



REGULAR MEETING AGENDA

PUBLIC SAFETY REFORM AND OVERSIGHT COMMISSION

VIRTUAL MEETING

Thursday, March 10, 2022 5:30 P.M.

Join the meeting at: <https://bluejeans.com/540059081/0079>

Call to Order

Roll Call

NOTICE IS HEREBY GIVEN that a regular meeting of the PUBLIC SAFETY REFORM AND OVERSIGHT COMMISSION will be held at 5:30 p.m., on THURSDAY, March 10, 2022, VIA TELECONFERENCE PURSUANT TO EXECUTIVE ORDER N-29-20 ISSUED BY, GOVERNOR GAVIN NEWSOM at <https://bluejeans.com/540059081/0079> for the purpose of only conducting the following business.

Please note that Agenda Items may be reordered during the meeting at the discretion of the body.

1. Special Agenda Items
 - a. Election of Vice Chair
2. Consent Calendar
3. Study Session -
 - a. Race and Policing Panel Discussion. Invited Guests: Kikanza Nuri-Robbins, Alvaro Huerta, Dr. Karen Gunn, Michele Wittig, Michael Gennaco.
 - b. Presentation regarding SMPD involvement vending at the Santa Monica Pier. Invited guest: Deputy City Manager Anuj Gupta
4. Continued Items -no items
5. Administrative Proceedings - none
6. Staff Administrative Items

- a. Update from the Inspector General on status of projects approved at February 2022 meeting.
 - i. Complaint Investigation Audit
 - ii. Assessment of implementation of recommendations produced by the OIR Group report on the events of May 31, 2020.

7. Public Hearing - none

8. Resolutions - none

9. Written Communications

10. Public Safety Reform and Oversight Commission Member Discussion Items

a. Committee Updates

- I. Accountability: Chair, Derek Devermont
- II. Protests and Crowd Control: Chair, Angela Scott
- III. Reimagining Public Safety: Chair, Craig Miller
- IV. Use of Force: George Centeno, Derek Devermont
- V. Community Engagement: Chair, Jaime Cruz

11. Public Input: The Commission will provide time for additional public input on matters within its purview on items that were not on the agenda. State law prohibits the Commission from taking any action on items not listed on the agenda, including issues raised under this agenda item.

Adjournment

STANDARDS OF BEHAVIOR THAT PROMOTE CIVILITY AT ALL PUBLIC MEETINGS:

- Treat everyone courteously
 - Listen to others respectfully
 - Give open-minded consideration to all viewpoints
 - Focus on the issues and avoid personalizing debate
1. Embrace respectful disagreement and dissent as democratic rights, inherent components of an inclusive public process, and tools for forging sound decisions

This agenda is available in alternate formats upon request. If you require any special disabilityrelated accommodations (i.e. sign language interpreting, language interpretation, etc.), pleasecontact the City Manager's Office via Lisa.Parson@smgov.net at least 1 day prior to the scheduled meeting.

This agenda is subject to change up to 72 hours prior to a regular meeting. Please check the agenda for prior to the meeting for changes.

Transportation Information: This meeting is being held virtually. No in person access is available.

Dr. Karen S. Gunn

Dr. Karen S. Gunn has worked for over 40 years in the Los Angeles area in higher education and organizational consultation. She retired in 2014 as a tenured professor at Santa Monica College during which time she served as Chair of the Psychology Department. In her position as a professor, she also played an instrumental leadership role in curriculum transformation, student equity initiatives, anti-bias training and professional development. She has advised and mentored many students over the course of her career. Karen received her doctorate in Community and Organizational Psychology from the University of Michigan–Ann Arbor where she was the recipient of a multi-year Minority Fellowship funded by the American Psychological Association.

