

# NOTICE OF SPECIAL MEETING

Pursuant to Section 54956 of the Government Code of the State of California, a Special meeting of the **Tracy City Council** is hereby called for:

**Date/Time:** Tuesday, August 4, 2020 at 6:00 p.m.  
(or as soon thereafter as possible)

**Location:** Tracy City Hall  
333 Civic Center Plaza, Tracy

**THIS SPECIAL MEETING WILL BE CONDUCTED PURSUANT TO THE PROVISIONS OF THE GOVERNOR'S EXECUTIVE ORDER N-29-20 WHICH SUSPENDS CERTAIN REQUIREMENTS OF THE RALPH M. BROWN ACT**

**RESIDENTS ARE STRONGLY ENCOURAGED TO PARTICIPATE REMOTELY AT THE AUGUST 4, 2020 MEETING**

Government Code Section 54954.3 states that every public meeting shall provide an opportunity for the public to address the Tracy City Council on any item, before or during consideration of the item, however no action shall be taken on any item not on the agenda.

**Remote Access to City of Tracy Council Meeting:**

*In accordance with the guidelines provided in Executive Order N-29-20 on social distancing measures, the City of Tracy will allow for remote participation at the upcoming Special City Council meeting on Tuesday, August 4, 2020.*

*As always, the public may view the City Council meetings live on the City of Tracy's website at [www.CityofTracy.org](http://www.CityofTracy.org) or on Channel 26. To view from the City's website, select "Watch Live Council Meetings" from the drop down menu "Select an Online Service" at the top of the City's homepage. You will be directed to the "Council Meeting Videos" page where you may select the video for the appropriate date under "Upcoming Events."*

*If you only wish to watch the meeting and do not wish to address the Council, the City requests that you stream the meeting through the City's website or watch on Channel 26.*

**Remote Public Comment:**

*Public comment, limited to 250 words or less, may be submitted via email [publiccomment@cityoftracy.org](mailto:publiccomment@cityoftracy.org)*

*Identify the item you wish to comment on in your email's subject line. Emails that exceed the 250 word limit will not be read in their entirety during a meeting, however, they will be included in the record.*

*During the upcoming Council meeting public comment will be accepted via the options listed below. If you would like to comment remotely, please follow the protocols below:*

- *Comments via:*
  - **Phone** by dialing (209) 831-6010, or
  - **Online by visiting** <https://cityoftracyevents.webex.com> and using the following **Event Number:** 126 686 1733 and **Event Password:** TracyCC
  - **If you would like to participate in the public comment anonymously**, you may submit your comment via phone or in WebEx by typing "Anonymous" when

[prompted to provide a First and Last Name and inserting Anonymous@example.com](#) when prompted to provide an email address.

- **Protocols for submitting comments by phone:**
  - Comments received by phone for the “Items from the Audience/Public Comment” portion of the agenda must be received by the time the Mayor opens that portion of the agenda for discussion.
  - Comments received by phone on each “Agendized Item” will be accepted until the Mayor announces that public comment for that item is closed.
- **Protocols for commenting via WebEx:**
  - If you wish to comment under “Items from the Audience/Public Comment” portion of the agenda:
    - Listen for the Mayor to open “Items from the Audience/Public Comment”, then raise your hand to speak by clicking on the Hand icon on the Participants panel to the right of your screen.
    - If you no longer wish to comment, you may lower your hand by clicking on the Hand icon again.
  - Comments for the “Items from the Audience/Public Comment” will be accepted until the public comment period is closed.
- The total allotted time for public comment under “Items from the Audience/Public Comment” will be 15 minutes:

1. Call to Order
2. Roll Call
3. Items from the Audience - Items from the audience - *In accordance with Council Meeting Protocols and Rules of Procedure, adopted by Resolution 2019-240, a five-minute maximum time limit per speaker will apply to all individuals speaking during “Items from the Audience/Public Comment”. For non-agendized items, Council Members may briefly respond to statements made or questions posed by individuals during public comment; ask questions for clarification; direct the individual to the appropriate staff member; or request that the matter be placed on a future agenda or that staff provide additional information to Council.*
4. RECEIVE AND DISCUSS PRESENTATION ABOUT RACE, EQUITY, AND LOCAL GOVERNMENT, AND THE CITY OF TRACY POLICE USE OF FORCE POLICIES AND POLICE REFORM APPROACHES, AND PROVIDE DIRECTION TO STAFF
5. Council Items and Comments
6. Adjournment



---

Mayor

**Posting Date Monday, August 3, 2020**

The City of Tracy complies with the Americans with Disabilities Act and makes all reasonable accommodations for the disabled to participate in public meetings. Persons requiring assistance or auxiliary aids in order to participate should call City Hall (209-831-6105), at least 24 hours prior to the meeting.

Any materials distributed to the majority of the Tracy City Council regarding any item on this agenda will be made available for public inspection in the City Clerk's office located at 333 Civic Center Plaza, Tracy, during normal business hours.

AGENDA ITEM 4

REQUEST

**RECEIVE AND DISCUSS PRESENTATION ABOUT RACE, EQUITY, AND LOCAL GOVERNMENT, AND THE CITY OF TRACY POLICE USE OF FORCE POLICIES AND POLICE REFORM APPROACHES, AND PROVIDE DIRECTION TO STAFF**

EXECUTIVE SUMMARY

On July 7, 2020, Council Member Dan Arriola and Council Member Rhodesia Ransom presented the Tracy Equity and Empowerment Initiative (“Equity Initiative”) for Council consideration which contains policy proposals to promote greater equity and justice in the City of Tracy. The purpose of this staff report is to further discuss aspects of the proposed Equity Initiative and facilitate a better understanding of the concept of race and equity, and how it can be operationalized in daily decision making in local government. Additionally, the Tracy Police Department will provide an assessment of use of force community campaigns and outline how those proposals compare to the City of Tracy’s current use of force policies and officer training and non-police support services.

DISCUSSION

In July 2020, the City Council discussed the attached Tracy Equity and Empowerment Initiative (Attachment A) presented by Council Members Arriola and Ransom. The Equity Initiative focused on the importance of accountability and need to acknowledge that implicit in equalities may exist within the City of Tracy systems and decision making processes. To that end, it was proposed that that steps be taken to establish a social equity framework that uses an “evaluative lens” when developing and implementing future policies, services, and/or programs. This approach would require the development of an equity action plan and program that would help ensure that people have access to the same opportunities and/or services the City administers or delivers directly or by contract. Council did not approve the initiative, but subsequently directed staff to conduct a feasibility assessment of the proposed policy framework and return to Council for further discussion.

**Race and Social Equity Programs**

Race and social equity programs have been successfully developed and operationalized by large cities such as Seattle, Portland, and San Francisco. Much of this success was rooted in community engagement that promoted a strong understanding of the concept of racial and social equity and what equity plans and program looks like in practice. To that end, the City of Tracy invited Darlene Flynn, Director of the City of Oakland Department of Race and Equity to provide background on the topic on race and social equity by sharing her experience in implementing systemic change and increasing racial equity in city government. Ms. Flynn has more than 10 years of experience as a race and equity change agent and was on the ground level in developing the Race and Social Justice Initiative in the City of Seattle’s Office for Civil Rights.

As part of this agenda item, Ms. Flynn will discuss her role in advancing Oakland’s vision for race and equity, using assessment tools to implement race and equity programs, and

measuring for results.

Through her experience working for the City of Seattle and Oakland, Ms. Flynn's presentation will address a variety of racial and social equity questions and concepts which will help inform the Council as they determine how they wish to move forward (Attachment B). Some of these questions will include, but are not limited to:

- What is racial and social equity and why is it needed?
- What does it look like when a local government supports racial and social equity initiatives?
- How do racial and social equity action plans help advance a community's equity goals?
- What do equity plans look like in practice?
- How do we ensure meaningful outcomes and accountability?
- What are some lessons learned as a result of implementing equity action plans and measuring performances?

### **Racial and Social Equity - Council direction**

As part of the proposed Equity Initiative, Council Members Arriola and Ransom requested that Council consider three policy proposals. In response, the Council asked that staff provide feedback regarding the feasibility of these requests. Based on the informational presentation on race and equity, staff is seeking direction on the following action items:

1. ***Resolution affirming the City's vision toward achieving racial and social equity.*** It was proposed that a resolution would be adopted reflecting language that expresses:
  - A commitment to equity and opposition of racism and prejudice in all forms and decision making, including contracts and memorandum of understanding (MOU)s;
  - The creation of safe spaces for residents and employees to express concerns about equity;
  - The development of racial and social equity plans requiring training for managers; and
  - The collection of relevant data to measure the impact of policy and service decisions.

If Council supports the concept of such a resolution, staff will return with a draft document for Council consideration.

2. ***Retention of a racial and equity consultant to assist with the development of a racial and social equity plan and assessment tool to guide service, program, and policy decisions.*** Given recent events, securing an outside consultant to assist in the development of a racial and social equity plan will take time; staff has been in contact with several consultants who have indicated they are currently at capacity. If Council wanted to move forward with this goal, staff would continue to pursue external support and return to Council with an overview of what aspects of the program could initially be put into place until outside assistance was secured. Additionally, retaining a consultant will require a budget adjustment and likely necessitate the elimination or delay of other planned projects. Depending on the scope of work, the cost of a consultant is estimated to be around \$50,000.

3. ***Establishment of a Government Accountability Commission to provide recommendations for local reform with a special emphasis on racial equity and social justice.*** It is staff's understanding that the proposed government accountability commission would be advisory in nature and activated on an as needed by the Council. That being said, the establishment and ongoing management of any commission is time-intensive process and will require staff resources. If there is interest by the Council to explore the establishment of an accountability commission, it is recommended that Council pause and pursue this goal after the County has entered Phase 4 of the State's COVID-19 recovery plan and discuss as part of its annual Council Budget Workshop and Strategic Priorities discussion scheduled for January 2021.

### **Police Reform Policy Proposals**

In addition to establishing a social equity framework and equity action plan, the Equity Initiative also addressed the need for police reform. Council directed staff to provide a feasibility assessment of the following policy proposals suggested by Council Members Arriola and Ransom:

- Adoption of Police Policies that Prevent Violence
- Evaluation of Community Use of Force Campaigns  
Review of Police Officer Training and Incorporation of Implicit Bias and Cultural Competency Training
- Review of City of Tracy Budget Priorities and Opportunity to Adjust Funding for Preventative Support Services
- Enhance Transparency and Access to Police Policies and Statistics

The following section provides an overview of the policy proposals noted above, including any recommended actions for Council consideration.

#### *Adoption of Police Policies that Prevent Violence & Evaluation of Community Use of Force Campaigns*

Two of the policy proposals included in the Equity Initiative were to (1) explore the adoption of police policies that prevent violence and (2) evaluate the City of Tracy's Police Department ("TPD") use of force policies in the context of community campaigns, including but not limited to "Campaign Zero" and the National Association for the Advancement of Colored People (NAACP) Campaign that call for the prevention of police violence.

The sections below summarize the TPD's use of force policies and how they compare to two key community campaigns – the #8Can'tWait campaign which is a project of Campaign Zero and the NAACP Campaign. In both cases, TPD's policies align with the campaigns' recommended policies.

