duration of the stop, call number, and officer identifier.

Lamberth Consulting facilitated a workshop with members of the community and the Police Department on September 22, 2007, to prepare the CRPC, community, and City of

Sacramento employees for the methods and meaning of the study. All attendees shared their perceptions of the study and of racial profiling, and provided constructive responses to the possible community response to the roll-out of the study results.

On August 12, 2008, the final report for the Sacramento Police Department regarding the Vehicle Stop Data Analysis Project was presented by Chief Braziel and Dr. John Lamberth, Ph.D., of Lamberth Consulting. The report found there was a disparity in the number of black motorists that were stopped by SPD versus the number of black motorists in traffic and that these stops occurred at a "sufficiently substantial" magnitude. The report also concluded that Hispanic drivers were stopped at a slightly higher rate than their representation in the traffic population but that this difference was not statistically significant. Finally, the report concluded Caucasian and Asian drivers were stopped less than what would be expected based on their representation in traffic. In regards to search and seizure, the report concluded that blacks and Hispanics were more often subject to search of their person and/or vehicle.

Based on this analysis, Lamberth Consulting made the following six recommendations for the Sacramento Police Department:

**1. SPD should re-evaluate its Biased Based Policing Policy to assure that it properly reflects the needs of both SPD and the community of Sacramento on the issue.**

- A. The policy should clearly state the Department's position with regard to using race/ethnicity when making decisions about stopping or searching citizens.
- B. Strong direction should be given to officers to adhere to the policy.
- C. Strong support from the command staff should be given to front-line supervisors and officers.

**2. SPD's Early Warning System should be evaluated to assure that issues related to Biased Based Policing are included in the system and that officers who are violating policies can be identified in a timely manner and provided training and/or counseling.**

**3. SPD should continue to collect data on traffic stops and post stop activity and analyze those data at regular intervals. The benchmarks that have been developed for this study should be usable for several more years.**

**4. Officers should have a refresher training course on use of the Vehicle Stop Data Form to assure that the data being collected is as complete and systematic as possible.**

**5. All front-line officers should be trained on Biased Based Policing using a curriculum that identifies and examines in-depth situations that police officers face when race/ethnicity can and cannot be used in the officers' decision making. The curriculum should require officers to discuss among themselves and with**

**their trainer the decisions they would make in specific situations and whether it would be in accord with the Department's Biased Based Policing Policy.**

**6. SPD should continue to work with the community with the goal being better cooperation between the department and the community.** Activities should include:

- A. Conducting a series of law enforcement/community engagement sessions consisting of various activities, such as town hall meetings (large scale 50-100 people) and neighborhood watch meetings (5-20 people) conducted at various locations throughout the City of Sacramento.
- B. Conduct educational sessions targeting enhanced understanding that law enforcement personnel and community have about themselves and each other.
- C. Continue the process of organizational transparency with the community as it continues to address this issue.
- D. Communicate progress via the engagement sessions, written communications in multiple languages, media and PSA's.

The purpose of this presentation is to update the City Council per the request on August 12, 2008, of the progress the Police Department has made towards compliance with these recommendations. Since August 12, 2008, the Department has been working towards finding creative solutions and means of addressing these recommendations. The Department received input from line-level officers of varying ethnic backgrounds, experience, and assignments on this issue. Over 60 officers volunteered to contribute their thoughts and ideas to the implementation of these recommendations. Additionally, outside agencies and best police practices have been analyzed as they relate to this issue.

The Police Department remains committed to exceeding State mandates for training in the prevention of Racial Profiling, Bias-Based Policing, and Cultural Diversity by presenting 20 hours of training at the Basic Academy, 2 hours of in-service training every five years, 8 hours at the Dispatcher Academy, 8 hours of Simon Wiesenthal Museum of Tolerance training, and City of Sacramento Inclusion Commitment workshops. Lamberth Consulting and the Police Department collaborated on additional training in 2008 for Field Training Officers, Sergeants, and Management Staff; nearly 200 sworn personnel participated.

In regards to Recommendation #1, which is in summary to re-evaluate the Bias-Based Policing policy, as outlined in General Order 210.05, staff has completed the revision of the former policy to come into compliance with the recommendation. The new policy includes the following revisions:

1. Affirms the Sacramento Police Department's commitment to providing unbiased police services to the citizens of Sacramento;
2. Clearly states the Department's position with regard to race/ethnicity and when and how it should be used by officers when searching or stopping citizens;

3. And gives strong direction to staff and line-level officers regarding compliance with the order.

In addition to revising the policy, the Sacramento Police Department has reaffirmed Command Staff Responsibilities at an off -site management retreat held in January 2009 and has reviewed the Complaint Process. The CRPC was given an opportunity to review the policy and provide their input prior to the finalization of the policy.

In regards to Recommendation #2, which requires the Department to evaluate the Early Warning System, the Department has revised the existing policy in order to establish a standard protocol to identify officers who may violate policy or be candidates for an early intervention program and/or additional training. Both the SPOA and Department command staff contributed to the drafting and completion of this policy. In addition to revising the policy, the proposed response to this recommendation includes:

1. Fostering open communication among line staff and management;
2. Institutionalizing positive recognition of exemplary employee performance;
3. Addressing morale issues that may arise;
4. Reaffirming Department goals and expectations in regards to stops.

