

CLAREMONT POLICE COMMISSION

MEETING AGENDA

"We are a vibrant, livable, and inclusive community dedicated to quality services, safety, financial strength, sustainability, preservation, and progress with equal representation for our community."

City Council Chamber
225 Second Street
Claremont, CA 91711



Thursday
January 16, 2020
7:00 PM

COMMISSIONERS

FRANK BEDOYA
CHAIR

JOHN PEREZ

CALEB MASON

JON STRASH

ROLONDO TALBOTT

JONATHAN HUANG

FRANK DELEO

CALL TO ORDER THE MEETING OF THE POLICE COMMISSION

PLEDGE OF ALLEGIANCE

ROLL CALL

CEREMONIAL MATTERS, PRESENTATIONS, AND ANNOUNCEMENTS

Police Department Employee Recognition Awards

PUBLIC COMMENT

The Commission has set aside this time for persons in the audience who wish to comment on items that ARE NOT LISTED ON THIS AGENDA, but are within the jurisdiction of the Police Commission. Members of the audience will later have the opportunity to address the Police Commission regarding ALL OTHER ITEMS ON THE AGENDA at the time the Commission considers those items.

At this time the Commission will take public comment for 30 minutes. Public Comment will resume later in the meeting if there are speakers who did not get an opportunity to speak because of the 30-minute time limit.

The Brown Act prohibits the Commission from taking action on oral requests relating to items that are not on the agenda. The Commission may engage in a brief discussion, refer the matter to staff, and/or schedule requests for consideration at a subsequent meeting.

The Commission requests, but does not require, speakers to identify themselves. When you

come up to speak, please state your name unless you wish to remain anonymous. Each speaker will be allowed four (4) continuous minutes.

CONSENT CALENDAR

All matters listed on the consent calendar are considered to be routine. The Police Commission or one or more Commissions and/or Committees have previously considered most of the items on the consent calendar. The Commission may act on these items by one motion following public comment.

Only Commissioners may pull an item from the consent calendar for discussion.

Now is the time for those in the audience to comment on the consent calendar. Each speaker will be allowed four (4) continuous minutes to comment on items on the consent calendar.

1. POLICE COMMISSION MINUTES OF NOVEMBER 7, 2019

Recommendation: Staff recommends that the Police Commission approve and file the regular Police Commission meeting minutes of November 7, 2019.

Attachment(s): Draft Police Commission Meeting Minutes 11-07-19

ADMINISTRATIVE ITEMS

2. ANNUAL REPORT OF CITIZENS' COMPLAINTS AGAINST PEACE OFFICERS - 2019

Recommendation: Staff recommends that the Commission review and provide comment on this report.

Attachment(s): Attachment A - CA DOJ Information Bulletin No. DLE-2015-06
Attachment B - Claremont PD Citizen Comment Form
Attachment C - Claremont PD Annual Report of 2019 Citizen Complaint Data

3. OFFICER RETENTION AD HOC COMMITTEE REPORT (ORAL REPORT)

Recommendation: Staff recommends that the Police Commission receive an oral report on the Officer Retention Ad Hoc Committee.

REPORTS

Chief's Report

Mayor/Chair Meeting

Commissioner Comments

ADJOURNMENT

THE NEXT REGULAR MEETING OF THE CLAREMONT POLICE COMMISSION WILL BE HELD ON, MARCH 5, 2020, AT 7:00 P.M. IN THE CLAREMONT CITY COUNCIL CHAMBER, 225 SECOND STREET.

A LOOK AHEAD - Upcoming Meetings and Tentative Agenda Items

- Citizen Complaint Process Ad Hoc Committee Report

- Plane Crash Protocol

MATERIALS RELATED TO AN ITEM ON THIS AGENDA, AND SUBMITTED TO THE POLICE COMMISSION AFTER PUBLICATION OF THE AGENDA, ARE AVAILABLE TO THE PUBLIC IN THE CITY CLERK'S OFFICE AT 207 HARVARD AVENUE, CLAREMONT, MONDAY THROUGH THURSDAY, 7 AM – 6 PM. SUBJECT MATERIALS WILL BE MADE AVAILABLE ON THE CITY WEBSITE AS SOON AS POSSIBLE - www.ci.claremont.ca.us. For more information, please call the City Clerk's Office at 909-399-5461.