#### Campaign Zero

As a community public safety agency, TPD has an opportunity to take a step back to reflect on its purpose and practices, making sure they reflect the City's core values as trusted guardians of the diverse community it has an oath to protect. The TPD has reviewed their protocols and

policies, specifically those supported by Campaign Zero, which advocates for the adoption and implementation of eight policies (#8CantWait) to reduce harm caused by the use of force.

The #8CantWait campaign has identified the following policy areas of focus to reduce the have caused by use of force by police:

- Requirement to de-escalation
- Duty to intervene
- Require warning before shooting
- Exhaust all other means before shooting
- Require comprehensive reporting
- Ban chokeholds and strangleholds
- Ban shooting at moving vehicles
- Require use of force continuum

#### Campaign Zero & Tracy Police Department Use of Force Policies

Below is a summary of the TPD policies that align with the eight policies advocated by Campaign Zero and #8CantWait to reduce police-related use of force:

##### **1. *Require Officers to De-Escalate Situations.***

- Policy 303.9 KINETIC ENERGY PROJECTILE GUIDELINES: (Launchable munitions): This department is committed to reducing the potential for violent confrontations. Kinetic energy projectiles, when used properly, are less likely to result in death or serious physical injury and can be used in an attempt to de-escalate a potentially deadly situation.
- Policy 304 CONDUCTED ENERGY DEVICES (Taser) 304.9: (f) directs that de-escalations techniques are included in our EMDT training.
- Policy 410.4 CONSIDERATIONS AND RESPONSIBILITIES: Section (c) directs officers when circumstances permit to use “conflict resolution and de-escalation techniques.”

##### **2. *Require Officers to Intervene.***

- Policy 300.2.1 DUTY TO INTERCEDE: Any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force.
- An officer who observes another employee use force that exceeds the degree of force permitted by law should promptly report these observations to a supervisor.

##### **3. *Require Officers to Give a Verbal Warning.***

- Policy 303.3 VERBAL AND VISUAL WARNINGS: Control devices may be used when a decision has been made to control, restrain or arrest a subject

who is violent or who demonstrates the intent to be violent, and the use of the device appears reasonable under the circumstances. When reasonable, a verbal warning and opportunity to comply should precede the use of these devices.

- Policy 303.4 VERBAL AND VISUAL WARNINGS: A verbal warning of the intended use of the CONDUCTED ENERGY DEVICES (Tasers) should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to provide the individual with a reasonable opportunity to voluntarily comply. Provide other officers and individuals with a warning that the CED may be deployed.

**4. Restrict the Use of Chokeholds and Strangleholds.**

- Policy 300.3.4 CAROTID CONTROL HOLD/STANGLE HOLDS: This is now prohibited per policy. **(Effective June 8, 2020)**

**5. Prohibit Officers from Shooting at Moving Vehicles.**

- Policy 300.4.1 SHOOTING AT OR FROM MOVING VEHICLES: Shots fired at or from a moving vehicle are rarely effective. Officers should move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others. Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.

**6. Require Officers to Exhaust All of the Options (before resorting to deadly force).**

- Policy 300.4 DEADLY FORCE APPLICATIONS: If an objectively reasonable officer would consider it safe and feasible to do so under the totality of the circumstances, officers should evaluate the use of other reasonably available resources and techniques when determining whether to use deadly force. The use of deadly force is only justified in the following circumstances (Penal Code § 835a). Refer to attached policy for further restrictions on the use of deadly force.

**7. Use a Continuum of Force.**

- 300.2 POLICY: The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties. Officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties. The Department recognizes and respects the value of all human life and dignity



without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation and a careful balancing of all interests.

- Officers are required to make split second decisions in rapidly-changing chaotic environment. The Use of Force Continuum concept is an aged concept from previous decades and has given way to more knowledgeable, science-based use of force training and policies. Use of Force is covered in section 300 and the TPD policy is consistent with California Penal Code section 835a.
- 300.3.2 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE: When determining whether to apply force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit.

**8. *Required Comprehensive Reporting.***

- Policy 300.5 REPORTING THE USE OF FORCE: Any use of force by a member of this department shall be documented promptly, completely and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances. To collect data for purposes of training, resource allocation, analysis and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure or law.
- Policy 322.1.1 REPORT PREPARATION: Employees should ensure that reports are sufficiently detailed for their purpose and free from errors prior to submission. It is the responsibility of the assigned employee to complete and submit all reports taken during the shift before going off-duty unless permission to hold the report has been approved by a supervisor. Generally, reports requiring prompt follow-up action on active leads, or arrest reports where the suspect remains in custody should not be held.
- Policy 322.2.1 CRIMINAL ACTIVITY: When a member responds to a call for service, or as a result of self-initiated activity becomes aware of any activity where a crime has occurred, the member shall document the incident regardless of whether a victim desires prosecution.

NAACCP Campaign and the Tracy Police Department Use of Force Policies

The NAACP campaign has identified the following 10- point Action Plan to build a healthier community. The TPD Use of Force policies align with the NAACP recommended policy approach.

**1. *An Immediate “No Neck” Restraint Policy Be Established In All Cities Within San Joaquin County.***

- TPD is in compliance (UOF Policy 300).

2. ***A Ban On The Use Of “Knee Holds And Choke Holds As An Un-Acceptable Practice For Law Enforcement Officers.***
  - TPD is in compliance (UOF POLICY 300) (There is also pending legislation AB 1196 for statewide standardization).
3. ***Implementation Of A Citizen’s Review Board For All Cities Within San Joaquin County With Subpoena Power To Hold Each Department Accountable And Build The Public Trust.***
  - To be considered with County Stakeholders at a County Level.
4. ***Implementation Of A Diverse Youth Advisory Committee To Brief Law Enforcement On Youth Issues.***
  - TPD is in the process of establishing a Youth Advisory Committee.
5. ***Police Officers Should Be Vetted For Misconduct Prior To Being Considered For Hiring And Do Not Hire Law Enforcement Personnel Whose Names Appear On The Brady List And Have Been Decertified.***
  - TPD is in compliance (Police Officers Standards and Training requirement in California)
6. ***Allegations Of Police Abuse Should Be Investigated By Internal Affairs And An Outside Independent Agency.***
  - TPD is in compliance (UOF POLICY 300)
7. ***A Standard Procedure County-Wide Be Developed Regarding Excessive Force.***
  - TPD is in compliance (UOF POLICY 300)
8. ***The Immediate Adoption Of "A Zero Tolerance Policy "Against Racism In Law Enforcement Agencies In All Cities Within The County Of San Joaquin.***
  - TPD is in compliance (Discrimination & Harassment POLICY 314)
9. ***A Mandated Psychological Evaluation Of Police Officers Should Take Place For Personnel Who Had More Than Two Excessive Force Violations And/Or A Shooting Incident.***
  - This can be enacted by the Chief of Police on a cases by case basis.
10. ***A Ban On Police Union Campaign Donations To Prosecutors So That They Can Hold Police Accountable.***
  - This is the Constitutional right of a non-profit organization. A coalition of current and former district attorneys called on the American Bar Association

the California State Bar to pass an ethics rule prohibiting prosecutors from accepting political donations and endorsements from law enforcement agencies and police unions.

*Comprehensive Review of Police Officer Training and Opportunity for Improvement*

The proposed Equity Initiative also called for a comprehensive review of TPD police officer training and identification of areas that can be improved. The Tracy Police Department has proactively incorporated training approaches and techniques to explicitly reduce harm, incidents of excessive force and officer-involved shootings. The TPD is fortunate that in the past 12 years, there have been no deaths attributed to the use of deadly force by Tracy peace officers. The TPD training focuses on a variety of areas, including, but not limited to: de-escalation, crisis intervention, and critical incident response and self-regulation techniques. This helps to build a foundation of mindful policing which is further supported by instruction in procedural justice, implicit bias and cultural awareness.

TPD would like to formally implement a Professional Standards and Training Division and is currently developing training framework to provide the best possible training for sworn police employees. Additionally, this division will be tasked with researching and identifying best practices throughout the nation. With the adoption of cutting-edge practices, the Department continually seeks to improve to best serve our community. The division is designed to focus on four main areas:

- Training Alignment
- Innovative Training and Tools
- Professional Development
- Administrative Investigations, Risk Management and Internal Audit

Additional training opportunities also include:

- **UC Berkeley Partnership with the American Leadership Foundation (ALF) on Implicit Bias Training and Human Centered Design Study**
  - Implicit Bias Mind Science
  - History of Race in the U.S.
  - Strategies for Equity
  - Adaptive Leadership
  - Targeted Approaches for Community Policing - Participants
- **Establishment of Culture Competency**
  - Reconciliation of the History of Policing
  - Compassion Cultivation
  - Cultural Awareness
  - Focus on a Guardian Mindset
- **Expansion of Training Resources**
  - Silver Star Consulting – Public Safety Training Support
  - Policing in Black & White: Implicit Bias and Racial Profiling
  - Crisis Response: De-Escalation Skills for Law Enforcement

- **Other Training Tools**
  - EPIC – Officers Helping Officers
  - Stress Management
  - Mindfulness Resiliency
  - Procedural Justice
  - Restorative Justice
  - 21st Century Policing Best Practices

*Review of City of Tracy Budget Priorities to Enhance Funding for Preventative Support Services*

The proposed Equity Initiative also discussed a review of the City's budget priorities to explore ways that resources could be directed to support preventative support services. If there is interest in wanting to redirect funds for preventative support services, it is recommended that Council include this as part of its annual Council Budget Workshop and Strategic Priorities discussion scheduled for January 2021. This workshop will provide policy guidance as it relates to the FY 2021/22 budget development process. This will include potential social services recommendations and/or approaches from the Tracy Police Department for consideration.

*Promote Transparency through Enhanced Access to Police Policies and Statistics*

Governor Jerry Brown signed [SB 978](#), which requires local police departments to publish their "training, policies, practices, and operating procedures" on their websites starting in January 2020. That opens up access to this information to anyone, not only journalists or activists with the time, money, or knowledge to request them.

- TPD currently posts and updates its policies and procedures via TPD website. TPD has been in full compliance with SB 978 since January, 2020 and plan to publish statistics through the IAPro workflow system.
- IAPro is currently used by 830 police agencies and is the industry lead for Internal Affairs, Use of Force and Vehicle Pursuit workflow software. IAPro aids in streamlining the review process of Administrative Investigations and identifies potential areas or high risk issues, provides necessary statistics, analytics and aids in mandated audits.
- IAPro has a broad range of proactive early intervention support features readily available. Included are nine different customer-configurable thresholds, peer group analysis, and a variety of ranking and comparison reports. Thresholds and analytical features are relevant both to personnel and organizational entities.
- IAPro has an advanced visual interfaces allow point-and-click display of statistics along with drill-down capability. Automatic reminders for investigators and supervisors ensure that necessary casework is completed in a timely manner and documented.
- IAPro offers a broad range of statistical reports and charts are provided which include aggregate, trend, exception and comparative formats. Most of which can be shared via TPD website to ensure transparency.

### **Police Reform – Council Direction**

As part of the proposed Equity Initiative, Council Members Arriola and Ransom requested that the City Council discuss and consider a variety of policy proposals and approaches related to police reform. Given this, staff is requesting direction from Council on the following topics:

- Does Council want to explore any additional police policies and practices to prevent violence?
- Does Council want the City Manager to explore additional police training opportunities?
- Does Council support the recommendation to establish a Professional Standards and Training Division?
- Does Council want to explore the reprioritization of priorities to increase funding for preventative support services as part of the FY 2021/22 budget development process?
- Does Council have additional suggestions regarding community awareness of police policies and access to key safety statistics?