In addition to her work in education, Dr. Gunn has been a small-business owner as Principal of Gunn Consulting Group (GCG), an organizational and management development professional services group. GCG has provided extensive assistance, consultation and training to private, non-profit and government organizations. GCG clients include PepsiCo, United Airlines, MOBIL Oil (Executive Diversity Services–Seattle, WA.), Center for Disease Control, Center for Medicare Services, AARP, the County of Los Angeles (e.g., Office of Affirmative Action Compliance, Department of Mental Health, other departments), healthcare and mental health agencies, community organizations, educational institutions and international marketing firms. Her expertise as a consultant has focused on DEI initiatives, interpersonal communication, community engagement and development, team building, cultural competencies, leadership skills and strategic planning.

Dr. Gunn is highly regarded as a trainer, facilitator, motivational speaker and community volunteer. She holds certifications in Executive Coaching (International Coach Federation), Mental Health First Aid, Intercultural Conflict Resolution,

Cultural Competency Training, Train-the-Trainer programs. She has published numerous papers, articles and marketing materials. Karen has served as a board member of non-profit, professional and community organizations. She recently served as Chair of the Santa Monica Bay Human Relations Council. (2022)

MICHAEL J. GENNACO OIR GROUP

As a principal of OIR Group, Mr. Gennaco provides services in the field of independent oversight; serves as a monitor for negotiated agreements involving police reform, assists federal courts in developing remedial plans intended to cure defects in Constitutional policing; conducts independent reviews of critical incidents including officer-involved shootings and in-custody deaths; conducts audits of law enforcement departments focusing on review of internal investigative processes and policies; and undertakes independent internal investigations of allegations of police misconduct.

Mr. Gennaco headed up civilian oversight of the Los Angeles County Sheriff's Department for thirteen years and continues to provide ongoing oversight for the Anaheim, Palo Alto, Burbank, Davis and Santa Cruz Police Departments and the Portland Oregon Police Bureau. Mr. Gennaco played a central role in creating independent oversight models for both the largest sheriff's department and prison system in the United States. Mr. Gennaco has also provided independent review of critical incidents, adverse civil verdicts and/or best practices audits and designed remedial recommendations for the cities of Madison, Westminster, Pasadena, Portland, Torrance, Spokane, Santa Monica, Santa Maria, Inglewood, Glendale, Oxnard, Alhambra, Davis, Lompoc, Oakland, and Vallejo Police Departments, and the Orange County, San Diego County, King County, San Francisco, Ventura, Merced, and Denver Sheriff Departments as well as the California Department of Corrections and Rehabilitation and the Department of Juvenile Justice.

Prior to his work in police oversight, Mr. Gennaco served as an Assistant United States Attorney, Chief of the Civil Rights Section, and was responsible for prosecuting police officers for excessive force and other Constitutional violations.

Dr. Álvaro Huerta

Dr. Álvaro Huerta is a Religion and Public Life Organizing Fellow at the Harvard Divinity School. Dr. Huerta is also an Associate Professor in Urban & Region Planning and Ethnic & Women's Studies at Cal Poly Pomona. He's the author of an award-winning book, [*Defending Latina/o Immigrant Communities: The Xenophobic Era of*](#)

[*Trump and Beyond*](#). Apart from academia, he has an extensive background in community organizing, freelance writing, professional editing, public speaking and independent consulting. He's a son of Mexican immigrants, former resident of public housing projects (East Los Angeles) and first-generation graduate. As a Ford Foundation Fellow, he holds a Ph.D. (City and Regional Planning) from UC Berkeley. He also holds an M.A. (Urban Planning) and a B.A. (History) from UCLA.

Kikanza Nuri-Robins, MDiv, EdD

www.KikanzaNuriRobins.com

Our values declare who we want to be; Kikanza Nuri-Robins helps people close the gap between what they say they are and what they do. Whether she is in a corporate boardroom, the fireside at a retreat center, or a convention center auditorium, Kikanza uses her skills as a compelling speaker and compassionate teacher to help people and organizations that are in transition – or ought to be. She shares her insights and observations with clarity and candor, while gently encouraging them to face the difficult situations that challenge their values. She leads people to this growing edge with unswerving focus, an understanding heart, and laughter that rises from the seat of her soul.

Kikanza Nuri-Robins is an organization development consultant. Her clients include schools, NPOs, government and faith-based organizations. She has been an advocate for justice, equity, and inclusion for over 40 years, serving mission-driven organizations across the country.