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, THIS AGENDA WILL BE MADE AVAILABLE IN APPROPRIATE ALTERNATIVE FORMATS TO PERSONS WITH DISABILITIES. ANY PERSON WITH A DISABILITY WHO REQUIRES A MODIFICATION OR ACCOMMODATION IN ORDER TO PARTICIPATE IN A CITY MEETING SHOULD CONTACT THE CITY CLERK AT 909-399-5461 "VOICE" OR 1-800-735-2929 "TT/TTY" AT LEAST THREE (3) WORKING DAYS PRIOR TO THE MEETING, IF POSSIBLE.

I, LISA AMAYA, SR. ADMINISTRATIVE ASSISTANT OF THE CITY OF CLAREMONT, CALIFORNIA, HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING AGENDA WAS POSTED AT CLAREMONT CITY HALL, 207 HARVARD AVENUE, ON JANUARY 9, 2020, PURSUANT TO GOVERNMENT CODE SECTION 54954.2.

ANY ITEMS WHICH HAVE NOT BEEN INITIATED BY 10:00 P.M. WILL BE CONTINUED TO THE NEXT REGULARLY SCHEDULED POLICE COMMISSION MEETING. FURTHER, ANY ITEM INITIATED BEFORE 10:00 P.M. ON WHICH A CONCLUSION HAS NOT BEEN REACHED BY 10:15 P.M. WILL BE CONTINUED TO THE NEXT REGULARLY SCHEDULED MEETING OF THE POLICE COMMISSION.

POST THROUGH: JANUARY 17, 2020



Claremont Police Commission

Agenda Report

File #: 3179

Item No: 1.

TO: POLICE COMMISSION

FROM: SHELLY VANDER VEEN, POLICE CHIEF

DATE: JANUARY 16, 2020

Reviewed by:

Finance Director: N/A

SUBJECT:

POLICE COMMISSION MINUTES OF NOVEMBER 7, 2019

RECOMMENDATION

Staff recommends that the Police Commission approve and file the regular Police Commission meeting minutes of November 7, 2019.

PUBLIC NOTICE PROCESS

This item has been noticed through the regular agenda notification process. Copies are available at the City Hall public counter, the Youth Activity Center, the Alexander Hughes Community Center, and the City website.

Submitted by:

Shelly Vander Veen
Police Chief

Attachment:

Draft Police Commission meeting minutes of November 7, 2019

POLICE COMMISSION MEETING MINUTES

Thursday, November 7, 2019 - 7:00 p.m.
City Council Chamber
225 W. Second Street, Claremont, California

CALL TO ORDER

Chair Bedoya called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

ROLL CALL

PRESENT: Commissioners Strash, Talbott, Bedoya, Mason, Huang, De Leo

ABSENT: Commissioner Perez

ALSO PRESENT: Shelly Vander Veen, Chief; Aaron Fate, Captain; David De Metz, Sergeant; Lisa Amaya, Sr. Administrative Assistant

CEREMONIAL MATTERS, PRESENTATIONS, AND ANNOUNCEMENTS

PUBLIC COMMENT

Chair Bedoya invited public comment. Seeing none, public comment was closed.

CONSENT CALENDAR

Chair Bedoya invited public comment. Seeing none, public comment was closed.

ROUTINE ADMINISTRATIVE ITEM

1. Police Commission Minutes of September 5, 2019
Recommendation: Staff recommends that the Police Commission approve and file the regular Police Commission meeting minutes of September 5, 2019.

Commissioner Strash moved to approve the Consent Calendar, seconded by Commissioner Huang, and carried on the following vote:

AYES: Commissioners Strash, Talbott, Bedoya, Mason, Huang, De Leo

NOES: None

ABSTAIN: None

ABSENT: Commissioner Perez

ADMINISTRATIVE ITEMS

2. Police Department's Response to Mental Health Emergencies (Oral Report)
Recommendation: Staff recommends that the Police Commission receive and comment on the Police Department's response to mental health emergencies.

Chair Bedoya shared that he requested this item be agendaized because he believed there was some misunderstanding on what the process is for a "5150" call for service. He explained how Pomona College responds to a "5150" call and wanted to have this procedure clarified for the Commission.

Captain Fate gave a PowerPoint presentation and responded to questions related to when or if the Police Department calls for an ambulance to transport an individual, and if verbal instructions are given when handcuffs are placed on an individual during a 5150 hold. He explained that it is not an arrest and there is specific language in the Code that officers follow so that the individuals understand they haven't committed a crime.