### STRATEGIC PLAN

This item is not currently one of Council's existing Strategic Goals and Priorities.

### FISCAL IMPACT

Implementing any type of racial and social equity plan and/or police reform solution(s) will have a fiscal impact on the General Fund and require significant staff resources, potentially impacting the start and/or completion of existing Council Strategic Goals. A specific fiscal impact cannot be determined until Council provides specific policy direction.

### RECOMMENDATION:

Is it recommended that Council receive and discuss the presentation about race, equity, and local government, and the City of Tracy Police use of force policies and police reform approaches, and provide direction to staff.

Prepared by: Sekou Millington, Chief of Police  
Jenny Haruyama, City Manager

Approved by: Jenny Haruyama, City Manager

### ATTACHMENTS

- A – Council Member Arriola and Ransom's Proposed Racial Equity and Empowerment Initiative
- B – City of Oakland Department of Race and Equity Presentation



**TRACY EQUITY & EMPOWERMENT INITIATIVE**  
**POLICY PROPOSALS FOR EQUITY & JUSTICE REFORM IN THE CITY OF TRACY**

**JUNE 2020**

**SUBMITTED BY:**

**DAN TAVARES ARRIOLA**  
**COUNCILMEMBER, CITY OF TRACY**

**RHODESIA RANSOM**  
**COUNCILMEMBER, CITY OF TRACY**



## **TRACY EQUITY & EMPOWERMENT INITIATIVE: POLICY PROPOSALS FOR EQUITY & JUSTICE REFORM IN THE CITY OF TRACY**

### **I. INTRODUCTION**

“From the beginning of the formation of the United States, government played an instrumental role in creating and maintaining racial inequities.”<sup>1</sup> Despite progress, “many overtly discriminatory policies became illegal, but racial inequity nevertheless became embedded in policy that did not name race explicitly, yet still perpetuated racial inequities... Now, with a growing movement of government leaders examining the racial impacts of public policy on their communities, there is tremendous opportunity for the development of active policies, practices, and procedures that advance racial equity.”<sup>2</sup>

Failing to address this issue and take action now increases the risk that injustices and inequality may occur for the most disproportionately affected groups in our community. The policies proposed herein will address the historical factors that contribute to systemic racism and recommend strategies for dismantling such institutions and securing justice and equality for all in our community.

The City of Tracy is not immune to the existence of racism or the expression of anti-Black sentiments. Tracy was formerly one of two headquarters for the NSWPP (National Socialist White Peoples Party), a neo-Nazi group believed to have been active up until the 1980s.<sup>3</sup>

The purpose of this proposal is to establish a framework that will promote racial and social equity in the City of Tracy—across its organization, departments, projects, and programs. Equity should be accessible to anyone who works or engages with the City of Tracy, including—but not limited to—partner institutions, local schools, and beneficiaries of local funds. Injustice of all forms shall be purposefully eradicated through the administration of strategies, policies, and procedures affecting constituents and staff alike.

---

<sup>1</sup> Julie Nelson & Lauren Spokane, “Advancing Racial Equity and Transforming Government,” Local & Regional Government Alliance on Race & Equity, [https://www.racialequityalliance.org/wp-content/uploads/2015/02/GARE-Resource\\_Guide.pdf](https://www.racialequityalliance.org/wp-content/uploads/2015/02/GARE-Resource_Guide.pdf).

<sup>2</sup> Ibid.

<sup>3</sup> Sam Matthews, “The Faded History of the Tracy Neofascists,” *Tracy Press*, August 18, 2017, [https://www.ttownmedia.com/tracy\\_press/our\\_town/the-faded-history-of-tracy-neofascists/article\\_7207338c-8387-11e7-b4f6-3f61a6846a65.html](https://www.ttownmedia.com/tracy_press/our_town/the-faded-history-of-tracy-neofascists/article_7207338c-8387-11e7-b4f6-3f61a6846a65.html).

## II. BACKGROUND

On May 25, 2020, George Floyd, an African-American man, was killed by police during an arrest in Minneapolis, Minnesota. A video recording of the killing, which showed one officer needlessly kneeling on Floyd's neck for 8 minutes and 46 seconds, quickly circulated around social media platforms and garnered international news coverage. In response to this killing, protests were held in cities throughout the country and the rest of the world.

Afterwards, public polls reported that 67% of Americans believe the criminal justice system favors white people over black people in the United States, an increase from 52% in 2016.<sup>4</sup> This massive shift in public opinion also enhanced engagement in our own community. On May 23, 2020, approximately 300 people—mostly young people—gathered at the intersection of 11<sup>th</sup> Street and Corral Hollow Road to protest the killing of George Floyd by Minneapolis police and to support the Black Lives Matter movement.<sup>5</sup>

To quote one organizer of this demonstration, Manuel Zapata: "People actually care about the issues and specifically how flagrantly wrong this one was... We even saw police officers across the country speaking up and some of them joining protests, so we knew that we had a lot of energy here in Tracy, and wanted to make sure that we could stand in solidarity, just against the negativity in the air, and then the constant stories of police brutality in the media. We just had to do something for our community to show our strength here."<sup>6</sup>

Similarly, on June 3, approximately 550 people marched from Corral Hollow Road along 11<sup>th</sup> Street to Tracy City Hall in 103 degree heat.<sup>7</sup> Two days later, nearly 100 gathered in front of Tracy City Hall to hold a vigil honoring the lives lost to police brutality, including George Floyd.<sup>8</sup> Finally, on June 12, approximately 150 individuals – most of whom were youth activists – marched approximately 2.1 miles from Tracy Sports Complex to City Hall. There, they expressed their frustration with the criminal justice system and its failure to protect Black lives. The speakers at all of these events emphasized the need for greater engagement with and accountability over local policies and elected officials. The activists urged that the demonstrations could not stop with mere marching and posting on social media, but that they must translate into policy proposals by elected officials at all levels.

While the murder of George Floyd prompted the recent protests, the calls to move towards more just and equitable systems extend beyond that single atrocity. His death was a reminder that government at all levels still has an obligation to ensure equal opportunities and protection under the law, regardless of race, religion, or other characteristics.

---

<sup>4</sup> Jennifer Agiesta, "CNN Poll: Trump losing ground to Biden amid chaotic week," CNN.com, June 6, 2020, <https://www.cnn.com/2020/06/08/politics/cnn-poll-trump-biden-chaotic-week/index.html>.

<sup>5</sup> Bob Brownne, "Nonviolent Demonstration Echoes Protests Across Country," TRACY PRESS, June 1, 2020, [https://www.townmedia.com/tracy\\_press/news/nonviolent-demonstration-echoes-protests-across-country/article\\_03f657fa-a45f-11ea-afe4-e36057339cf7.html](https://www.townmedia.com/tracy_press/news/nonviolent-demonstration-echoes-protests-across-country/article_03f657fa-a45f-11ea-afe4-e36057339cf7.html).

<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

<sup>8</sup> Ibid.



### **III. PROBLEM STATEMENT**

Given the heightened public opposition to systemic inequality and governmental abuse, the City of Tracy has an opportunity and responsibility to acknowledge, address, and dismantle any structural racism or implicit inequalities that may inherently exist in the City's own policies, programs, and practices. While our local community may have only limited experiences with *overt* prejudice in recent years, it is important to acknowledge a historical record that includes both explicit and implicit racism. The City of Tracy must accept the public's call for action and act now to investigate the impacts of structural racism. The "Tracy Equity and Empowerment Initiative" is the first step towards truly promoting equity and justice in our city.

### **IV. SOLUTIONS**

There is no simple, easy solution for dismantling systemic racism or achieving justice. However, through its central promotional strategy, the City of Tracy already positions itself as "a great place to live, work, and play." To this end, the City has been very intentional about efficiently responding to community concerns and continually engaging with residents through open events. Similarly, the Tracy Police Department has a record of fostering strong rapport with locals through its community policing strategy, which pushes officers to stay engaged with and visible in the neighborhoods they protect and serve.

Evaluating city strategies and policies and working together with community members and other stakeholders is integral to securing justice and equality for all in our Tracy community.

#### **A. PUBLIC SAFETY POLICY**

Modern police policies have substantially evolved over the history of our nation, and today's best practices are evolving to acknowledge and address historic systemic racism. Overwhelming statistical data demonstrates that People of Color, especially Black men, are arrested and convicted of crimes at disproportionately higher rates than other demographic groups. Police reform initiatives encourage law enforcement agencies to evaluate their own roles within the criminal justice system and the resources utilized to achieve such responsibilities, while seeking solutions to achieve justice and equality for all.

On June 10, 2020, the Tracy Police Department issued a press release in response to public demands for action, particularly regarding use of force policies. (*See ATTACHMENT A.*) It is important for the City Council to adapt and implement these demands in the time to come.

On June 24, 2020, a part-time Professional Standards Officer, responsible for conducting Internal Affairs investigations for the Tracy Police Department, was alleged to be involved in a private Facebook group in which he and others made comments about killing a Black

Lives Matter activist. The matter is currently being investigated by the FBI, and per the Tracy Police Chief, the individual is no longer serving with the department.

Given the current public sentiment, the City of Tracy has a unique opportunity and obligation to assume a leading role in the movement for greater equity and justice.

Therefore, Councilmembers Arriola & Ransom request the following policy proposals:

- **ADOPT POLICIES TO PREVENT POLICE VIOLENCE.**

- Substantial research has evaluated how the adoption of various policing practices result in demographic disparities in criminal justice outcomes. Particularly, evidence-based strategies and policies should be adopted as “best practices” to ensure justice and equality for disenfranchised groups, especially African Americans. Given that research shows that *“Black people are three times more likely to be killed by police than their White counterparts,”* these restrictions would go a long way towards minimizing systemic disparities and injustices.<sup>9</sup>
- Moreover, research strongly indicates that adopting specific use-of-force standards *reduces police violence, increases police officer safety, and bears no negative impact on crime rates.*<sup>10</sup> These policies make officers *much less likely to be killed, assaulted, or injured in the line of duty.*<sup>11</sup>
- Any policy reform proposals should be assessed with stakeholder input regarding the reasonableness, practicality, and impact of reform proposals.

- **EVALUATE AND CONSIDER COMMUNITY CAMPAIGNS CALLING FOR POLICE REFORM.**

- Several initiatives and community campaigns seeking to address police reform have developed in the aftermath of the killing of George Floyd—including the #8CantWait campaign, the #8ToAbolition campaign, and the NAACP “Ten Point Action Plan,” among others. Such initiatives have raised questions as to whether there are areas of policing that are detrimental to community trust or that are cost prohibitive. Key areas that have been considered by these community campaigns include funding reallocations, division of police services from non-criminal services; the elimination of qualified immunity; the separation of police from schools; the repeal of laws that criminalize survival—such as anti-homeless ordinances; and the development of a “care, not cops” doctrine.

---

<sup>9</sup> Campaign Zero, “Policy Analysis.”