Her focus is on sustaining healthy organization cultures by improving communication, developing effective leaders, and aligning corporate values with daily practice. She started her career thinking she would change the world. Now she knows that she is most effective making a difference, wherever in the world she finds herself, one conversation at a time.

Kikanza is the author of many articles and six books, including: *Cultural Proficiency* and *Fish Out of Water*. She lives in Los Angeles where she serves on the Bio-Ethics Committee of the UCLA Medical Center and the boards of several social-service organizations. She spends her discretionary time in her studio playing with color and textiles.

Michele Wittig

Michele Wittig has been a Santa Monica resident since 1970. In the late 80's, she joined the local NAACP branch and remains active in its work on educational equity and policing reform.

- She drafted two petitions calling for civilian oversight of local law enforcement: one initiated by the NAACP branch and the Westside Chapter of the Mexican-American Political Association in 1992, the other launched by a grassroots coalition of the Committee for Racial Justice, the NAACP and others in 2014.
- Dr. Wittig had a rewarding four-decade career at CSUN teaching multivariate statistics, research methods and topics in cognitive, developmental and social psychology, as well as conducting research on procedural and distributive justice. She has authored or co-authored over fifty professional publications in these areas. She retired in 2011 as Professor Emerita.
- She has engaged in the study of civil rights, based on participation in UCLA Law, NYU Law and PLATO Society seminars on constitutional law, US Supreme Court cases and California judicial decisions.
- She has some knowledge of the federal, state and local legal frameworks under which our law enforcement agencies operate. She is also acquainted with some of the policies and procedures of SMPD, gained in part from having taken the Department's Citizens' Police Academy In 2015.
- She has monitored, and provided public comment at California Racial and Identity Profiling Act (RIPA) Board meetings since the Board's inception in

2015. Several of these suggestions for community involvement in officer training have been incorporated into the RIPA Board's annual reports "best practices."

- She has been an expert witness in Superior Court on cases involving discrimination in employment.
- In 2015, she launched the Santa Monica Coalition for Police Reform (CPR) and continues to convene its monthly meetings, as well as its quarterly meetings with the Santa Monica City Manager and SMPD Chief. In 2016, she co-authored a paper with Gabriel Weinberger entitled: "Policing in Santa Monica: Transparency, Accountability and Oversight".

Remarks on Race and Policing in Santa Monica

Michele.Wittig@csun.edu

Today's local activists for racial equity in policing follow in the path of many others who have gone before. The names and accomplishments of many of them have been lost to us. Nevertheless, our efforts owe much to them. My remarks are dedicated to them.

We, Santa Monicans, as a community, are responsible and accountable for how policing is carried out in our community. Knowing the history of local efforts to achieve racial equity in policing can help us chart the way forward.

The Santa Monica Police Department: Early Reform

Mr. Nat Trives was the Santa Monica Police Department's first Black officer. He rose to the level of sergeant. But in the late 1960's, he hit a thick glass ceiling. Frustrated by not being able to advance further, he quit the department, pursued further education and became a professor of criminal justice. He also served on the City Council and as Mayor.

In 1987, Mr. Trives was appointed by a judge to lead an evaluation of SMPD and make recommendations for reform. His report resulted in major changes in the recruitment, hiring and promotion of racial-ethnic minorities and women in the SMPD.