For clarification purposes, Chief Vander Veen stated that when an officer places someone under arrest, stating the Miranda Rights is only a requirement if the officer is asking questions.

Captain Fate responded to questions related to whether the process changes when dealing with minors. He commented on the cooperation between officers and hospitals in getting the best care they can for the individuals. He added that a proper assessment is done at the hospital.

Chair Bedoya invited public comment. Seeing none, public comment was closed.

Chair Bedoya thanked Captain Fate for his presentation. He believed it's good for the community and the Commission to be educated on this process.

3. Review of Critical Incident and Active Shooter Training

Recommendation: Staff recommends that the Police Commission receive and comment on the Review of Critical Incident and Active Shooter Training.

Sergeant David De Metz commented on his assignment as Active Shooter trainer. He shared that after the Sandy Hook shooting, the Department started providing training to the School District, City staff, and local businesses. The goal of the training is to think about what your best options are and then prepare to take action. Sergeant De Metz noted that today marks the one-year anniversary of the Borderline Bar & Grill shooting in Thousand Oaks.

Sergeant De Metz gave a PowerPoint presentation and responded to questions related to which number to call for emergencies; what some key take-aways are from the school drills; and how staff reacted to the idea of fighting, as one of the active shooter options.

Chief Vander Veen commented on how schools have had to adjust their evacuation processes because it's now known that an active shooter will use an evacuation plan to their advantage. If it's a fire alarm, teachers/staff will verify if it's a fire or actual drill before sending students out of the classroom.

Sergeant De Metz and Chief Vander Veen responded to questions related to whether the EOC 1 channel was accessible to CUSD and the Colleges.

Chair Bedoya invited public comment. Seeing none, public comment was closed.

REPORTS - Commission

Noting the recent airplane crash in Upland, and Cable Airport's proximity to Claremont, Chair Bedoya asked how the City is prepared to handle a similar event.

Chief Vander Veen responded there have been several airplane crashes here in Claremont and said staff can present the Department's policy at a future meeting.

Chief's Report

Outreach Events

Chief Vander Veen reported staff will be serving a Thanksgiving meal to Claremont High School and El Roble students on Thursday, November 21, 2019 at the following locations/times: TAC at 3 p.m. and YAC at 3:45 p.m.

Operation Gobble is also Thursday, November 21 at 12:30 p.m. Staff will hand out turkeys to senior citizens.

The next Coffee With a Cop event has a slight twist to it, as it will be Taco With a Cop and will also include a toy drive. The event is Monday, December 9, 2019 from 3 – 5 p.m. at Rincon Azteca.

The Annual KGNH toy drive is Saturday, December 7. Donated toys will go to Granite Creek Church for local needy children.

Chief Vander Veen reported the Department received 11 commendations since the last meeting and no external complaints.

Personnel Update

Chief Vander Veen reported backgrounds are currently in progress for a Dispatcher, two Police Aides, a Jailer, and a Management Analyst. She commented on the one vacant Police Officer position and said no qualified candidates have been identified. Staff is working on a position with the Taskforce for Regional Autotheft Prevention (TRAP), which will pay an officer's salary and overtime.

Chief Vander Veen commented on potentially losing a few officers, after Measure CR failed, and said staff will have to evaluate which positions to fill.

Facility Update

Police Department staff has been working on the modular buildings and hopes to have them completed by mid-December. One modular building will be used for evidence processing and storage.

Training

Chief Vander Veen provided updates on the eight-hour Cultural Diversity training at the Museum of Tolerance, and the eight-hour EVOC training in San Bernardino.

Chair Bedoya invited Commissioners' comments.

Chief Vander Veen responded to questions related to the new fleet of vehicles and the training and efforts made to remind officers to drive safely; commented on the morale at the Department, finding ways to save money, and on the number of officers actively looking at going to other agencies.

There was discussion on the likelihood of officers leaving the Department, the impact that will have, and if the City Council is aware of this issue.

Chief Vander Veen responded to questions related to whether non-traditional avenues for recruitment would attract qualified candidates; the current climate towards law enforcement; and officers' compensation compared to other police departments.

Mayor/Chair Meeting – Oral Report

Chair Bedoya did not attend the Mayor/Chair meeting; however, he will obtain the highlights from that meeting and forward them to Commissioners.

Chair Bedoya reminder Commissioners of the two ad hoc committees.

