



September 15, 2021

[Sent via email ccpubliccomment@southpasadenaca.gov](mailto:ccpubliccomment@southpasadenaca.gov)

## **General Public Comment Re: Audit of South Pasadena Police Department**

Dear Mayor and Councilmembers,

It is time to audit the South Pasadena Police Department to ensure it is operating in a way that aligns with the values of the City's electorate—free of all forms of bias, and focused on protecting the public safety of residents and visitors alike equitably and efficiently.

For over two decades, City leaders have failed to scrutinize SPPD's policies and practices. City leaders have allowed SPPD's budget to balloon in a way that demonstrably fails to align with our values. In this fiscal year, the City plans to spend over one-third of its General Funds (nearly \$10 million) on SPPD without question, at the expense of providing critical services and programs that could otherwise be supported by the City, such as environmental initiatives, affordable housing, and youth development.

SPPD's unchecked presence in our City is underscored by the events of summer and fall 2020 which brought to light disturbing evidence of racial bias among all ranks of officers. SPPD failed to undertake basic policing to protect peaceful Black Lives Matter demonstrators from assault; revealed racial bias in police reports; and accepted an invitation from a homophobic religious group to hold a "Prayer Breakfast" at City Hall.<sup>1</sup> At the Trump Rally in November, police openly displayed signs of support for those rallying for the former president, including honks of approval and flashing thumbs up, while refusing to come to the assistance of counter protesters reporting assaults by the Trump supporters.

As a result, members of the community filed 53 complaints with the city, and the city retained retired law enforcement officer Garon Wyatt to conduct an investigation. The city will not reveal the full content of Wyatt's investigations, or even the portions that reveal the methodology and standards he applied in arriving at his findings, citing Gov't Code Section 6254(c) and Penal Code Section 832.7 (limited to protecting certain officer personnel records). The high-level summaries of the investigator's findings identified critical deficiencies across all ranks in SPPD's compliance with procedures for identifying and investigating hate crimes, thorough and accurate report writing, and required use of body cameras. Wyatt's findings that all of the complaints about SPPD's biased policing were "not sustained" are highly questionable in light of the mountain of evidence to the contrary.

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<sup>1</sup> See Complaint to the California Office of the Attorney General at Care First South Pasadena's website ([www.carefirstsouthpasadena.com](http://www.carefirstsouthpasadena.com)) for complete factual background.

The City would like to close the book on the community's concerns about biased policing in South Pasadena by pointing to the confidential investigations, the Diversity, Equity and Inclusion training it authorized for city staff in February 2021, and a host of trainings on investigating hate crimes and related topics. But the City cannot fashion any meaningful solution moving forward without fully and publicly accounting for SPPD's past failures.

A racial bias audit is timely, as many other cities are proactively working to root out extremists on their police forces in the aftermath of the January 6 insurrection.<sup>2,3</sup> Membership in extremist organizations among law enforcement officers undermines their ability to police without prejudice.<sup>4,5</sup>

For the reasons above, we ask the City to examine SPPD with two equally important and interrelated objectives in mind: 1) to determine the operational efficiencies and effectiveness of the department; and 2) to determine the extent that racial bias exists among individual officers and across the department, and whether SPPD has systems in place to identify and root them out on a continuing basis. The audit should be completed by a reputable auditor. There should be a stakeholder process in developing the scope of the audit. At minimum, the audit should examine and make public the information identified in Attachment A.

Thank you for your consideration of this critical objective.

Signed,<sup>6</sup>

Anti-Racism Committee of South Pasadena  
Black Lives Matter South Pasadena  
Care First South Pasadena

- |                      |                       |                     |
|----------------------|-----------------------|---------------------|
| 1. Afshin Ketabi     | 5. Angel Gomez        | 9. Brandon Yung     |
| 2. Alexandra Ramirez | 6. Anna McCurdy       | 10. Byron Sleugh    |
| 3. Allie Schreiner   | 7. Ayaka Nakaji       | 11. Carla Obert     |
| 4. Andrew Terhune    | 8. Barbara Eisenstein | 12.Carolynn Ghiloni |

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<sup>2</sup> Kimberly Kindy, Mark Berman and Kim Bellware, *The Washington Post*, January 24, 2021, "After Capitol riot, police chiefs work to root out officers with ties to extremist groups." Online at [https://www.washingtonpost.com/politics/police-capitol-riot-extremists/2021/01/24/16fdb2bc-5a7b-11eb-b8bd-ee36b1cd18bf\\_story.html](https://www.washingtonpost.com/politics/police-capitol-riot-extremists/2021/01/24/16fdb2bc-5a7b-11eb-b8bd-ee36b1cd18bf_story.html)

<sup>3</sup> Kevin Rector and Richard Winton, *The Los Angeles Times*, February 17, 2021, "Law enforcement confronts an old threat: far-right extremism in the ranks. 'Swift action must be taken.'" Online at <https://www.latimes.com/california/story/2021-02-17/lapd-other-police-agencies-struggle-with-where-to-draw-the-line-with-political-extremism-in-their-ranks>

<sup>4</sup> Michael German. *Hidden in Plain Sight: Racism, White Supremacy, and Far-Right Militancy in Law Enforcement*. The Brennan Center for Justice, August 27, 2020. Online at <https://www.brennancenter.org/our-work/research-reports/hidden-plain-sight-racism-white-supremacy-and-far-right-militancy-law>

<sup>5</sup> Rashad Robinson, *The Guardian*, August 21, 2019, "We can't trust police to protect us from racist violence. They contribute to it." Online at <https://www.theguardian.com/commentisfree/2019/aug/21/police-white-nationalists-racist-violence>

<sup>6</sup> Signatures with date and time stamps are on file with Care First South Pasadena: carefirstsouthpas@gmail.com.

