

CALIFORNIA RACIAL AND IDENTITY PROFILING ADVISORY BOARD

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CALLS FOR SERVICE SUBCOMMITTEE MEETING MINUTES

August 24, 2021

Subcommittee Members Present: Sheriff William Ayub, Edgar Hampton, Manju Kulkarni, and Steve Raphael

Members Absent: None

1. Call to Order and Introductions

Deputy Attorney General (DAG) Allison Elgart of DOJ called the meeting to order at 12:04 p.m. Subcommittee members introduced themselves and new subcommittee members Ayub and Kulkarni were introduced. William Ayub is the Sheriff of Ventura County and is the California State Sheriff's Association representative to the Board. Manju Kulkarni is Executive Director of the Asian Pacific Policy and Planning Council, a coalition of 40 community-based organizations in Los Angeles, representing 1.5 million Asian American and Pacific Islander (AAPI) individuals, and Co-founder of Stop AAPI Hate. She was appointed to the Board by Assembly Speaker Anthony Rendon.

2. Approval of Subcommittee Meeting Minutes

MOTION: Member Hampton made a motion to approve the March 9, 2021 Meeting Minutes. Member Raphael seconded the motion.

APPROVAL: Three members voted "yes," there was one abstention, and there were no "no" votes.

3. Election of Subcommittee Co-Chairs

MOTION: Member Raphael nominated Member Hampton for Chair and Member Hampton accepted the nomination. Member Kulkarni seconded the motion.

APPROVAL: All members voted "yes," there were no "no" votes, and no abstentions.

MOTION: Member Ayub nominated himself for Chair. Member Kulkarni seconded the motion.

APPROVAL: All members voted "yes," there were no "no" votes, and no abstentions.

4. Overview by Department of Justice

Deputy Attorney General Kendal Micklethwaite of DOJ presented an overview of the Calls for Service chapter for the 2022 Board Report. DAG Micklethwaite stated that the chapter focuses on bias by proxy and crisis intervention; two subjects that are closely related. DAG Micklethwaite stated that the Board invited leaders from crisis response organizations to help inform the Board about emerging practices; the San Francisco Street Crisis Response Team discussed their pilot program with the subcommittee during the March meeting. DAG

Micklethwaite stated that the Board had begun to review community-based crisis response models, intending to make recommendations to improve crisis response throughout California.

DAG Micklethwaite stated that the Board had begun reviewing dispatcher training related to bias by proxy and that subcommittee members attended a meeting of the POST Dispatch Advisory Council and that there are approximately 8,000 dispatchers in California who were responsible for answering nearly 26 million calls for service during 2020. DAG Micklethwaite stated that POST was updating the basic training course for dispatchers and the current training did not include anti-bias training.

DAG Micklethwaite stated that the Board reviewed information about the Bias Response Teams, which operate through the New York Commission on Human Rights to respond to bias-based calls for service and other bias-based incidents.

DAG Micklethwaite asked the subcommittee if it had recommendations to POST regarding the update to dispatcher training or developing policies or regulations, including whether the legal requirements for refusing to respond to a biased call for service should be studied. Visions for future reports were also discussed.

DAG Micklethwaite stated that crisis response is strongly related to dispatch policies and procedures and alternatives to law enforcement responses to individuals experiencing a mental health crisis was also being studied. They stated that in the draft Report, the Board describes fundamental principles for community-based crisis response. DAG Micklethwaite stated that, in addition to the San Francisco Street Crisis Response Team, the Board had studied Arizona's Crisis Now model and Denver's Support Team Assistance Response model. The subcommittee was invited to discuss any elements that were not already identified in the fundamental principles for crisis response that the subcommittee would like to address and to identify any additional community-based response models that it would like to review.

5. Discussion of Proposed Calls for Service Chapter in the 2022 Board Report

Co-Chair Hampton stated that it is enormously important to address dispatcher training. He stated that staffing shortages of dispatchers present a challenge for providing time for dispatchers to receive continuing training. He stated that offering online training that dispatchers could receive while at call centers might help to address that challenge. Co-Chair Hampton stated that this needs to be addressed because it is not right for dispatchers to be denied the training that officers receive.

Co-Chair Ayub stated that, while there is a sense of a duty to respond to any call received by emergency operations centers, the work of the call taker to elicit the right information from the caller is what is important, rather than mindlessly accepting a call for service. He stated that a

series of micro-learning modules about bias-based calls would be more appropriate than a one-time training for communications operators.

Member Kulkarni asked what information the Board had about the training that dispatchers currently receive regarding implicit bias and whether the Board could identify any models in the training that agencies provide for dispatchers. Co-Chair Hampton stated that the subcommittee learned that dispatchers receive little to no training regarding bias by proxy; this training is not mandated by POST, but some agencies provide the training for their dispatchers.

Member Raphael stated that the development of this training would need to include both research findings and input from senior experienced dispatchers. Concerning crisis response models, he asked if the subcommittee envisioned that these responses would be dispatched through a department of emergency services, which is how the Crisis Response Team in San Francisco is dispatched, or if the subcommittee had identified other models in which members of the public call a different number for a mental health crisis response.

Co-Chair Hampton stated that having a computer-aided dispatch number to help track call outcomes is important.