<sup>10</sup> #8CantWait, “The Research Basis for More Restrictive Use of Force Standards,” CAMPAIGN ZERO, June 3, 2020, [https://docs.google.com/document/d/1XS-frPPH7cSDf5ovsj6RG4z4ukMlozPxLki7WjBnK\\_Q/](https://docs.google.com/document/d/1XS-frPPH7cSDf5ovsj6RG4z4ukMlozPxLki7WjBnK_Q/).

<sup>11</sup> Campaign Zero, “Police Use of Force Policy Analysis,” September 20, 2016, CAMPAIGN ZERO, <https://static1.squarespace.com/static/56996151cbced68b170389f4/t/57e1b5cc2994ca4ac1d97700/1474409936835/Police+Use+of+Force+Report.pdf>.

- Specifically, the community sentiment has generally expressed a call to action for adoption of the “#8CantWait” policy proposals:
  - Clarifying Duty to Intervene Standards
  - Requiring De-Escalation Training and Policies
  - Requiring a Clear Use-of-Force Continuum
  - Requiring All Force Be Reported
  - Requiring Warning Before Shooting
  - Exhausting All Alternatives Before Shooting
  - Prohibiting Shooting at Moving Vehicles
  - Prohibiting Chokeholds & Strangleholds

“POLICE DEPARTMENTS THAT PLACE CLEAR RESTRICTIONS ON WHEN AND HOW OFFICERS USE FORCE HAD **SIGNIFICANTLY FEWER** POLICE KILLINGS THAN THOSE THAT DID NOT HAVE THESE LIMITS IN PLACE .”<sup>12</sup>



- The Tracy Equity & Empowerment Initiative calls for a study and evaluation of these community campaigns with a response for their viability and effectiveness from the Tracy Police Department in the near future.
- **REVIEW TRAINING FOR TRACY POLICE OFFICERS & REQUIRE IMPLICIT BIAS AND CULTURAL COMPETENCY TRAINING.**
  - As policies change, it is imperative that officers receive the training necessary to actualize the goals behind these policies. Some “biases may occur at the *implicit level*, where people’s subconscious biases guide their choices even when they’re not fully aware of it.”<sup>13</sup> This is critical because “Black people

<sup>12</sup> Ibid.

<sup>13</sup> German Lopez, “American Policing Is Broken. Here’s How to Fix It,” Vox, September 1, 2017, <https://www.vox.com/policy-and-politics/2016/11/29/12989428/police-shooting-race-crime>.

account for 31 percent of police killing victims, even though they make up just 13 percent of the US population.”<sup>14</sup>

- Nonetheless, the optimistic part of all this grim research is that *implicit biases may be reduced over time through practice, training, and experience.*<sup>15</sup>
  - Notably, EPIC Officers Helping Officers is a training program used in New Orleans, LA. The program—identified in “*Subject to Debate*,” Vol. 30, No. 2, a publication of the Police Executive Research Forum—is said to protect officers from inadvertent misconduct by providing practical prevention tools.
  - Suggested training should include: implicit bias training; cultural competency training; the benefits of intervention and the legal risks of non-intervention; helping officers identify when intervention is necessary; teaching effective intervention strategies; teaching officers how to accept intervention respectfully; and protecting officers who intervene or accept intervention.
- **REVIEW THE CITY OF TRACY’S BUDGET PRIORITIES & CONSIDER INCREASING FUNDING FOR PREVENTATIVE SUPPORT SERVICES.**
    - There are opportunities to more effectively deploy City resources to respond to community concerns, such as trauma inflicted by violence and addiction. Such opportunities could include protocols such as sending trauma clinicians as co-responders when police respond to shootings or violent acts. The City of Tracy has an opportunity to better coordinate local resources and institutions. The effective allocation of resources will lead to stronger and safer communities.
    - Police officers often “take the place of social workers, emergency medical personnel, and welfare caseworkers,” handling homelessness, drug addiction, and other crises despite inadequate training with any of those societal ills.<sup>16</sup> “This moment in time and history gives us a lot of momentum to make everlasting changes within the department.”<sup>17</sup> Notably, research indicates that “in a city of 100,000, each new nonprofit community organization leads to a 1.2 percent drop in the homicide rate, a 1 percent reduction in the violent crime rate, and a 0.7 percent reduction in the property crime rate.”<sup>18</sup>

---

<sup>14</sup> Lopez, “American Policing,” Vox, September 1, 2017, <https://www.vox.com/policy-and-politics/2016/11/29/12989428/police-shooting-race-crime>.

<sup>15</sup> Ibid.

<sup>16</sup> Matthew Yglesias, “Growing Calls to ‘Defund the Police’ Explained,” Vox, June 3, 2020, <https://www.vox.com/2020/6/3/21276824/defund-police-divest-explainer>.

<sup>17</sup> Abigail Savitch-Lew, “In New York City, Momentum Behind Cutting the NYPD Budget is Growing,” Jacobin, June 5, 2020, <https://www.jacobinmag.com/2020/06/nyc-nypd-city-council-brutality-racism-police-budget>.

<sup>18</sup> Noah Atchison, *Community Organizations Have Important Role in Lowering Crime Rates*, Brennan Center for Justice, April 20, 2018, <https://www.brennancenter.org/our-work/analysis-opinion/community-organizations-have-important-role-lowering-crime-rates>.

“Expanding social and economic programs for under-resourced communities leads to *an overall decrease in crime*.”<sup>19</sup> The City of Tracy has an opportunity to increase support for local organizations engaging in these types of services to further reduce crime and violence in our community.

- The Tracy Equity & Empowerment Initiative calls for a study and evaluation of the City of Tracy’s budget priorities, and consideration of increasing funding towards preventative and support services in the near future.

- **ENHANCE TRANSPARENCY AND ACCESS TO PUBLIC SAFETY POLICIES AND STATISTICS.**

- Enhanced transparency in public safety policies with comprehensive and regularly scheduled data and statistics should be made available for the public to review. Such data should include information related to complaints, findings, and other significant statistics.

## **B. SOCIAL EQUITY POLICY**

“Current inequities are sustained by historical legacies, structures, and systems that repeat patterns of exclusion.”<sup>20</sup> While progress has been made “in addressing explicit discrimination, racial inequities continue to be deep, pervasive, and persistent across the country. Racial inequities exist across all indicators of success, including in education, criminal justice, jobs, housing, public infrastructure, and health, regardless of region.”<sup>21</sup>

Generally speaking, the systemic oppression of groups of individuals based on race, gender, sexual orientation, physical ability, age, and other features have resulted in prominent and pervasive inequities in our society. Nonetheless, racial equity can be achieved when “race can no longer be used to predict life outcomes, and outcomes for all groups are improved.”<sup>22</sup>

Public policy is the mechanism through which governments have perpetuated racial disparities and injustices throughout the history of our country. As such, public policy has a role to play in reversing that harm and ensuring justice and equality for all in our City.

---

<sup>19</sup> Justin Brooke, *Defund the Police Now*, The Appeal, June 01, 2020, <https://theappeal.org/defund-police-george-floyd/>.

<sup>20</sup> Julie Nelson & Lauren Spokane, *Advancing Racial Equity and Transforming Government*, Local & Regional Government Alliance on Race & Equity, [https://www.racialequityalliance.org/wp-content/uploads/2015/02/GARE-Resource\\_Guide.pdf](https://www.racialequityalliance.org/wp-content/uploads/2015/02/GARE-Resource_Guide.pdf).

<sup>21</sup> Julie Nelson & Lauren Spokane, *Advancing Racial Equity and Transforming Government*, Local & Regional Government Alliance on Race & Equity, [https://www.racialequityalliance.org/wp-content/uploads/2015/02/GARE-Resource\\_Guide.pdf](https://www.racialequityalliance.org/wp-content/uploads/2015/02/GARE-Resource_Guide.pdf).

<sup>22</sup> Julie Nelson & Lauren Spokane, *Advancing Racial Equity and Transforming Government*, Local & Regional Government Alliance on Race & Equity, [https://www.racialequityalliance.org/wp-content/uploads/2015/02/GARE-Resource\\_Guide.pdf](https://www.racialequityalliance.org/wp-content/uploads/2015/02/GARE-Resource_Guide.pdf).

Doing so will require an entire rethinking, reevaluation, and recommitment to ensure that all members of the Tracy community are supported, invested in, and valued—a goal best achieved by *embedding an equity framework into every aspect of governance*.

Therefore, Councilmembers Arriola & Ransom request the following policy proposals:

- **ADOPT AN “EQUITY FRAMEWORK FOR GOVERNANCE” TO ADVANCE EQUITY & JUSTICE IN ALL AREAS OF GOVERNMENT.**
  - This consistent evaluative lens will ensure the equitable development and delivery of future policies, programs, and services.<sup>23</sup>
  - Such a commitment, in the form of a resolution, will affirm the City’s vision towards achieving social equity. Making a long-term commitment to achieving equity begins with a “declaration that all residents deserve an equitable opportunity to succeed – regardless of their race, color, sex, nationality, sexual orientation, religion, disability, income, or where they live.”<sup>24</sup>
  - This resolution shall require a *commitment to opposing racism and prejudice*. The language should also (1) express a commitment to equity in City contracts and MOUs; (2) promote a safe place for employees and citizens to express concerns regarding our City’s response to issues related to race, sex, age, or sexual orientation or identity; (3) direct the City Manager to develop annual “equity plans,” which would include mandatory training for City employees and department heads; and (4) commit to improving data collection and using equity tools to examine policy and service decisions.
- **REQUIRE “EQUITY IMPACT ASSESSMENT” FOR ALL CITY POLICIES, PROGRAMS, AND SERVICES.**
  - It will allow local “leaders to look intentionally, comprehensively, and systemically at barriers that may be creating gaps in opportunity.”<sup>25</sup>
  - By requiring such analysis, the City Council will be better equipped to introduce and consider legislation to support all Tracy residents. The analysis will evaluate the proposed policy and offer recommendations or explore other policy options when appropriate. The analysis will be required to consider the impact of proposed legislation through an equity lens, including race and ethnicity, gender, sexual orientation and identity,

---

<sup>23</sup> Fairfax County, Virginia, *One Fairfax*, <https://www.fairfaxcounty.gov/topics/one-fairfax>.

<sup>24</sup> Fairfax County, Virginia, *One Fairfax*, <https://www.fairfaxcounty.gov/topics/one-fairfax>.

<sup>25</sup> Fairfax County, Virginia, *One Fairfax*, <https://www.fairfaxcounty.gov/topics/one-fairfax>.

socioeconomic status, and geographic location. This analysis should also include an examination of the historical context of the policy in question.

- This requirement will push all government agencies to rethink the way they create and implement policy, while also normalizing and prioritizing equitable outcomes in all public decision-making. Prior to voting on any local legislation, the City Council should know what the proposal will do, how much it will cost taxpayers, and how it will impact all demographics of Tracy residents.
  - All municipal departments should also directly consider equity in their decisions. Many cities have initiated work to promote racial equity and social justice throughout their governmental structures. Cities that do not directly address such issues can inadvertently perpetuate harmful educational, health, and financial inequities.
- **ESTABLISH A “GOVERNMENT ACCOUNTABILITY COMMISSION” FOR THE CITY OF TRACY.**
    - This commission would make evidence-based recommendations for local reform and monitor outcomes, with special focus on racial equity and social justice. It would also identify existing government policies that could be changed to address historical and contemporary inequities.
    - The commission should be composed of individuals with policy-area expertise to study and provide recommendations on how to address the opportunities our City may have to enhance equity in all areas. Areas of interest may include housing fairness and accountability, landlord/tenant laws, environmental justice, and other socially responsible policy practices.
    - The commission should collect and use data and metrics, so the City of Tracy can develop equity plans while sharing information, tracking progress, and achieving results.