Commissioner Strash provided an update on the Officer Retention Ad Hoc Committee. Committee members met with CPOA and CPMA representatives, as well as with City Council to express their concerns about potentially losing officers and replacing them.

There was discussion on whether the Committee would have a report for the January Police Commission meeting.

Commissioner Talbott expressed his appreciation to the Department's Veterans.

Commissioner Mason provided an update on the Citizen Complaint Process Ad Hoc Committee. Committee members met with Captain Fate, CPOA, and CPMA representatives to review the existing policy and discuss ways to possibly restructure the policy in terms of the PRAH. Commissioner Mason redrafted the policy with specific language to address concerns that were brought up and expects to have a draft report for the January meeting. Chair Bedoya will reach out to Commissioner Mason as they get closer to the January agenda setting meeting to confirm whether a report will be ready.

Commissioner Huang expressed his support for the Department and hopes for a better outcome with negotiations.

Commissioner De Leo stated he's been proud to serve and contribute to both the Ad Hoc committees. He recognizes the difficult circumstances regarding officer retention and hopes funds will be found to keep officers in Claremont.

Chair Bedoya invited public comment. Seeing none, public comment was closed.

Chair Bedoya wished everyone the best during the holiday season. He also thanked Commissioners for their attendance tonight, and for all that they do.

ADJOURNMENT

Chair Bedoya adjourned the meeting at 8:21 p.m. The next regular meeting of the Police Commission will be held on January 16, 2020.

Frank Bedoya, Chair

ATTEST:

Lisa Amaya, Sr. Administrative Assistant



Claremont Police Commission

Agenda Report

File #: 3176

Item No: 2.

TO: POLICE COMMISSION
FROM: SHELLY VANDER VEEN, POLICE CHIEF
DATE: JANUARY 16, 2020

Reviewed by:
Finance Director: n/a

SUBJECT:

ANNUAL REPORT OF CITIZENS' COMPLAINTS AGAINST PEACE OFFICERS - 2019

SUMMARY

Law Enforcement Agencies must provide statistical information to California Department of Justice (DOJ) related to the citizen complaints against peace officers. This data must be submitted to California DOJ at the end of each calendar year using State of California form BCIA 724.

In summary, the data that will be provided to California DOJ indicates that Claremont Police Department received five citizen complaints in 2019 against peace officers, with the disposition on three being "exonerated," one "sustained," and one still pending investigation. One of the five complaints received was a complaint of racial profiling alleging that an officer stopped the complainant due to their race with the disposition being "exonerated."

RECOMMENDATION

Staff recommends that the Commission review and provide comment on this report.

ALTERNATIVES TO RECOMMENDATION

In addition to the recommendation, there are the following alternatives:

1. Reject the recommendation.
2. Delay recommendation and request additional information.

FINANCIAL REVIEW

The staff cost to prepare this report and administer this program is estimated at \$928 and is included in the operating budget of the Police Department.

ANALYSIS

Since 2004, the State of California has maintained a Citizens' Complaints Against Peace Officers (CCAPO) electronic database which has provided statewide summary information on the number of non-criminal complaints reported by citizens against law enforcement personnel, the number alleging criminal conduct of either a felony or misdemeanor, and the number of complaints that were sustained. In 2016, data collection specific to the number of complaints with a component of racial profiling allegations was added. The data contained in the database is submitted annually by law enforcement agencies and is governed by Penal Code Section 13012.

Penal Code Section 13012 reads:

(a) The annual report of the department provided for in Section 13010 shall contain statistics showing all of the following:

(5) (A) The total number of each of the following:

(i) Citizen complaints received by law enforcement agencies under Section 832.5.

(ii) Citizen complaints alleging criminal conduct of either a felony or misdemeanor.

(iii) Citizen complaints alleging racial or identity profiling, as defined in subdivision (e) of Section 13519.4. These statistics shall be disaggregated by the specific type of racial or identity profiling alleged, such as based on a consideration of race, color, ethnicity, national origin, religion, gender identity or expression, sexual orientation, or mental or physical disability.

(B) The statistics reported under this paragraph shall provide, for each category of complaint identified under subparagraph (A), the number of complaints within each of the following disposition categories:

(i) "Sustained," which means that the investigation disclosed sufficient evidence to prove the truth of allegation in the complaint by preponderance of evidence.

(ii) "Exonerated," which means that the investigation clearly established that the actions of the personnel that formed the basis of the complaint are not a violation of law or agency policy.