Co-Chair Ayub stated that for the past thirty years, Ventura County has had a civilian response team for mental health crises. He stated that this is a full-time team that was sometimes available and sometimes was not available. He stated that when dispatch identifies a call as mental health-related, often, the crisis team would be dispatched, circumventing the fire department, the police, or sheriff. Co-Chair Ayub stated that the County also has a hybrid response program, which has existed for several years. He stated that the teams in this program include a clinician and one or two deputies and primarily work with mental health consumers who are unhoused. He stated that nearly one hundred percent of the County's deputies have received crisis intervention training. Co-Chair Ayub stated that the County observed a steep decline in use of force incidents since implementing this training. He stated that the agency has additionally provided this training for civilian jail staff and dispatch staff.

DAG Micklethwaite stated that the Street Crisis Response Teams in San Francisco also respond to calls received by a 9-8-8 number, a new national crisis line and that the Teams explained that educating the public about the alternative number is a challenge to completely moving away from using the 9-1-1 number. In addition, the Mental Health First in Sacramento and Oakland and Community Action Teams 9-1-1 in Los Angeles operate completely separately from the 9-1-1 number.

Co-Chairs Hampton and Ayub stated that the subcommittee might want to work with POST regarding making dispatcher training consistent throughout the state.

Member Raphael stated that the subcommittee might wish to ask researchers at Stanford, who have studied how bias is manifested in language, if they recommend sources for studying indicators that could be used to identify bias-based calls for service. He stated that part of developing these tools would be determining if dispatchers should be required to listen for indicators of bias in calls or if they should ask specific questions to identify the caller's motivation.

Member Raphael asked if the DOJ could analyze the narrative fields for stops for which there was a related call for service that did not result in an arrest or citation to see if information in these narratives could be used to develop a code for bias-based calls.

Co-Chair Hampton stated that, in considering alternative responses to violence, the subcommittee should distinguish between incidents that are crimes and those that are not. He stated that when there is not a crime, law enforcement does not need to respond.

Member Raphael stated that he would like to receive an update about the Street Crisis Response Teams in San Francisco regarding the expansion of their program, in addition to learning about the experiences with the crisis response programs in Ventura County.

6. Public Comment

Michelle Wittig of the Santa Monica Coalition for Police Reform stated that a biased law enforcement response can result during some interactions between the public and law enforcement, even when, in the particular instance, the person placing the call for service, the dispatcher, and the law enforcement officer were not motivated by bias. She described the remorse she felt regarding an incident in which she called for police to request assistance for an individual and learned that officers cited the individual for disturbing the peace.

Richard Hylton stated that narrative data could provide information about the motivation of individuals who placed a call for service and the officer who made a stop. He stated that he would like to receive the stop data from the narrative fields to use an automated data analysis process to identify indications of bias. He stated that the Department of Justice had not provided the narrative field data because it may contain officer identifying information and personal identifying information. Mr. Hylton stated that the portion of stop data records relating to an arrest or citation should be provided even when they contain officer identifying or personal identifying information.

8. Discussion of Next Steps

MOTION: Co-Chair Hampton made a motion to recommend that the Board make a recommendation that POST or the legislature should take actions to make dispatcher operating

procedures more uniform. Member Raphael proposed amending the motion to recommend that the Board recommend that POST, in coordination with dispatch professionals, develop training and guidelines for how to identify and flag bias-based calls for service. Co-Chair Hampton accepted the amendment.

Co-Chair Ayub asked if the guidelines that the Board would recommend POST develop would be for flagging the bias-based calls for service that officers responded to or flagging the bias-based calls that are received by communications centers. Member Raphael stated that, based on what he learned from dispatchers, he did not want to propose a recommendation regarding whether agencies should respond to calls that may be bias-based, but he would like to recommend that POST identify a way to train dispatchers to recognize calls in which bias may be a factor and share that information with officers in the instances when officers would respond. He stated that he would like to propose that the Board recommend that this dispatcher training be required statewide.

APPROVAL: Following discussion, no further action was taken on this motion which was super-ceded by the following motion.

MOTION: Member Raphael made a motion to recommend that the Board make a recommendation to POST that POST develop, with input from experienced dispatchers and researchers knowledgeable on implicit and explicit bias, a training that would help dispatchers recognize calls that may be motivated by bias. Co-Chair Hampton seconded the motion.

APPROVAL: Three members voted “yes,” there were no abstentions, and there were no “no” votes.

MOTION: Co-Chair Hampton made a motion to recommend that the Board make a recommendation to POST that POST provide uniform training regarding guidelines for responding to calls for service. Member Raphael seconded the motion.

APPROVAL: Three members voted “yes,” there were no abstentions, and there were no “no” votes.

6. Public Comment

Richard Hylton stated that the notion that people who are unhoused have no protections under the law is troubling. He stated that the Department of Justice requires that officers who stop a person during an interaction that initiated as a welfare or wellness check or as a part of the officers’ community caretaking function, select the data value “reasonable suspicion that the person was engaged in criminal activity” to indicate the reason for the stop. He recommended that the Department change this when amending the regulations.

9. Adjourn

Ms. Elgart encouraged everyone to attend the Board meeting on September 1, 2021, which would be followed by a public hearing regarding the proposed amendments to the regulations. Member Raphael stated that he found the previous presentations by service providers and the opportunities to speak with dispatchers very informative for the subcommittee's work. He stated that in the future, he would like to receive an update about San Francisco's Street Crisis Response Teams program, as well as receive information about programs related to mental health responses in other counties. Co-Chair Hampton adjourned the meeting at 1:38 pm.