



## City of Lafayette Memorandum

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**Date:** July 21, 2020

**To:** Public Safety Subcommittee -  
Councilmember Cam Burks  
Councilmember Steven Bliss

**From:** Niroop Srivatsa, City Manager  
Ben Alldritt, Police Chief

**Subject:** Addressing Community Concerns from the June 18, 2020 Public Safety Subcommittee Meeting

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### **Background**

On June 18, 2020, the Public Safety Subcommittee of the City Council hosted a virtual on-line meeting to address concerns and issues that were raised by citizens in the days following the death of George Floyd at the hands of a Minneapolis police officer. During this meeting, several questions and suggestions were made by members of the public. The Public Safety Subcommittee directed the City Manager and Police Chief to schedule a Town Hall in July, respond to questions and suggestions made by community members, and develop preliminary recommendations to address the issues raised during the meeting.

On June 18, 2020, the Police Chief published a Community Message to address many of the questions and inquiries that City leadership had been receiving. The message included responses to the “8Can’tWait” campaign, along with officer training, and policy and procedure questions. The link for the Community Message, along with links to the Sheriff’s Office Policies and Procedures, and Sheriff’s Office Principled Policing documents can be found at <https://www.lovelafayette.org/city-hall/city-departments/police>.

### **Community Questions and Suggestions**

Following are the issues raised at the June 18 meeting and staff’s responses.

*Diversity at the Police Department and Diversity of the Selection Pool* – The Lafayette Police Department currently is authorized for seventeen sworn officers, but is currently staffed with fifteen sworn officers, which includes two sergeants and the police chief, and five full-time and

five part-time civilian staff. Of the sworn officers, two are Hispanic, three are Filipino, and ten are Caucasian. Of the ten civilian staff, three are Hispanic, one is African-American, and six are Caucasian.

When the Lafayette Police Department has a vacant sworn officer position, the opening is advertised to all Contra Costa County Sheriff's Deputies. Deputies are required to be "patrol qualified", a pool which does not include all deputies. All interested, patrol qualified, deputies are encouraged to apply. Of those that apply, the Police Chief conducts interviews and selects the best qualified candidate. Deputies are not "forced" to come to the Lafayette Police Department unless no one applies, at which point, based on seniority, a deputy is assigned for a short period of time. In recent years, the Police Department has not found itself in this situation; every time the Police Department has had an opening, well qualified deputies have applied.

*Requests for call logs; Tracking traffic stops and police interactions, to include race* – Currently the Lafayette Police Department and the Sheriff's Office do not track daily police interactions with citizens by race, age, or gender. This data is only collected when a police report is written.

In 2015, the California Legislature passed Assembly Bill No. 953 – Racial and Identity Act of 2015. The Bill required the Attorney General to establish the Racial and Identity Profiling Advisory Board in 2016.

Assembly Bill 953 also required each state and local agency that employs peace officers to annually report data on all police stops to the Attorney General. The police stop data requirement includes the time, date, and location of the stop, the reason for the stop, the result of the stop, and the perceived race or ethnicity, gender, and age of the person stopped. The Legislature established a time frame for law enforcement agencies to comply with these annual reporting requirements based on the number of sworn employees. The Sheriff's Office is actively developing systems to allow for this required data capture to occur for every law enforcement stop. Based on the number of sworn employees in the Contra Costa Sheriff's Office, the first annual report will be required to be submitted in 2022. As such, Lafayette's Police Department's first annual report will be in 2022.

For further details refer to Assembly Bill 953, which can be reviewed online - [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201520160AB953](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB953).

*Request that Mental Health calls be handled by non-sworn personnel with mental health training and expertise* – All Lafayette police officers have received Crisis Intervention and De-Escalation training, both of which will continue as part of in-service training conducted by the Sheriff's Office.

The call for alternatives to a law-enforcement response to mental health issues has been raised in nearly all Contra Costa cities. As a result, the Contra Costa Mayors Conference met on July 9 and directed the County's Public Managers Association to work with County Health on a coordinated and regional approach to addressing mental health and other non-violent issues

with non-law enforcement responses. The Lafayette City Manager is on the committee of managers that has begun working on this task.

*Funding Community Officers to Respond to Non-Violent Crimes* – Lafayette Police Department and Dispatch split call types when received and civilian staff members handle many non-violent crimes or non-criminal calls daily, such as phone police reports or property crimes where the suspect is not on scene and/or unknown. However, many of the calls that the Police Department receives can initially appear non-violent, such as, an alarm call, a call where the suspect has left the scene of the crime, a suspicious circumstance call, welfare checks, or mental health calls. The challenge with calls of this type is that they can become dangerous without warning. Civilian staff cannot respond to calls that could result in a dangerous situation during which they would not have the tools, nor the training, to protect themselves.