(iii) "Not sustained," which means that the investigation failed to disclose sufficient evidence to clearly prove or disprove the allegation in the complaint.

(iv) "Unfounded," which means that the investigation clearly established that the allegation is not true.

(C) The reports under subparagraphs (A) and (B) shall be made available to the public and disaggregated for each individual law enforcement agency.

In order to accurately report this data to the California Department of Justice (DOJ), DOJ recommends that Law Enforcement Agencies "explicitly inquire on their citizen complaint forms whether the complainant alleges racial or identity profiling and if so, the specific type(s) of racial or identity profiling alleged." It is further recommended that Law Enforcement Agencies, "not restrict Complainants from being able to select more than one option to account for instances where a complainant alleges more than one type of racial or identity profiling" (Attachment A).

The Police Department's "Citizen Comment Form" is designed to adhere to these requirements. A copy of the Department's "Citizen Comment Form" is included with this report (Attachment B).

California police departments submit the required data to the State of California Department of Justice using form BCIA 724 "Annual Report of Citizen's Complaints Against Officers." BCIA form 724, documenting reports made against Claremont Police Officers during the calendar year of 2019, is included with this report (Attachment C).

In summary, the Claremont Police Department received five citizen complaints in 2019 against peace officers, with the disposition of three being "exonerated," one "sustained," and one still pending investigation. One of the five complaints received was a complaint of racial profiling alleging that an officer stopped the complainant due to their race with the disposition being "exonerated."

CEQA REVIEW

This item is not subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and section 15060(c)(3) (the activity is not a "project" as defined in Section 15378). CEQA Guidelines section 15378(b)(2), and (5) excludes "[c]ontinuing administrative or maintenance activities," and "[o]rganizational or administrative activities of governments that will not result in direct or indirect physical changes to the environment" from its definition of "project."

Even if this item were a "project," it would be exempt from environmental review under CEQA Guidelines Section 15061(b)(3)'s "general rule" that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Here, it can be seen with certainty that there is no possibility that this item, in and of itself, will have a significant effect on the environment. On its own, this action will not result in any physical changes to the environment. Therefore, no additional environmental review is needed at this time.

PUBLIC NOTICE PROCESS

This item has been noticed through the regular agenda notification process. Copies are available at the City Hall public counter, the Youth Activity Center, the Alexander Hughes Community Center, the City website, and the Claremont Public Library.

Submitted by:

Prepared by:

Shelly Vander Veen
Police Chief

Viola Van
Management Analyst


Attachments:

A - California Department of Justice Information Bulletin No. DLE-2015-06

B - Claremont Police Department Citizen Comment Form

C - Claremont PD's Annual Report of 2019 Citizen Complaint Data/DOJ form BCIA 724

Kamala D. Harris, Attorney General

California Department of Justice CALIFORNIA JUSTICE INFORMATION SERVICES DIVISION Joe Dominic, Director DIVISION OF LAW ENFORCEMENT Larry J. Wallace, Director		<h1>INFORMATION BULLETIN</h1>	
<i>Subject</i> Citizens' Complaints Against Peace Officers	<i>No.</i> DLE-2015-06	<i>Contact for information:</i> doj.cjsc@doj.ca.gov	
	<i>Date</i> 12/31/2015		

TO: ALL CHIEFS OF POLICE, SHERIFFS, AND RECORD SUPERVISORS

Effective January 1, 2016, Chapter 466, Statutes of 2015 (Assembly Bill 953) amends Penal Code section 13012 pertaining to the collection and reporting of Citizens' Complaints Against Peace Officers (CCAPO).

On January 1, 2016, all law enforcement agencies (LEAs) reporting CCAPO to the California Department of Justice (DOJ) will be required to collect CCAPO, including those alleging criminal conduct of a felony or misdemeanor, non-criminal complaints, and complaints alleging racial or identity profiling.¹ For complaints involving racial or identity profiling, LEAs will further have to collect and report the specific type(s) of profiling alleged: based on race or ethnicity (including color), nationality, age, religion, gender, gender expression, sexual orientation, mental disability, or physical disability. In addition to providing the total number of complaints reported, LEAs must also report the following disposition categories: sustained, exonerated, not sustained, unfounded, or pending. In order to realize the intent of the law, Police and Sheriff's departments will be required to parse out from the total number of complaints, the number of complaints made from inmates admitted to a local detention facility.² Annually, during DOJ's statistical close out period for the previous year, LEAs must submit data to the DOJ, which will publish the data within Crime in California. Starting in 2017, these data will now be disaggregated by agency, as required by statute.