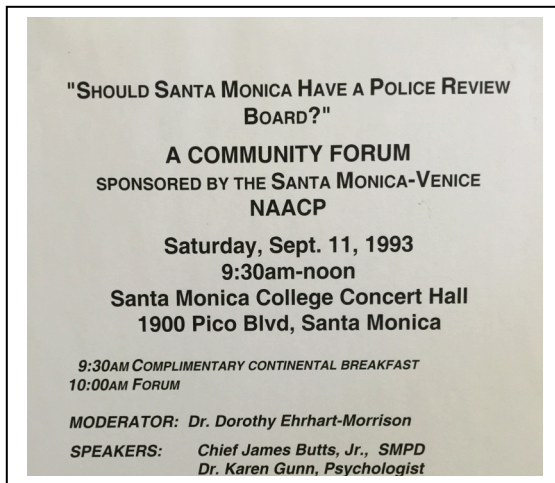
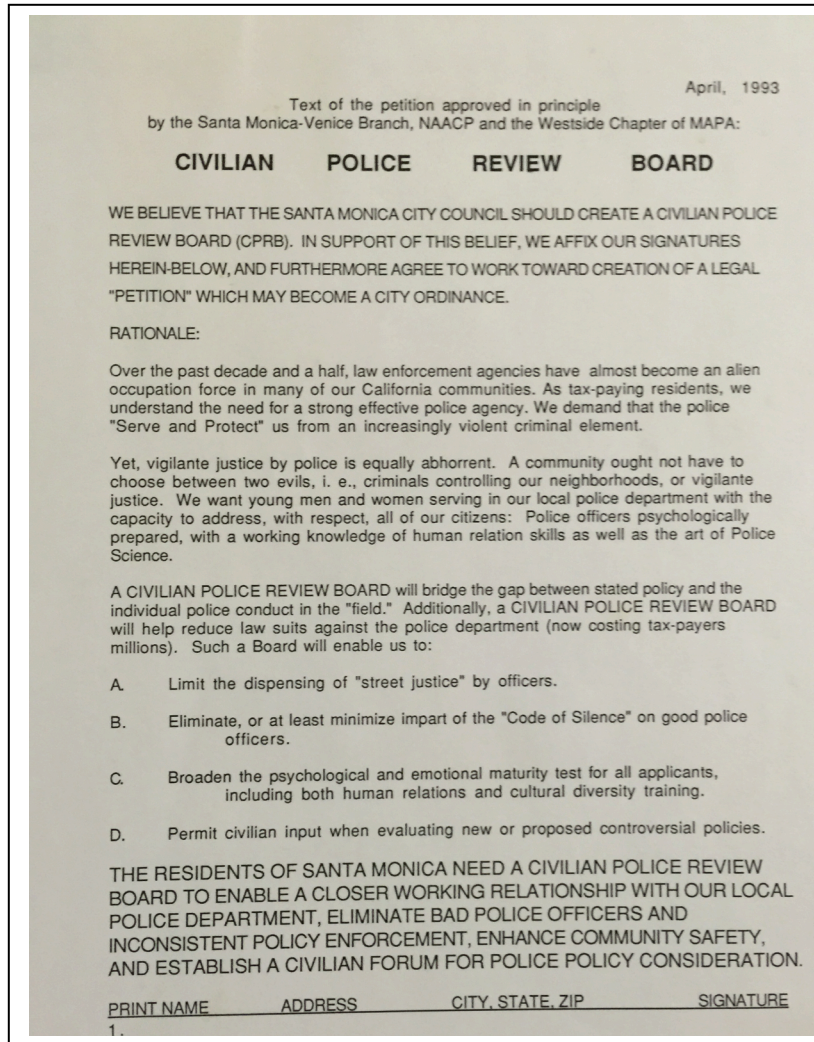
NAACP and MAPA's Call for a "Citizen Review Board" of SMPD

On April 17, 1993, the Santa Monica-Venice NAACP and Westside Chapter of MAPA held a "Speak Out for Justice" on the day the verdicts were announced in the civil rights case brought by Rodney King against four LAPD officers.



SMPD Chief James Butts, who had been consulted about the "Speak Out" in advance by the event planners, attended the event in civilian attire. Lindsey Haley, President of the Westside chapter of the Mexican-American Political Association declared "I am tired of seeing Latinos and African-Americans being pulled over and hassled and humiliated." SM-Venice NAACP President Norm Curry called for a citizen review board of the Santa Monica Police, saying that "Until we address those [law enforcement] systems we're not going to have much of a change." A petition co-sponsored by both groups, was drawn up for this purpose.