*Handling of Complaints Against Lafayette PD* – When a complaint is received, a Police Sergeant or Police Chief will attempt to resolve it directly with the citizen. When a complaint rises to the level of an Internal Affairs complaint, the complaint is processed by the Sheriff's Office Internal Affairs Unit. The Internal Affairs Unit is directly overseen by the Sheriff and Undersheriff. When an Internal Affairs complaint is filed, an investigation occurs. If a violation of Sheriff's Office policy and procedure is confirmed, it is addressed through the Sheriff's Office Personnel Management Regulations or Corrective Counseling System. The level of discipline outlined in the Personnel Management Regulations ranges from a letter of reprimand through the termination of an employee.

*Request for a Public Oversight Committee* – This term has different meanings in different communities. In Lafayette there are two city council-appointed commissions that work directly with the Police Chief and the Police Department; the Emergency Preparedness Commission and the Crime Prevention Commission. Each of these commissions meet monthly with the Police Chief at the Police Department and work in partnership to improve public safety. Commission members have the ability make inquiries and to set future public safety goals. These meetings are always open to the public.

The City Manager, Administrative Services Director, and Assistant Administrative Services Director are involved in the Police Department's budget process, along with the City Council Finance Subcommittee. Finally, the City Council's Public Safety Subcommittee and the City Manager are integral in oversight of the Police Department. The community also acts as oversight, whether it is a direct interaction with an officer, or observing an incident third-hand, citizens can contact the Police Chief, City Manager, or City Council to report an incident.

## **Police Budget**

In recent weeks questions have been raised regarding the Police Department's budget. Each fiscal year, the Police Chief develops budget recommendations to meet the public safety needs of Lafayette. The Police Chief manages nine department budgets that span four different funding sources. They are as follows:

- 1) Crime Prevention Commission
- 2) Police Services
- 3) Traffic Enforcement
- 4) Emergency Preparedness Commission
- 5) Crossing Guards
- 6) Code Enforcement
- 7) Parking Fund
- 8) Vehicle Abatement
- 9) Supplement Law Enforcement Services

Each department budget includes personnel services, operations and maintenance, and capital outlay.

*Police Services* – This budget funds several sworn and non-sworn positions including the Police Chief, two Sergeants, ten Officers, two Police Service Assistants, and partially funds an Administrative Analyst and a Police Service Assistant position. Funding for an additional four officers from the Traffic Enforcement and Supplemental Law Enforcement Services funds brings the authorized sworn total to 17.

The Police Services budget funds the acquisition, maintenance, and fuel for police vehicles. The budget funds training for all sworn and non-sworn staff, as well as rental of the Police Department facility and related maintenance. There are many contractual costs associated with operating a police department, to include law enforcement radio network, crime lab and investigation costs, and access to law enforcement software and databases. Lafayette also contracts with Contra Costa Animal Services and the associated annual cost of \$172,298 is built into the Police Services budget.

In the last two years, the Police Services budget has also covered several areas of crime prevention, wildfire and Public Safety Power Shutoff preparedness. This included purchasing a used power trailer, a used trailered generator, a used generator powered light trailer, a portable air conditioning unit for a cooling center, installing generator taps and purchasing small generators to provide power for traffic signals at eight main intersections in Lafayette during power outages, and producing the Lamorinda Residents Guide to Wildfire Preparedness and Evacuation. Last year, this budget also covered the personnel costs for the Springhill emergency evacuation drill, several active-shooter trainings conducted on school campuses, the provision of public safety at numerous Lafayette yearly special events, and the installation and maintenance of multiple wildfire cameras in the Lamorinda area.

Of the nine department budgets that are managed by the Police Chief, approximately 85% is allocated towards personnel costs. The Lafayette Police Department is a service provider, focused on providing public safety and a high level of customer service to residents. First and foremost, we are constantly focused on preventing crime and if it does occur, we invest police resources in solving the crime. Secondarily, but taking a nearly a quarter of allocated resources, is our emphasis and implementation of community policing. We host two Citizen Academy's each year, visit school campuses regularly to engage with school staff and children, host the yearly Lamorinda Safety Fair, provide active shooter training to school staff, have a visible presence at many Lafayette yearly special events, engage with many groups within the community, convene Town Halls on issues that significantly impact public safety in Lafayette, and place a high priority on community emergency preparedness.