In order to accurately report this data to the DOJ, LEAs should explicitly inquire on their citizen complaint forms whether the complainant alleges racial or identity profiling and if so, the specific type(s) of racial or identity profiling alleged. LEAs should also not restrict Complainants from being able to select more than one option to account for instances where a complainant alleges more than one type of racial or identity profiling.

¹ Penal Code Section 13519.4 (e) "Racial or identity profiling," for purposes of this section, is the consideration of, or reliance on, to any degree, actual or perceived race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability in deciding which persons to subject to a stop or in deciding upon the scope or substance of law enforcement activities following a stop, except that an officer may consider or rely on characteristics listed in a specific suspect description. The activities include, but are not limited to, traffic or pedestrian stops, or actions during a stop, such as asking questions, frisks, consensual and nonconsensual searches of a person or any property, seizing any property, removing vehicle occupants during a traffic stop, issuing a citation, and making an arrest.

² Local detention facility means any city or county facility used for the confinement for more than 24 hours of adults, or of both adults and minors, but does not include that portion of a facility for the confinement of both adults and minors which is devoted only to the confinement of minors. ((Pen. Code, § 6031.4, subd. (a).)

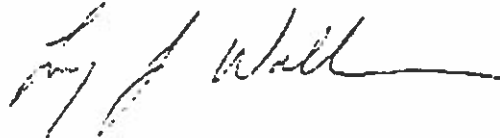
LEAs should also be sure that they are effectively implementing existing responsibilities enumerated in Penal Code Section 832.5(a). This section requires that "Each department or agency in this state that employs peace officers shall establish a procedure to investigate complaints by members of the public against the personnel of these departments or agencies, and *shall make a written description of the procedure available to the public.*" All LEAs should have a clearly delineated procedure to investigate complaints and that procedure should be publicly available on their website.

After January 1, 2016, all LEAs can obtain an updated CCAPO (BCIA 724) form, which will include these designations, by accessing the DOJ's California Law Enforcement Website.

Sincerely,



JOE DOMINIC, Director
California Justice Information Services Division



LARRY J. WALLACE, Director
Division of Law Enforcement

For KAMALA D. HARRIS
Attorney General



ANNUAL REPORT OF CITIZENS' COMPLAINTS AGAINST PEACE OFFICERS

Year of Report: 2019

NCIC Number: 1913

TYPE OF COMPLAINT	NUMBER REPORTED	NUMBER SUSTAINED	NUMBER EXONERATED	NUMBER NOT SUSTAINED	NUMBER UNFOUNDED	PENDING
Total Complaints						
Non Criminal	5	1	3			1
Misdemeanor						
Felony						
Total Complaints Made in Local Detention Facilities	0					
Non Criminal						
Misdemeanor						
Felony						
Total Racial Profiling Complaints	1		1			
Racial Profiling Complaints by Type (may add up to more than total)						
Race or Ethnicity	1		1			
Nationality						
Gender						
Age						
Religion						
Gender Identity or Expression						
Sexual Orientation						
Mental Disability						
Physical Disability						

Agency Name: Claremont Police Department

Prepared By: S. Vander Veen

Phone Number: 909.399.5411

Mail or FAX completed form to: Criminal Justice Statistics Center • P.O. Box 903427 • Sacramento, CA 94203-4270 • ATTN: Mathew Schorn, B-223