The 1993 Civilian Police Review Board Petition was co-sponsored by the NAACP and MAPA



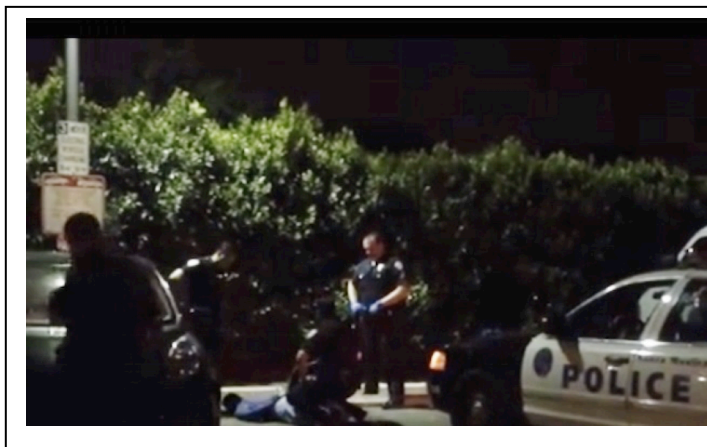
In September, 1993 the NAACP held a forum on the issue of whether Santa Monica should have a "Police Review Board"

In 2014, local activists, led by the Committee for Racial Justice, drew up a second petition and circulated it. This petition called for 1) Community input into policing and 2) Systematic community feedback on how policing is practiced.

2014 PETITION FOR		
COMMUNITY INPUT INTO COMMUNITY POLICING		
<p>WE PETITION THE SANTA MONICA CITY COUNCIL TO DEVELOP AN INDEPENDENT METHOD OF COLLECTING, SUMMARIZING AND PUBLICIZING FEEDBACK FROM COMMUNITY MEMBERS CONCERNING THEIR INTERACTIONS WITH LOCAL LAW ENFORCEMENT OFFICERS, IN THE COURSE OF THEIR LAW ENFORCEMENT DUTIES.</p>		
<p>RATIONALE:</p> <p>As residents, we understand the need for a strong, effective police agency. We also want men and women serving in our local police department who address all community members with respect. Many residents may not feel comfortable or able to file an official report in the wake of what they experience as harassment or racial profiling.</p> <p>Systematic, on-going community feedback on policing practices that is summarized and publicized regularly, will help bridge the gap between stated policy and individual police conduct in the "field."</p>		
<p>THE RESIDENTS OF SANTA MONICA NEED A COMMUNITY POLICING FEEDBACK SYSTEM TO PROMOTE A CLOSER WORKING RELATIONSHIP WITH OUR LOCAL POLICE DEPARTMENT, ELIMINATE INCONSISTENT POLICY ENFORCEMENT, PROMOTE COMMUNITY TRUST IN POLICE, INCREASE COMMUNITY COOPERATION WITH LAW ENFORCEMENT OFFICERS AND THEREBY ENHANCE COMMUNITY SAFETY.</p>		
PRINT NAME	SIGNATURE	EMAIL
1. Michele Wittig	<i>Michele Wittig</i>	
2. JANET MCKEITHEN	<i>Janet M. Keithen</i>	
3. Robert Gosch	<i>Robert Gosch</i>	
4. Gina Frazier	<i>Gina Frazier</i>	

Justin Palmer's Case

In April 2015, there was a highly-publicized incident of aggressive policing against Mr. Justin Palmer, an African-American father of four who lived near Virginia Avenue Park. The Park closes at 11pm. Mr. Palmer was attempting to charge his car at one of the 24-hour electric vehicle charging stations in the park shortly before 11pm. The ensuing altercation between him and several SMPD officers was caught on video by one of several residents walking in the park.



Justin Palmer arrest



NAACP Press Conference at Site of Arrest

Response to the Justin Palmer Case

Mr. Palmer's case sparked protest among many residents who viewed the video. In May 2015, the Santa Monica-Venice NAACP held a press conference in the parking lot near the charging stations in Virginia Ave Park. The SMPD Chief and Interim City Manager met with supporters of Mr. Palmer in late May, 2015, a few days after the press conference. At that meeting, the group presented the city with a six-point letter of needed reforms.

