

Summary of Key Findings Re: Public Safety Reform Efforts of Santa Clara County Law Enforcement Agencies

Overview

Following the murder of George Floyd on May 25, 2020, nationwide protests erupted that called for police reform in the United States. In the past 12 months this led to new laws, proposals, and public directives at all levels of government to address the key issues of police misconduct, systemic racism, racial bias, and police brutality. In reaching out to the Santa Clara County Police Chiefs Association, we strive to collaborate on rebuilding trust between our police departments and members of the public through accountability, transparency and community engagement. In doing so, our various police departments shared their police reform efforts. Two of the most common reforms include the ban of chokeholds and improvements to police procedures. The law enforcement agencies within Santa Clara County have been diligently working towards police reform that works for the safety of both the community and the officers as an effort to regain trust with the public. Participating agencies include the public safety departments of California Highway Patrol, Campbell, Gilroy, Los Altos, Los Gatos-Monte Sereno, Morgan Hill, Milpitas, Mountain View, Palo Alto, San Jose, San Jose State University, Santa Clara, Santa Clara County Sheriff, and Sunnyvale.

The following is a summary of key findings based on the information collected from the various public safety departments (see [Attachment A](#)) in Santa Clara County.

Highlights & Key Findings:

1. **Accountability** - Police accountability involves holding both individual police officers, as well as law enforcement agencies, responsible for effectively delivering basic services of crime control, while treating constituents fairly and within the bounds of law. Following the death of George Floyd, law enforcement agencies in Santa Clara County have been working to improve their accountability by evaluating training programs and policies within their departments. The departments that have clearly displayed their efforts include Campbell, Los Altos, Milpitas, Mountain View, Palo Alto, San Jose, Santa Clara, Sunnyvale, California Highway Patrol, Los Gatos-Monte Sereno, Gilroy, and Morgan Hill.
 - a. **Use of Force** – All law enforcement agencies have policies that guide their use of force. These policies describe options available an officer may take to control a situation and/or affect an arrest. An officer generally has many force options available and officers are trained to respond with a level of force appropriate to the situation at hand, acknowledging that the officer may move from one option to another in a matter of seconds. The force options include: 1) Officer Presence; 2) Verbalization (Verbal Commands); 3) Empty Hand Control; 4) Less-Lethal Methods; and 5) Lethal Force.

- Police brutality is the excessive and unwarranted use of force used by law enforcement. This extreme form of police misconduct and violence is a civil rights violation. Following the death of George Floyd at the hands of Minneapolis police officer, Derek Chauvin, around half of the nation's largest police departments banned or greatly restricted the use of neck restraints. We can proudly say that many of our Santa Clara County law enforcement agencies have followed suit including the Departments of: Campbell, Gilroy, Los Gatos-Monte Sereno, Milpitas, Morgan Hill, Mountain View, San Jose, Santa Clara County Sheriff, Palo Alto, San Jose State University, Santa Clara, Sunnyvale, and the California Highway Patrol. Indeed, effective January 1, 2021, chokeholds and carotid control holds are banned in the State of California.
- b. **De-escalation** - De-escalation training is designed to teach officers to rely on communication skills to resolve conflict. Effective communication can reduce the intensity of a particular situation. An example of de-escalation can include slowing down an encounter from immediate intervention or defusing a tense situation before it escalates by being compassionate and firm when communicating with a citizen. These tools are used daily by officers in a variety of situations, from issuing traffic citations to responding to civil unrest. Agencies that have clearly taken steps for de-escalation training include Campbell, Gilroy, Los Altos, Milpitas, Morgan Hill, Mountain View, San Jose, San Jose State University, Santa Clara, Sunnyvale, and the California Highway Patrol.
 - c. **Bias-free policing** –Bias-free policing includes training for fair and impartial policing with de-escalation strategies including multi-cultural understanding and more. Agencies that have clearly taken steps to cultivate bias-free policing include Campbell, Gilroy, Los Altos , Milpitas, Morgan Hill, Mountain View, Palo Alto, San Jose, San Jose State University, Santa Clara, and Sunnyvale.
2. **Community Engagement** - Community engagement is another reform effort embraced by a majority of our law enforcement agencies. In an effort to show the public that law enforcement is listening and to strengthen the public's trust, agencies took to increasing their community events including but not limited to concerts, National Night Out, Shop with a Cop, Coffee with a Cop, public socially distanced walks, ice cream socials, and community safety meetings. Social media for better information distribution, Crime Prevention Newsletters, community workshops, and community surveys were other common forms of engagement utilized by our departments. In Santa Clara County these efforts were clearly displayed by Campbell, Gilroy, Los Gatos-Monte Sereno, Milpitas, Morgan Hill, Mountain View, San Jose, Santa Clara County Sheriff, Palo Alto, San Jose State University, Santa Clara, Sunnyvale, and the California Highway Patrol.
 3. **Transparency** - In addition, use of an oversight body or government agency separate and independent of the jurisdiction's police department is being considered by several