## **V. CONCLUSION**

Ultimately, the proposed public safety and social equity policies must be prioritized by the City of Tracy to accomplish the goal of achieving justice and equality for all in our City.

Therefore, Councilmembers Arriola and Ransom request that all of these policy proposals be considered and adopted by the Tracy City Council to address the issue of systemic racism and prejudice in our community.

ATTACHMENT A



City of Tracy  
Police Department



IMAGES: Where We Stand... (Image 1 of 4)



1000 Civic Center Drive • Tracy, Ca 95376 • Voice: 209-831-6650 • Fax: 209-831-4019



City of Tracy  
Police Department



**BAN CHOKEHOLDS & STRANGLEHOLDS**

The use of "chokeholds" and "strangleholds" are not authorized for use by our Tracy Police Officers.

Effective June 8, 2020 the Tracy Police Department has prohibited the use of the carotid control hold.



**“THE MEN AND WOMEN OF OUR TRACY POLICE DEPARTMENT ARE COMMITTED TO CONTINUING TO BUILD PARTNERSHIPS OF TRUST WITH OUR COMMUNITY.”**

Sekou Millington, Chief of Police

**REQUIRE DE-ESCALATION**

Your Tracy Police Department trains all of our officers in de-escalation techniques

Officers are required to attend a four-hour Interpersonal Communication and De-escalation training certified by California POST (Commission of Peace Officer's Standards and Training). Every two years after that, officers attend a refresher course on the topic. The previously mentioned training is in addition to the training received in the academy and during their Field Training Program. Our Field Training Officers (FTO) attend an eight-hour Crisis Intervention and de-escalation course as well to assist in passing the information to new hires.

1000 Civic Center Drive • Tracy, Ca 95376 • Voice: 209-831-6650 • Fax: 209-831-4019





City of Tracy  
Police Department



**REQUIRE WARNING BEFORE SHOOTING**

AB 392 states: "where feasible, a peace officer shall, prior to the use of force, make reasonable efforts to identify themselves as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts." This requirement is consistent with federal case law.



**REQUIRE TO EXHAUST ALL ALTERNATIVES BEFORE SHOOTING**

Tracy Police Officers are bound by Subdivision (a)(2) of Section 835a California Penal Code, which conveys that peace officers may use deadly force "only when necessary in defense of human life."

In determining whether deadly force is necessary, Officers shall evaluate each situation in light of the particular circumstances of each case, and shall use other available resources and techniques if reasonably safe and feasible to an objectively reasonable officer. As such, this section incorporates the "objectively reasonable officer" standard and tacitly acknowledges that an officer is only required to use less-lethal force if it is reasonably safe and feasible for the officer to do so without endangering the officer's life or the lives of others.



**DUTY TO INTERVENE**  
The Tracy Police Department requires an officer who observes another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall intervene when in a position to do so. The policy also requires the officer to report their observations to a supervisor promptly. The requirement is covered in our policy under section 300.2.1

1000 Civic Center Drive • Tracy, Ca 95376 • Voice: 209-931-6650 • Fax: 209-931-4019



City of Tracy  
Police Department



**SHOOTING AT MOVING VEHICLES**

An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle. Officers should move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants, or if deadly force other than the vehicle is directed at the officer or others. Policy 300.4.1

**REQUIRED USE OF FORCE CONTINUUM**

Officers are required to make decisions in rapidly-changing situations.

The Use of Force Continuum concept is an aged concept from previous decades and has given way to more knowledgeable, science-based use of force training and policies. Use of Force is covered in section 300 and the policy is consistent with California Penal Code section 835a.

**REQUIRED REPORTING**

The Tracy Police Department requires officers to document any use of force in a police report. Documentation requirements are covered in department policy.



**CONNECT WITH US**

WWW.TRACYPD.COM  
1000 CIVIC CENTER DRIVE, TRACY, CA 95376  
NON-EMERGENCY DISPATCH: (209) 831-6550



@TracyPoliceDepartment

1000 Civic Center Drive • Tracy, Ca 95376 • Voice: 209-931-6650 • Fax: 209-931-4019

# Department of Race & Equity

The Department of Race and Equity of the City of Oakland will intentionally integrate, on a citywide basis, the principle of “fair and just” in all the City does in order to achieve equitable outcomes for all people and communities.



Gwen Ifill, 1955 - 2016

# What is Equity?



**EQUALITY**



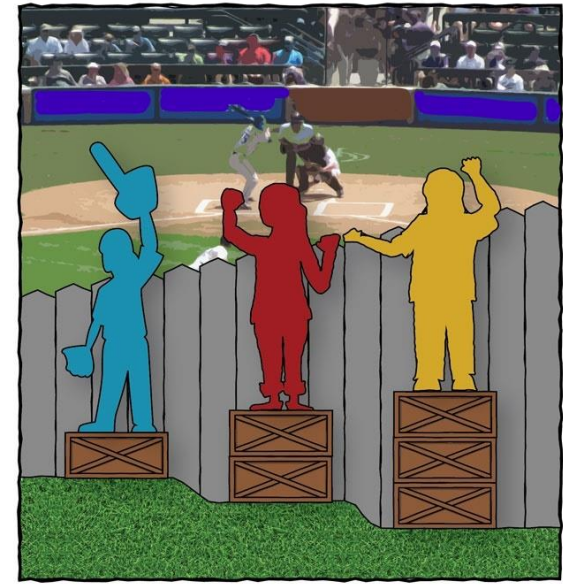
**EQUITY**

# Eq-ui-ty (*ek-wi-tee*), noun

- Just and fair inclusion.
- An equitable society is one in which all can participate and prosper.
- The goals of equity must be to create conditions that allow all to reach their full potential.
- In short, equity creates a path from hope to change.



EQUALITY



EQUITY

# **Systemic [Institutional] Racism**

<https://www.youtube.com/watch?v=7WIVnFPVvsY>



# Systemic and Institutional Racism

A pattern of social institutions; such as governmental organizations, schools, banks, and courts of law, perpetuating negative treatment toward a group of people based on their race. Institutional racism leads to inequality in opportunity and inequity in life outcomes.

# WELCOME!

THE FOLLOWING **TRAINING** HAS BEEN APPROVED FOR  
**CITY OF OAKLAND EMPLOYEES**  
BY THE DEPARTMENT OF RACE AND EQUITY

THE TRAINING HAS BEEN RATED

**BF**

**BLAME-FREE**

**REQUIRES AN OPEN MIND AND CRITICAL THINKING**

**THIS TRAINING IS NOT ABOUT PLACING BLAME OR MAKING ANYONE FEEL GUILTY.  
IT IS ABOUT TAKING RESPONSIBILITY.**

**Vision:** To create a city where racial disparities have been eliminated and racial equity has been achieved.



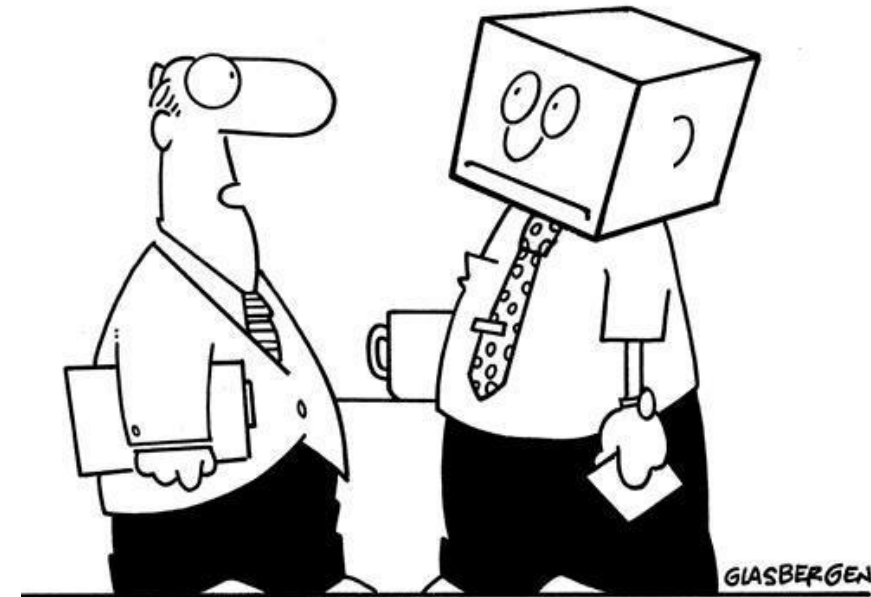
**Goals:**

- Identify and eliminate systemic causes of racial disparities in City Government.
- Promote inclusion and full participation for all residents of the City.
- Reduction of race-based disparities in our communities.



# Working Assumptions

- Race matters. Almost every indicator of well-being shows troubling disparities by race
- Disparities are often created and maintained inadvertently through policies and practices that contain barriers to opportunity
- It's possible-- and only possible-- to close equity gaps by using strategies determined through an intentional focus on race
- If opportunities in all key areas of well-being are equitable, then equitable results will follow
- Given the right message, analysis, and tools, people will work toward racial equity