Mr. Palmer filed a civil rights violation case. In October, 2016, a jury unanimously found an SMPD officer liable and awarded Mr. Palmer over \$1 million for his injuries and loss of future employment. Community supporters attended the trial to show their support of Mr. Palmer. His attorney credited their presence with helping to obtain the verdict.

Launch of the Santa Monica Coalition for Police Reform

The Palmer incident energized some of the Committee for Racial Justice activists. During the Summer of 2015, this group met weekly and studied local police policies and procedures as well as legal reforms at the state and federal levels.

In the Fall of 2015, they presented their findings at a public meeting. Immediately thereafter, they launched *The Santa Monica Coalition for Police Reform (CPR- The Coalition)*. I have been the convener since its inception.



The Coalition for Police Reform: What We Do and How We Do It

CPR is a racially-diverse grassroots group, comprised of 12 to 14 individuals. Meetings are held monthly. CPR activists typically belong to one of more of these local groups:

- The Committee for Racial Justice
- The Santa Monica-Venice NAACP
- The Faith-in-Action Committee of the Unitarian-Universalist Church of Santa Monica
- The Westside Chapter of the ACLU-SC
- Santa Monicans for Democracy

CPR activists believe that the lived experience of African-Americans and other people of color must inform efforts to reform policing policies and practices that have historically disproportionately harmed these populations. The Church in Ocean Park administers all funds received in support of our work.

The Coalition engages in seven major activities:

1. Get the SMPD Perspective
2. Tell Community Stories
3. Become Informed
4. Meet with City Policing Leaders
5. Recommend and Participate in Local Innovations
6. Provide Support to Those in Need
7. Participate in Campaigns to Reform Legislation

1 Get the SMPD Perspective

CPR encourages enrollment in the SMPD Community Police Academy and several of our members have completed this 36-hour course, including a 5-hour ridealong with an SMPD officer.

2 Tell Community Stories

The Coalition made a 15-minute video recording of individuals recounting their negative interactions with SMPD and have shown it to community groups.

TELLING OUR STORIES video consists of local interviews about:

- ***Police Stops***
- ***Being Handcuffed While Exercising Right of Free Speech***
- ***Racial Slurs and Inappropriate Comments While in Uniform***
- ***Trauma Caused by Police Over-Reaction***
- ***Raising Black Children in Santa Monica***

3 Become Informed

CPR monitors local policies, practices and state-wide policy reforms and give oral and written testimony at meetings of the Racial and Identity Profiling Act (RIPA) Advisory Board.

Since 2015, CPR members have attended and given oral and written testimony at meetings of the RIPA Advisory Board and its five committees: *Stop Data Analysis, Citizen Complaints, POST Training and Recruitment, State and Local Policies and Accountability and Evidence-based Research and Best Practices.*

Several of CPR's suggestions for reform have been included in the RIPA annual reports as best practices.



A Meeting of the California Racial and Identity Profiling Advisory Board

4 Meet with City Policing Leaders

CPR meets quarterly with the Police Chief and City Manager. Among the items on these meeting agendas are recommendations for reforms in policies and changes in practice that increase equity, fairness, transparency and accountability.

During past meetings, the Coalition suggested changes (along with other groups in the community) that the SMPD Chief subsequently incorporated into the SMPD Policy Manual. These include narrative on:

- a) Racial or Bias-based Profiling: Section 402
- b) Force De-escalation: Section: Section 300
- c) Control Devices and Techniques: Section 308

We continue to advocate for revisions to:

- a) Disciplinary policy: Section 340
- b) Racial and other bias-based profiling: Section 402
- c) Personnel Complaints: Section 1020

5 Recommend and Participate in Local Reforms that increase equity, fairness, transparency and accountability, including community participation in training SMPD officers.

A. Oversight of SMPD Memoranda of Understanding (MOUs)

Using the California Public Records Act, a Coalition member learned that the SMPD Chief had renewed a contract (for SMPD to receive compensation when SMPD officers cooperate with Immigration and Customs Enforcement) without the City Manager's knowledge. Her letter to the City Manager resulted in his cancelling the contract.