In regards to Recommendation #3, requiring ongoing data collection, the Department will continue to collect data on traffic stops and post-stop activity. It has been recommended that the data continue to be analyzed in the future. Staff, in conjunction with the Public Safety Information Technologies Unit, is currently considering collecting additional information by modifying the existing data form and is exploring systems of analysis. The proposed response to this recommendation includes:

1. Continued analysis of data to identify future trends;
2. Restructuring the Vehicle Stop Data Form (VSDF);
3. Expansion of the VSDF to include License Status;
4. Expansion of the VSDF to include additional stop dispositions;
5. Utilization of the Mobile Reporting Software system to allow for pre-fill and allow for entry of data directly into the Records Management System;
6. Automation of compliance reporting.

In regards to Recommendation #4, requiring refresher training on use of the Vehicle Stop Data Form, staff has recommended this training be completed during at the team level. The Information Technology unit completed update training in March 2009 during their annual mobile report entry training sessions which has been attended by all line level officers. Additionally, updated information related to this topic will be provided to unit supervisors for dissemination to line-level officers. The proposed response to this recommendation includes:

1. Working in partnership with our vendor to customize a more efficient reporting mechanism;
2. Establishing an initial testing group to determine form competence;

3. Expanding training to all units;
4. Assessing collateral impacts;
5. Anticipating future needs.

In regards to Recommendation #5, which necessitates ongoing training on bias-based policing, staff has been working in conjunction with the Training Division and the Department-based Racial Profiling Instructors, to develop dynamic, critical thinking scenario based training which evokes dialogue between the instructor and student on this issue. Additional training is being considered to address this issue includes advanced patrol techniques, tactical communication, and emotional wellness for officers. Extended training will include advanced cultural diversity exposure and community based cultural familiarization in order to improve the cultural competence of line level officers and supervisors.

The existing training will continue which includes POST mandated training at the Academy level and in-service training, the Simon Wisenthal Museum of Tolerance training, City Inclusion training, and community outreach programs.

The Department has successfully implemented a Cultural Immersion Program at the Sacramento Police Academy. We are also working in partnership with external stakeholders to design a training program specifically for existing officers. As part of our ongoing training program, the Department will incorporate Implicit Association training and facilitation based on Harvard University's Project Implicit program. Most significantly, the Sacramento Police Department has been chosen by the Corrections Standards Authority (CSA) of the California Department of Rehabilitation and Corrections to implement Disproportionate Minority Contact training. The Sacramento Police Department is the first municipal law enforcement agency in the state to be afforded this unique opportunity. CSA intends to expand their training to other local law enforcement agencies based on the Sacramento model in the future.

Additionally, the proposed response to this recommendation includes:

1. Identification of training needs;
2. Involvement of Cultural Leaders in the training program;
3. Implementation of training designed to specifically address the Traffic Stop Data Analysis Report;
4. Development of Small Team Environment Training;
5. Development of tactile, scenario based training;
6. Expansion of the Instructor Cadre;
7. Implementation of additional Field Training Officer and supervisory training programs.

Finally, in regards to Recommendation #6, which seeks to improve community and police relationships, the Department reaffirms its commitment to community-based policing. The Department has held a series of community based workshops to explain

why stops are made and what people can expect to happen during those stops. Additional work needs to be done with community based organizations and neighborhood watch groups. A police sergeant has been assigned to focus on youth programs and re-evaluate our current youth based programs. The Department has reorganized the Recruiting Unit, Student Resource Officers (SRO's) and the Magnet School program under the supervision of South Command. The Department hopes to improve relations between minority communities and line level officers by taking a creative approach to addressing perceptions in policing, developing youth services, and maintaining transparency of information including Department policies and practices. The proposed response to this recommendation includes:

1. Reorganization of Youth Development Programs;
2. Dissemination of information through a Community E-Newsletter;
3. Supporting officer involvement in community programs;
4. Expanding Stakeholder Input and creating additional opportunities for community involvement;
5. Creation of a summer cadet and youth camp;
6. Positive Media campaigning;
7. Encouragement of Citizen Volunteerism;
8. Development of a young women's program;
9. Strengthening the Department's partnership with the Office of Youth Development;
10. Self Reporting of crime statistics by race for victims and suspects.

The Department continues to gather additional ideas and opportunities for training by consulting with community leaders, outside agencies, and professional training programs. At this time, additional ideas include:

1. Replacement of analog systems with Digital In Car Cameras;
2. Formalization of Stress Management and Wellness;
3. Consultation with outside experts;
4. Review and implementation of best practices;
5. Strengthening of the partnership with the District Attorney's Office to ensure prosecution of hate crimes;
6. Development of Community Improvement Workshops.

The implementation of the recommendations is expected to be an ongoing process with full support from Department Command Staff. The Sacramento Police Department remains open and willing to the development of an innovative training curriculum for officers and the public, and welcomes the opportunity to deliver quality police services to all members of our community.