**“Thinking outside of the box is difficult for some people. Keep trying.”**

# Development in Response to Race

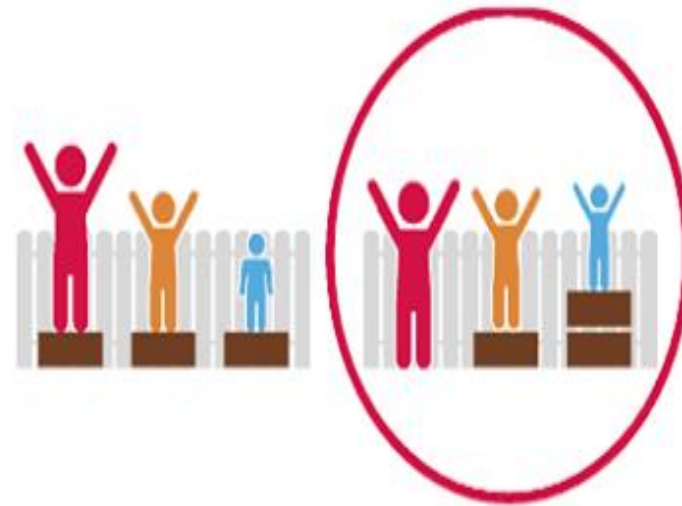
DIVERSITY ●●▶ INCLUSION ●●●●●●●▶ EQUITY



**Quantity**  
Different  
identities &  
cultures



**Quality**  
Participation  
across identities &  
cultures



**Justice**  
Policies, practices, &  
procedures to ensure  
equitable outcomes



# Build Capacity to Focus on System Change

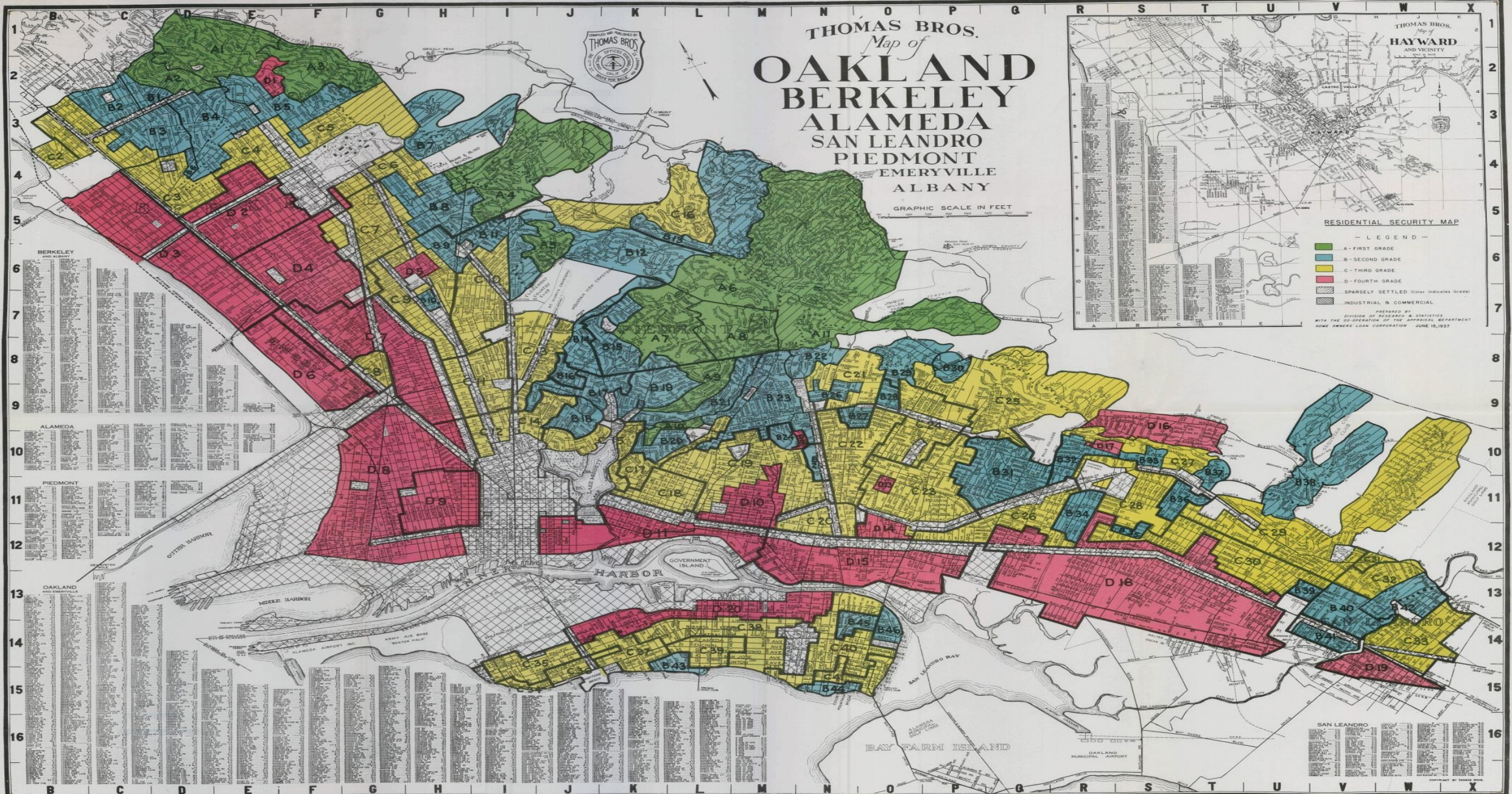
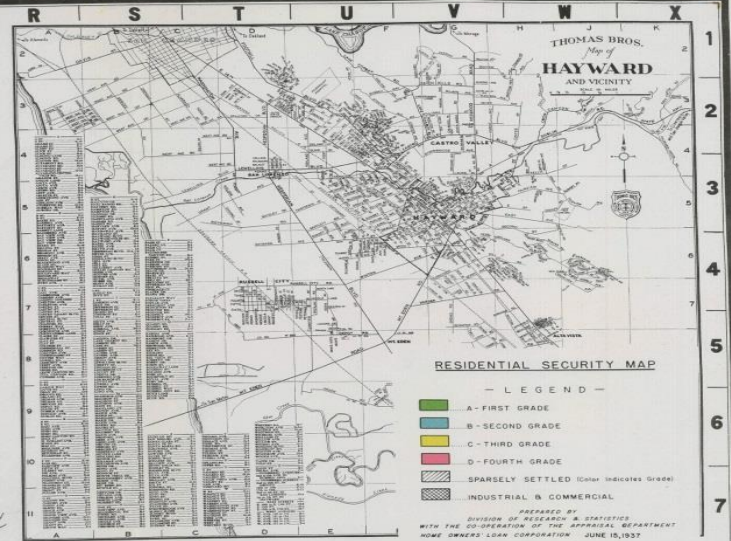
impossible