Email: Mathew.Schorn@doj.ca.gov • FAX: (916) 227-0427



ANNUAL REPORT OF CITIZENS' COMPLAINTS AGAINST PEACE OFFICERS

INSTRUCTIONS

1. All reporting agencies shall report the total number of complaints, broken out by non-criminal, misdemeanor and felony complaints. In addition to total complaints, Police and Sheriff's Departments shall also include the number of complaints made from inmates that have been admitted to their local detention facility (city or county jail).
2. Enter the total number of complaints alleging racial or identity profiling, as well as the specific type(s) of racial or identity profiling alleged. "Racial or identity profiling," is the consideration of, or reliance on, to any degree, actual or perceived race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability in deciding which persons to subject to a stop or in deciding upon the scope or substance of law enforcement activities following a stop, except that an officer may consider or rely on characteristics listed in a specific suspect description. The activities include, but are not limited to, traffic or pedestrian stops, or actions during a stop, such as asking questions, frisks, consensual and nonconsensual searches of a person or any property, seizing any property, removing vehicle occupants during a traffic stop, issuing a citation, and making an arrest.
3. Definitions of citizens' complaints and the method of their calculation should be determined by each police agency under Penal Code 832.5, which requires police agencies to establish procedures to investigate such complaints and make written description of the procedures used.
4. While reporting agencies have the discretion to determine the scope and format of citizen complaints and reporting procedures, at a minimum, agencies must report the data elements listed above.
5. The primary unit of count should be the actual event. An event is defined as an occurrence of alleged misbehavior which has unity of time, place, and behavior. In some circumstances where there are multiple alleged victims, consideration should be given to modifying the counting procedure to account for the number of victims.
6. Enter the number of complaints "reported" during the reporting year in the reported column opposite the "type" of complaint which properly identifies it.
7. Enter the number of complaints "sustained" during the year in the "sustained" column opposite the appropriate type of complaint which properly identifies it. Sustained is defined as the investigation disclosed sufficient evidence to prove the truth of allegation in the complaint by the preponderance of evidence.
8. Enter the number of complaints "exonerated" during the year in the "exonerated" column opposite the type of complaint which properly identifies it. Exonerated is defined as the investigation clearly established that the actions of the personnel that formed the basis of the complaint are not a violation of law or agency policy.
9. Enter the number of complaints "not sustained" during the year in the "not sustained" column opposite the type of complaint which properly identifies it. Not sustained is defined as the investigation failed to disclose sufficient evidence to clearly prove or disprove the allegation in the complaint.
10. Enter the number of complaints "unfounded" during the year in the "unfounded" column opposite the type of complaint which properly identifies it. Unfounded is defined as the investigation clearly established that the allegation is not true.
11. Enter the number of complaints reported in this reporting year that are still "pending."
12. Complaint type definitions:
 - a. Race or ethnicity bias is defined as a preformed negative opinion or attitude toward a group of persons, such as Asians, blacks, or whites, based on physical characteristics or toward a group of persons of the same race who share common or similar traits in language, custom, and tradition.
 - b. Nationality bias is defined as a preformed negative opinion or attitude toward a group of persons based on their national origin.
 - c. Gender bias is defined as a preformed negative opinion or attitude toward a group of persons based on their gender.
 - d. Age bias is defined as a preformed negative opinion or attitude toward a group of persons based on their age.
 - e. Religion bias is defined as a preformed negative opinion or attitude toward a group of persons based on religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being. Examples are Catholics, Jews, Protestants, or Atheists.
 - f. Gender identity or expression bias is defined as a preformed negative opinion or attitude toward a group of persons based on how that group chooses to identify or express their gender preference.
 - g. Sexual orientation bias is defined as a preformed negative opinion or attitude toward a group of persons based on sexual preferences and/or attractions toward and responsiveness to members of their own or opposite sexes.
 - h. Mental disability bias is defined as a preformed negative opinion or attitude toward a group of persons based on mental impediments/ challenges, whether such disabilities are congenital or acquired by heredity, accident, injury, advanced age, or illness.
 - i. Physical disability bias is defined as a preformed negative opinion or attitude toward a group of persons based on physical impediments/ challenges, whether such disabilities are congenital or acquired by heredity, accident, injury, advanced age, or illness.
13. If you have no reported, sustained, exonerated, not sustained, unfounded, or pending complaints to report for the year, write the word "none" across the face of the report form and return to the Criminal Justice Statistics Center.



Claremont Police Commission

Agenda Report

File #: 3178

Item No: 3.

TO: POLICE COMMISSION

FROM: SHELLY VANDER VEEN, POLICE CHIEF

DATE: JANUARY 16, 2020

Reviewed by:
City Manager:
Finance Director:

SUBJECT:

OFFICER RETENTION AD HOC COMMITTEE REPORT (ORAL REPORT)

RECOMMENDATION

Staff recommends that the Police Commission receive an oral report on the Officer Retention Ad Hoc Committee.

PUBLIC NOTICE PROCESS

This item has been noticed through the regular agenda notification process. Copies are available at the City Hall public counter, the Youth Activity Center, the Alexander Hughes Community Center, and the City website.

Submitted by:

Shelly Vander Veen
Police Chief

Prepared by:

Viola Van
Management Analyst