For Fiscal Year 2020-2021, due to the financial impact of Covid-19 on the City's revenue, the Police Department made the following budget reductions – reduced Code Enforcement from two part-time employees to one, suspended the replacement of one patrol vehicle, and suspended funding for the youth services officer position. The Police Department also falls under the City's current hiring freeze. If a current non-sworn position becomes vacant at the PD, that position will not be filled. These cuts will create a minor loss of service although the duties will be picked up by various staff members.

The Contra Costa Sheriff's Office conducts a yearly Law Enforcement Comparison Survey for jurisdictions in Contra Costa County. This survey shows the cost to in each jurisdiction for law enforcement services and the associated cost per resident.

**LAW ENFORCEMENT COMPARISON SURVEY**  
**Fiscal Year 2019 / 2020**

City	Population	Budget	Authorized Sworn Staff	Officers Per 1,000 Residents	Cost Per Resident	Square Miles
Antioch	113,901	\$44,691,807	115	1.01	\$392.37	29.1
Brentwood	65,288	\$27,826,876	71	1.08	\$426.22	14.8
Clayton	11,431	\$2,311,559	11	.96	\$202.22	4.3
Concord	130,559	\$61,064,744	154	1.18	\$467.72	31
Danville	45,270	\$10,092,991	30	.66	\$222.95	18.1
El Cerrito	23,500	\$12,445,173	43	1.83	\$529.58	3.7
Hercules	26,000	\$7,233,907	28	1.08	\$278.23	7
Kensington	5,000	\$2,100,000	8	1.6	\$420.00	1
Lafayette	23,893	\$6,960,390.	17	.71	\$291.32	14
Martinez	38,402	\$12,799,459	37	.96	\$333.30	13.1
Moraga	17,692	\$3,081,088	12	.68	\$174.15	9.5
Oakley	41,714	\$10,234,760	34	.82	\$245.36	16.17
Orinda	19,730	\$5,074,233	14	.71	\$257.18	12.87
Pinole	19,498	\$8,723,262	28	1.44	\$447.39	5.3
Pittsburg	72,541	\$31,622,309	86	1.19	\$435.92	19.15
Pleasant Hill	35,000	\$11,372,151	45	1.29	\$324.92	8.1
Richmond	106,469	\$74,990,406	178	1.67	\$704.34	33.7
San Pablo	31,156	\$16,647,697	59	1.89	\$534.33	2.634
San Ramon	82,643	\$23,716,656	69	.83	\$286.98	18.56
Walnut Creek	70,000	\$26,591,000	80	1.14	\$379.87	19.77
Office of the Sheriff	172,513	\$50,115,139	199	1.15	\$290.50	505

Data represents the most current figures available, compiled February 2019. Budget & Staffing figures provided by respective Police Departments. Figures include all authorized sworn personnel; Departments may be below indicated staffing levels. Land/Water areas provided by the respective Community Development/Planning Departments.

- **Office of the Sheriff:** Population and square mileage are indicative of unincorporated areas of the county. Noted budget figure equals Field Operations Bureau budget minus contract revenue for Fiscal Year 2018 - 2019. Sheriff's Office sworn staff includes County Patrol, Marine Patrol and Investigations.

## Recommendations

The City Manager and Police Chief have developed preliminary recommendations for the Public Safety Subcommittee in response to concerns and issues raised within the community.

- 1) **Oversight** -The Public Safety Subcommittee will meet quarterly at noticed public meetings to receive updates from the Police Chief on crime statistics and ongoing projects. This will create additional opportunities for citizens to interact with the Police Chief, City Manager, and the Public Safety Subcommittee on police matters.
- 2) **Transparency** -The Police Chief will submit a quarterly summary report on Police Department activities to the City Council and public. Currently the Police Chief generates an annual report; a quarterly report will allow for more transparency and dialogue throughout the year.
- 3) **Mental Health**- The City Manager will work with the County Public Managers Association and the County Health Department to develop options to create a coordinated and regional approach to address mental health and other non-violent issues with non-law enforcement responses.
- 4) **City oversight** - In the event an Internal Affairs complaint is filed by a citizen regarding the Lafayette Police Department or a Lafayette police officer, the Police Chief will meet with the City Manager when the complaint is filed and at the conclusion of the Sheriff's Internal Affairs investigation.
- 5) **Training** – Currently, officers have received training in the areas of crisis intervention, de-escalation, implicit bias, and cultural and racial diversity and will continue to receive training updates on these topics through the Sheriff's Office. The Police Chief will evaluate additional course offerings and will submit a recommendation to the Public Safety Subcommittee and the City Manager in three months.