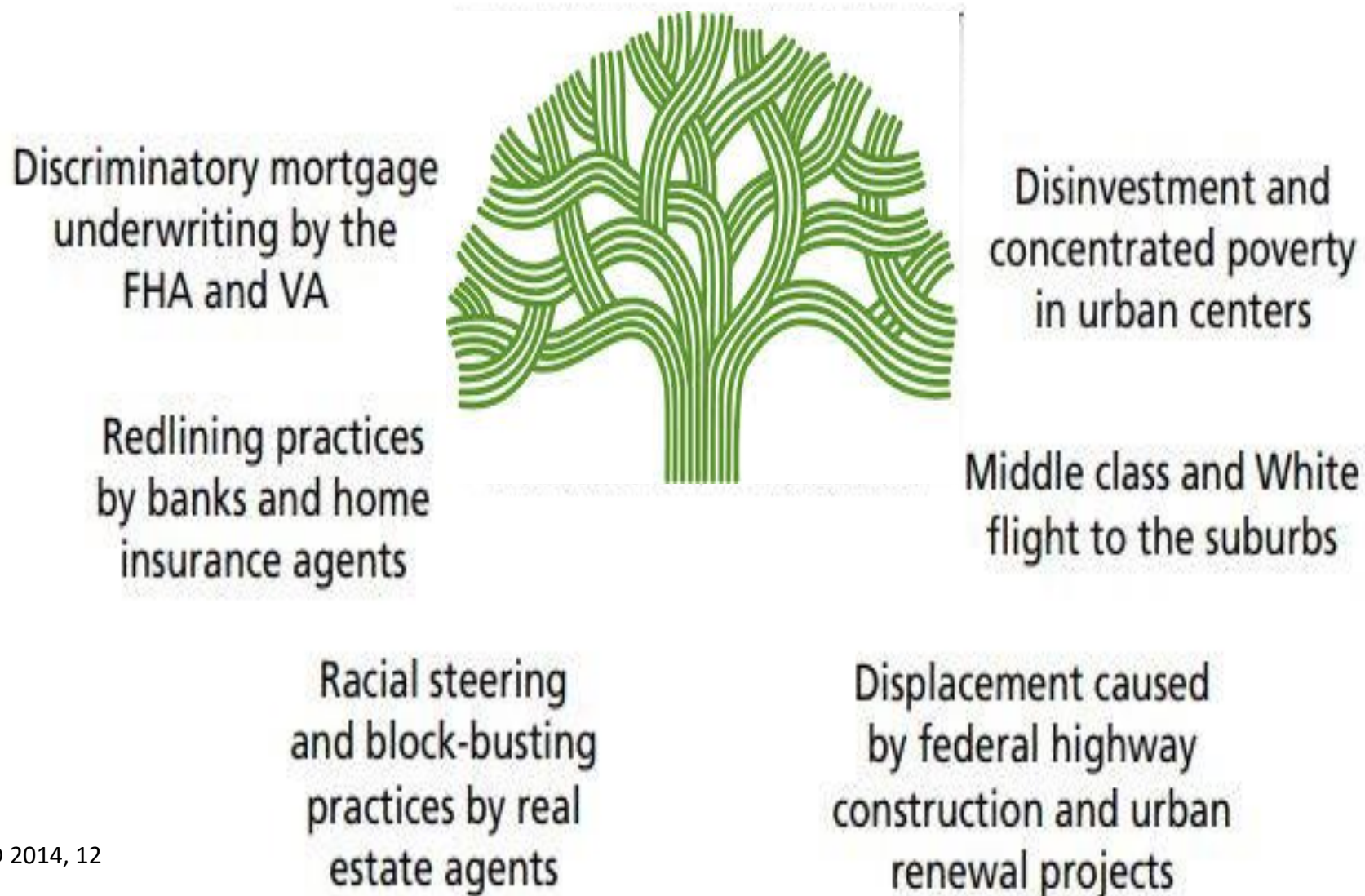


THOMAS BROS.  
Map of  
**OAKLAND  
BERKELEY  
ALAMEDA  
SAN LEANDRO  
PIEDMONT  
EMERYVILLE  
ALBANY**

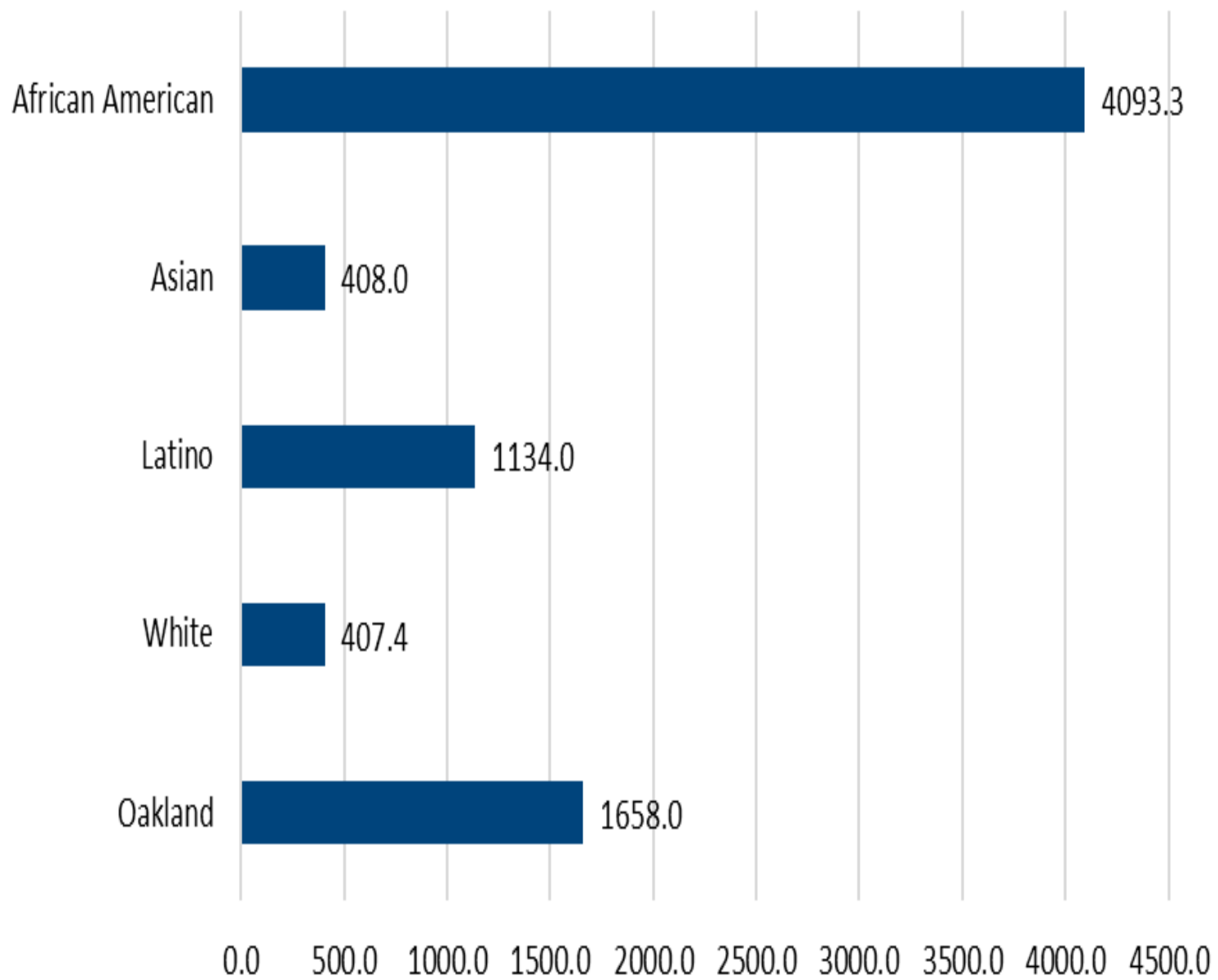
GRAPHIC SCALE IN FEET



# Historical Roots of Racial Residential Segregation and Persistent Poverty



## Asthma related ER visit rates for children under 5



# Replace Common Narrative about Disparities

## Dominant Frame



- Individualism - winners/losers
- Personal merit or deficit
- People get what they deserve
- Backed with highly racialized assumptions

## No Change

*“This narrative will always produce durable, persistent and racialized poverty; built around just accepting and tolerating this societal problem by framing it as an individual issue.”*

*~ john a. powell*

*Where do we see elements of the dominant worldview in ourselves and in our work?*



# Advancing Equity Requires Narrative Change

## Equity Frame



## Transformation

*“Liberty and Justice for all.”*

- The individual develops in the context of access to opportunity
- Government has a role in addressing structural barriers
- Replace community marginalization with agency
- Community involved solutions necessary for transformation



Where do we see elements of an equity frame in our work?

(Adapted from work by John A. Powell & the Grassroots Policy Project)

# High Opportunity Workshop

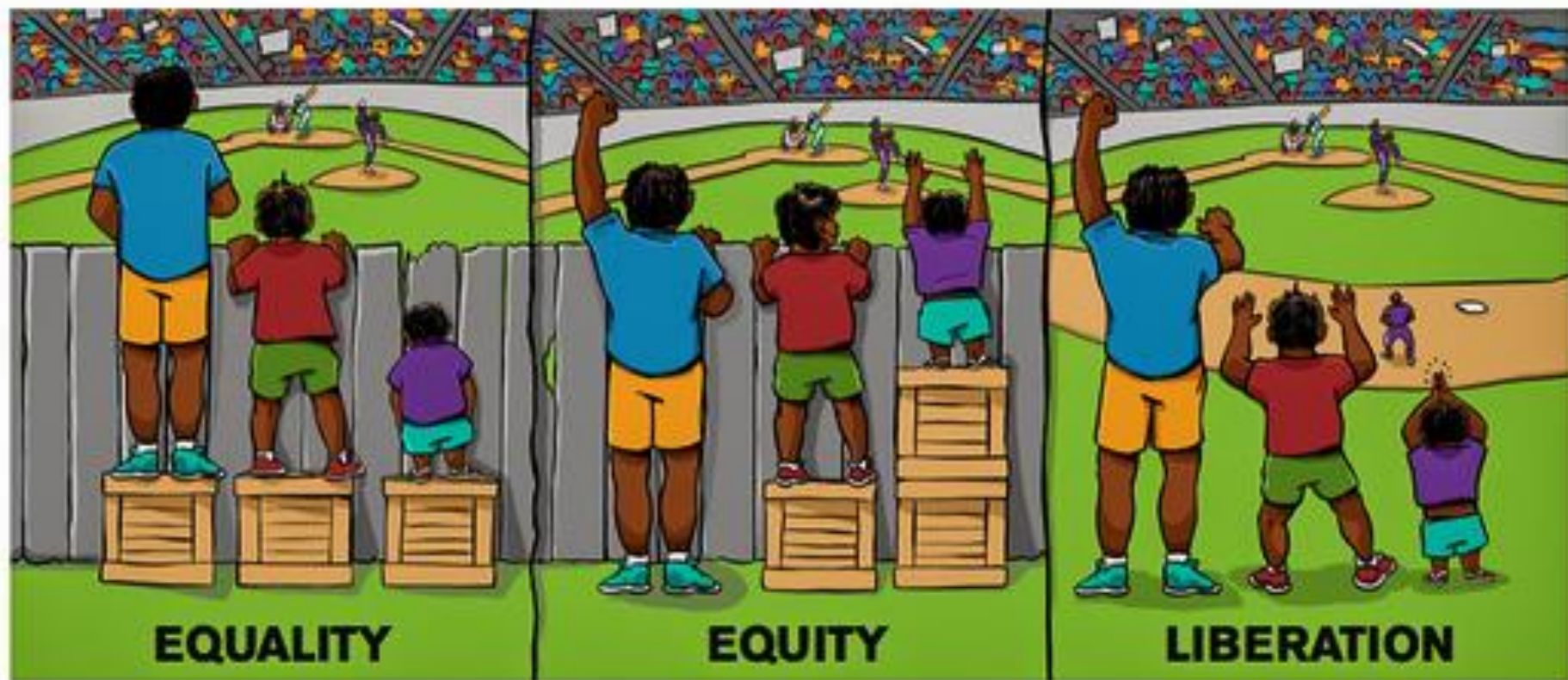




**Low Opportunity Workshop**

# Don't just tell a different version of the same story.

---



---

## Change the Story!

# Building skills and infrastructure for change



## RACIAL EQUITY ACADEMY

**MONDAY 9/24/18**  
**1:00PM-4:30PM**  
**150 FHOP / CLASSROOM # 1**

## MODULE 2 IMPLICIT BIAS, SOCIAL POWER AND EQUITY

**MONDAY 10/8/18**  
**1:00PM-4:30PM**  
**150 FHOP / CLASSROOM #1**

**OPEN TO ALL CITY OF OAKLAND EMPLOYEES**

## ADVANCING RACIAL EQUITY ACADEMY

This series will prepare participants to engage in the City's Race and Equity change process. It will deepen understanding of how race impacts our communities and the root causes of racial inequity embedded in institutions like government. Participants will gain knowledge about Race and Equity strategies and be introduced to tools used to advance racial equity.

Register online or contact: [apomicpic@oaklandnet.com](mailto:apomicpic@oaklandnet.com)

## MODULE 3 INCLUSIVE ENGAGEMENT, ACCOUNTABILITY AND CITY GOVERNMENT

**MONDAY 10/29/18**  
**1:00PM-4:30PM**  
**150 FHOP / CLASSROOM # 1**

## MODULE 4 IMPLEMENTING RACIAL EQUITY

**TUESDAY 11/13/18**  
**1:00PM-4:30PM**  
**150 FHOP / CLASSROOM # 1**

# Tools to Advance Racial Equity



**RACIAL EQUITY IMPLEMENTATION GUIDE**

City of Oakland Municipal code 2.29.170.1 specifies that "The City of Oakland will intentionally integrate, on a Citywide basis, the principle of "fair and just" in all the City does in order to achieve equitable opportunities for all people and communities.

Equity practice focuses on developing systemic approaches to addressing racial disparities in life outcomes for residents of Oakland. The 2018 Oakland Equity Indicators Report showed Black residents to be the most extremely impacted by racial disparities in most indicators of well-being, with significant degrees of impact for other communities of color as well. To implement change that will improve these outcomes in our communities of color, your department will need to analyze policies, procedures, and practices to identify elements that have, or could contribute to, or improve these conditions. This worksheet will help guide your project or program planning and implementation process by explicitly naming equity outcomes, identifying and engaging those most impacted by disparities and taking a structured, analytical approach to designing and implementing community informed equity solutions.

- 1. Racial Equity Outcome(s)-** What is the racial equity outcome for this effort? Your stated goal, or description of improved future conditions for residents should include addressing the needs of those most impacted by racial disparities. Use relevant disparity data to start to define specific focus for outcomes. (Example of data to guide equitable housing policy development – housing cost burden, average median income, eviction rates, and homelessness data, disaggregated by race.)
- 2. Identify and plan to engage stakeholders -** What is the best way to inform, outreach and engage community members most impacted by racial disparities? Strategies to remove barriers to community engagement in your equity process. (Use Inclusive Outreach and Engagement Guide for planning outreach that will engage those most impacted by disparities as well as other key stakeholders needed for development and implementation of policy and program recommendations.)
- 3. Gather supplemental information/qualitative data –** What are the systemic issues driving disparities? Identify root causes that drive related disparities and possible solutions, centering the observations of communities most impacted by racial disparities, to deepen City awareness and understanding of current conditions and needed action.
- 4. Identify Equity Gaps (burdens and barriers)-** Using data and information gathered from community, identify any current or anticipated barriers and burdens impacting access for those most impacted by racial inequity. (Housing barrier example – affordable housing serving those with income above 30% of AMI excludes most Black residents from accessing that housing based on low median household income data for that group.)

Racial Equity Implementation Guide - Page | 1

City of Oakland Department of Race and Equity

**INCLUSIVE PUBLIC ENGAGEMENT PLANNING GUIDE**

Use this guide to identify the need for, purpose and level of public engagement for a given issue.

To engage City leadership and key community as needed to finalize a complete plan, program or policy, or to complete a Race and Equity Impact Analysis, including specific strategies for inclusive engagement.

The following four steps are recommended before initiating the planning process and filling in the worksheet.

Step	Description
1	Identify appropriate staff/team to complete the Outreach Plan
2	Review Inclusive Engagement Best Practices and the Public Engagement Matrix (Appendix I and II)
3	Collect demographic data related to the geographic or policy/program area you will be working on.
4	Identify the future condition impacted by the project, policy/program you will improve for Oakland residents (check all that apply): <ul style="list-style-type: none"> <li><input type="checkbox"/> Housing</li> <li><input type="checkbox"/> Jobs</li> <li><input type="checkbox"/> Public Safety/Criminal Justice</li> <li><input type="checkbox"/> Access to Key Services</li> <li><input type="checkbox"/> Other</li> </ul>

- 1. What is the overall scope and goals of the action under consideration?**
- 2. What is/are the proposed race and equity outcome(s) or results for the process?** What disparities could be impacted favorably and for which group(s)? Who will be better off and in what way? What baseline data is available, what else do you need?
- 3. What is the timeline for completion of this process?** Deadline for project completion. (include process for any legal requirements (e.g. SEPA), political commitments, and staff goals.)