departments in Santa Clara County. The cities of Palo Alto and San Jose established Independent Police Auditor (IPA) agencies long before the civil unrest incidents of 2020. In April 2021, the City of Mountain View created the Public Safety Advisory Board with 7 council appointees. Other jurisdictions considering an oversight body include Los Altos, Los Gatos-Monte Sereno, Gilroy, and Morgan Hill. The role of an IPA includes striving to increase confidence in the police department by listening to the community, suggesting good policy changes, and making sure that the Department addresses officer misconduct.

Conclusion & Next Steps

Santa Clara County law enforcement agencies have taken tremendous initiative to reform public safety for the safety of officers and the public. As noted in [Attachment A](#), though our County has made much progress in the past 12 months, there is still much left to do, especially in terms of addressing the crux of the issue that has led to brutal deaths of civilians at the hands of police officers nationwide: Use of Force.

Thus, as a collaborative effort with the Santa Clara County Police Chiefs Association, the Cities Association Racial Justice Committee strongly supports advancing training for our police officers through the utilization of Virtual Reality (VRDT) technology for Crisis Intervention/De-escalation training and encourages all public safety departments within the County to complete it. This technology is being used by the Sacramento Police Department to recreate real-world police encounters and incorporate lessons learned into the training curriculum such as cultural competency, de-escalation, critical decision-making, peer intervention and implicit bias training. This technology would allow for controversial police incidents that occur across the country to be turned into virtual reality simulations almost instantaneously after they occur, allowing officers to learn from real life mistakes, and train for real world situations. VRDT technology increases efficiency in scenario-based training and allows officers to train with all of their tools – handgun, taser, rifle, OC (pepper spray), and flashlight. Additional benefits including decreasing the need for instructor's/role players during real life scenario drills, alleviating the need for different training locations, and introducing an array of virtual environments with various factors at play.

All equipment needed for this training will be provided by California's Commission on Peace Officer Standards and Training (POST) with an estimated delivery date of October 2021. Four departments have applied for utilization of the technology and include Palo Alto, San Jose, Santa Clara County Sheriff, and Sunnyvale. Both San Jose and Sunnyvale are willing to host training of other departments. This new technology is a critical tool that all departments should utilize as an effort to improve the training of our police officers and further reform policing in Santa Clara County.

The Committee recommends the following actions for consideration by the Cities Association Board of Directors:

1. Support advancing training for our police officers through the utilization of VRDT technology for Crisis Intervention/De-escalation training;
2. Encourage all public safety departments within the County to complete the training.
3. Submit letter to member cities encouraging either to participate in VR training, or to obtain the VRDT Simulator if feasible.
4. Submit letter to POST advocating for the law enforcement agencies in Santa Clara County that have applied to receive the simulator and any future Santa Clara County law enforcement agencies that may apply in the future.