B. Jail Practices

Coalition members monitored Santa Monica jail management and met with jail representatives to discuss concerns that due process rights (e.g., phone calls) were not granted in a timely manner following arrests.

C. Outreach to Latino Leaders

In December, 2017, members of the Coalition invited the leadership of Familias Latinas Unidas (FLU) to join with CPR in a city-sponsored "Community Conversation" on law enforcement, homelessness and related issues. The meeting, held in Virginia Ave Park engaged six Familias Latinas Unidas (FLU) leaders in conversation with CPR members, the City Manager and command-level SMPD officers.

D. African-American Community Academy for Police (AACAP)

To promote SMPD understanding of the history and current concerns of the local African-American community, the Coalition proposed an innovative training for new and veteran SMPD officers. AACAP emphasizes African-American community members' participation in officer training to prevent excessive force, unnecessary traffic stops and other forms of police discriminatory policing against African Americans in Santa Monica. It includes a bus tour of historic sites relating to African-American life and contributions to Santa Monica.

In 2016, Chief Seabrooks assigned a Lieutenant to implement portions of the AACAP proposal. He met with a subgroup of Coalition members to plan and implement African-American community members' participation in the implicit bias/procedural justice training module. Three Coalition members interacted in person with new officers during their training in Fall, 2016 and Spring, 2017.

Two Coalition members led new officers on a bus tour of local Black history sites, building awareness of the history of local racial discrimination against African Americans. Following the tour, several African-American Coalition members met with the new officers to debrief video training materials (e.g., Sandra Bland incident video footage).

6 Provide Support to Those in Need

CPR members meet with and give information to complainants and accompany them to interviews and court dates.

7 Participate in Campaigns to Enact Policing Reform Legislation

CPR members email, make phone calls, write letters, visit Sacramento and testify in support of policing reform legislation at the State level. They have advocated for the passage of:

The Racial and Identity Profiling Act (RIPA) (AB953)

This law mandates that peace officers in California collect and report detailed information on every stop they make. It also makes these data accessible to the public.

The Open Law Enforcement Records Act (SB1421)

This law improves transparency and accountability by allowing public access to information on police shootings and deadly use of force, as well as confirmed cases of officer misconduct such as sexual assault and serious job-related dishonesty.

The California Act to Save Lives (AB392)

This law makes clear that police officers should only use deadly force when they don't have other options, i.e., if it is necessary to prevent an immediate threat of death or serious bodily injury. It requires that officers use de-escalation tactics and exhaust all reasonable alternatives before using deadly force.

CONCLUDING REMARKS

The launch of the PSROC, in the wake of local protest following the murder of Mr. George Floyd at the hands of police in Minneapolis, is the most recent event in a decades-long history of local activism to address racial and other inequities in local policing.

This Commission is Santa Monica's first and only city-appointed entity charged with making recommendations regarding achieving racial equity in local policing and "collaborating with SMPD to promote restorative justice and build trust between SMPD and community members."

Thank you for your willingness to serve in this important capacity.

FOOTNOTE

This paper was prepared for presentation and distribution to the Santa Monica Public Safety Reform and Oversight Commission (PSROC) on March 10, 2022. It is based on material at hand relating to local efforts for police reform during the past 35 years. I urge those interested in this topic to consult a) other community leaders of civil rights organizations and local grassroots groups involved in this issue; b) primary sources in the Quinn Research Center and in the Santa Monica History Museum archives; c) archival material held at UCLA; and d) individual historians, including Dr. Alison Rose Jefferson and Ms. Robbie Jones.

SUGGESTED READING

Batista, R., Zizka, M. D. (2021) *Do No Harm*. Monee, IL: Do No Harm Publishing.

Glaser, J. (2015). *Suspect Race: Causes and Consequences of Racial Profiling*. New York: Oxford University Press.

Weinberger, G., & Wittig, M. A. (2016) *Policing in Santa Monica: Transparency, Accountability and Oversight*

<https://www.dropbox.com/s/u3y7ya40c75ddkq/WeinWittigSM0policepaper080216.pdf?dl=0>