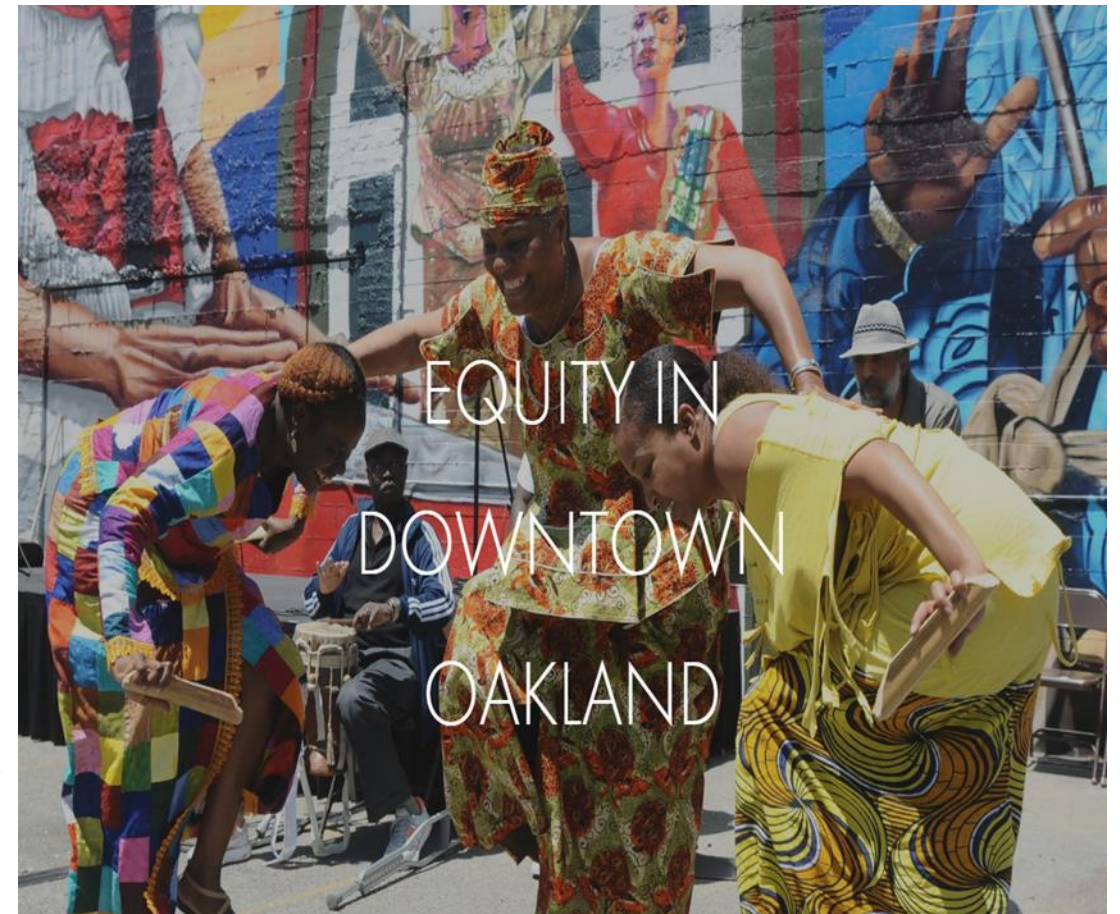
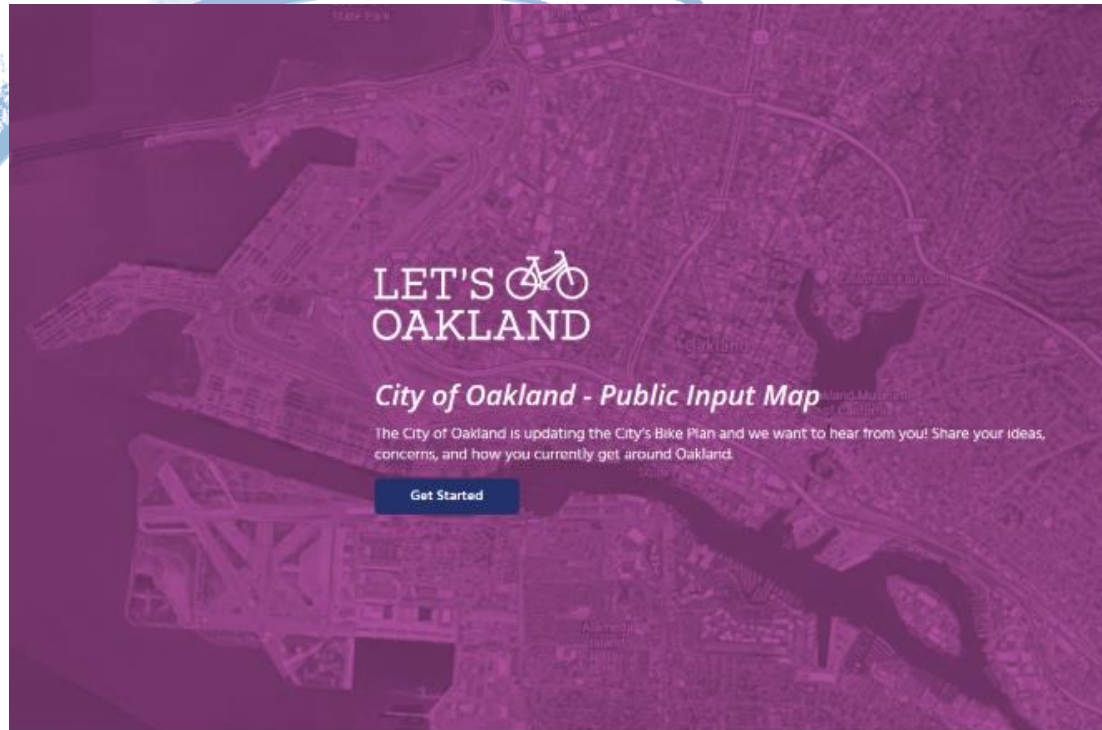
1 | DRE Inclusive Public Engagement Guide/Rev. 1.12.2018

- Racial Equity Analysis Worksheet
- Racial Equity Implementation Guide
- Inclusive Outreach and Engagement Guide



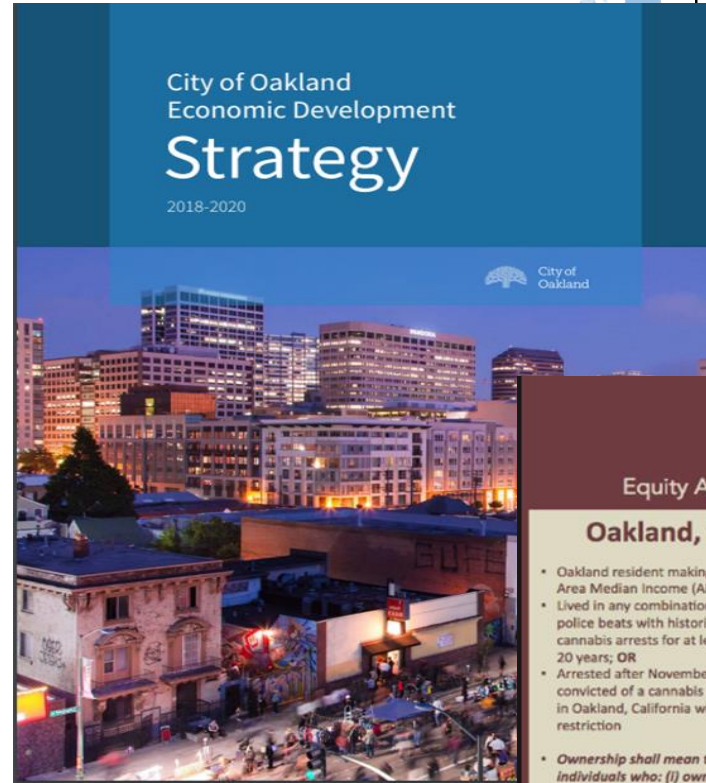
**OAKLAND**  
capital improvement program

**Applying New skills to develop action plans focused on change in policies, procedures and practices**



# Measure progress and recognize accomplishments

- Set a base line
- Set meaningful bench marks to measure progress towards racial equity
- Be a model for other local governments to advance equity



# Oakland Equity Indicators



equity		
Equity Applicant Criteria and Benefits of Established Equity Programs		
Oakland, CA	Los Angeles, CA	San Francisco, CA
<ul style="list-style-type: none"> <li>• Oakland resident making &lt; 80% of the Area Median Income (AMI); <b>AND</b></li> <li>• Lived in any combination of Oakland's police beats with historically high cannabis arrests for at least 10 of the last 20 years; <b>OR</b></li> <li>• Arrested after November 5, 1996 and convicted of a cannabis crime committed in Oakland, California with same income restriction</li> <li>• <i>Ownership shall mean the individual or individuals who: (i) own 50% or more in the for profit entity (ii) constitute a majority of the board of directors for not-for-profit OR (iii) have a controlling interest in the collective's governing body.</i></li> </ul>	<p>Tier 1</p> <ul style="list-style-type: none"> <li>• Make &lt; 80% of AMI <b>AND</b></li> <li>• Have a California Cannabis Conviction (misdemeanor or citation) prior to November 8, 2016 <b>OR</b></li> <li>• Lived at least 5 years total in a Disproportionately Impacted Area with no income restriction</li> <li>• <b>Own no less than a 51% equity share of the business</b></li> </ul> <p>Tier 2</p> <ul style="list-style-type: none"> <li>• Make &lt; 80% of AMI; <b>AND</b></li> <li>• Lived at least 5 years total in a Disproportionately Impacted Area (still being defined), <b>OR</b></li> <li>• Lived at least 10 years total in a Disproportionately Impacted Area with no income restriction</li> <li>• <b>Own no less than a 33.33% equity share of the business</b></li> </ul>	<p>Must meet 3 or more of following criteria:</p> <ul style="list-style-type: none"> <li>• SF resident making &lt;80% of AMI</li> <li>• Convicted of cannabis crime 1971-2016</li> <li>• Had housing insecurity in SF after 1995</li> <li>• Has a parent, sibling, or child convicted of a cannabis crime from 1971-2016</li> <li>• Attended an SFUSD school for 5 years total during the period 1971- 2016; <b>OR</b></li> <li>• Lived for at least 5 years total in SF census tracts with incomes 17% below the federal poverty level in 1971-2016</li> <li>• <b>Sole owner/operator or (i) corporate ownership interest of at least 40% and CEO (ii) corporate ownership interest of at least 51% (iii) Executive Director or majority of of the board of directors for a not-for-profit or (iv) membership interest in cooperative;</b></li> </ul>
<p><b>Benefits</b></p> <ul style="list-style-type: none"> <li>• Priority permitting processing 1:1 ratio of equity vs general applicants</li> <li>• No-Interest loans</li> <li>• Technical assistance</li> <li>• Waived city fees</li> </ul>	<p><b>Benefits</b></p> <ul style="list-style-type: none"> <li>• Priority permitting/renewal processing 1:1 ratio Tier 1-3 vs. general applicants</li> <li>• Technical assistance</li> <li>• Program site specific conditions</li> <li>• Potential fee deferrals for Tier 1 and access to an</li> </ul>	<p><b>Benefits</b></p> <ul style="list-style-type: none"> <li>• Priority permitting processing 1:1 ratio of equity vs general applicants</li> <li>• Waived application and inspection fees</li> </ul>



# Questions, etc.



# 4 Rules For Achieving Peace and Justice | Bryan Stevenson

<https://www.youtube.com/watch?v=9vI7UPuCUrE&t=3s>