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43. Kimiko Elizondo
44. Laboni Hoq
45. Liana Derus
46. Matthew Barbato
47. Megan Adams
48. Morgan BeVard
49. Nancy Hurley
50. Oliver Wang
51. Pablo Marrero
52. Page Phillips
53. Paige Fillion
54. Phoenix Bekkedal
55. Phung Huynh
56. Remaya M.  
Campbell
57. Richard Elbaum
58. Riko Enomoto
59. Rose McCullough
60. Ross McLain
61. Ry Patterson
62. Sandy Shannon
63. Sean Meyer
64. Shandor Garrison
65. Valorie Battle  
Haddock
66. Victoria Patterson
67. Will Hoadley-Brill
68. William Kelly
69. Willie Wu

## **Attachment A**

The audit should examine and make public its findings on the following topics as part of the Operational Audit:

- A breakdown of major categories for calls made to the police department, e.g., how many are related to mental illness and welfare checks, unhoused people, shoplifting, violent crimes, etc.
- An analysis of the time and resources spent by SPPD in responding to these call categories, including the cost of responding to various categories with recommendations on how costs can be reduced, such as by establishing a mobile crisis response team.
- An analysis of staffing levels in relation to work load, including use of overtime.
- An overall management analysis looking for inefficiencies and how operations can be made more efficient and streamlined.
- An analysis of SPPD expenditures, including for contracts, equipment, vehicle operation and maintenance, etc.
- An analysis of adherence to SPPD policy by officers and other department staffers, with recommendations for any needed improvements.
- An analysis of SPPD's role in traffic safety, including recommendations on options that can reduce SPPD expenditures, such as investments in engineered traffic controls and infrastructure modifications that improve traffic safety 24/7/365 year in and year out.
- An analysis of SPPD involvement and expenditures related to code enforcement, with recommendations on how enforcement could be shifted to administrative staff.
- An analysis of how services to the unhoused could be improved and how unhoused people can be successfully housed.

The audit should examine and make public its findings on the following topics as part of the Racial Bias Audit:

- Officers' compliance with the South Pasadena Police Department Policy Manual ethics provisions, among others: the Code of Ethics as a Law Enforcement Officer; Section 1033.4 (Prohibited Speech, Expression and Conduct); and Section 1033.4.1 (Unauthorized Endorsements and Advertisements).
- Officers' social media posts and electronic communications with one another, including but not limited to email, text message, direct message via social media applications, and other electronic messaging systems, for indicia of extremist and/or prejudiced viewpoints, as well as any partisan activity or views that may have been discussed using such media during work hours or using city accounts and equipment.
- Arrests and stops executed by SPPD as a whole and by individual officers, broken out by arrestee's age, race/ethnicity, gender, city where arrestee resides, type of offense (e.g., felony, misdemeanor, other), charge, and each officer involved in the arrest, including

supervisors, Watch Commanders and department leadership to the extent they were involved in any way.<sup>7</sup>

- Incidents or potential crimes motivated by hate or other bias reported to SPPD.
- Stops (including traffic stops and other brief stops) executed by SPPD, broken out by age, race/ethnicity, gender, city where arrestee resides, basis for reasonable suspicion, and outcome of the stop, and each officer involved in the arrest, including supervisors, Watch Commanders and department leadership to the extent they were involved in any way.<sup>8</sup>
- Data related to community-initiated calls, taken from computer-aided dispatch records, that resulted in a response from SPPD from January 1, 2019 to present, and further broken down by call type, activities involved, response time, and SPPD unit involved.
- All complaints against and investigations into SPPD officers at every rank related to bias, prejudice, and/or profiling, and internal communications and reports related to compliance with the South Pasadena Police Department Policy Manual's anti-bias provisions, including section 401 *et seq.*
- All training provided to SPPD officers at all levels, including and up to the Chief of Police, regarding their obligations to identify, investigate, report on, and supervise the handling of incidents and potential crimes motivated by hate or other bias, as required by Penal Code section 13519.6 and SPPD Policy Manual section 319.5. This review should include training regarding bias-based policing as well as any "refresher course" regarding "changing racial, identity and cultural trends," as referenced by Penal Code section 13519.4, and SPPD Policy Manual section 401.7.
- The Department's "periodic reviews" of potential bias-based policing which Supervisors are required to undertake and "document" pursuant to SPPD Policy Manual section 401.5.
- Data and reports that SPPD compiled for and/or submitted to the California Attorney General regarding potential incidents of bias-based policing pursuant to Penal Code sections 12525.5 and 13020, and SPPD Policy Manual section 401.8.

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<sup>7</sup> This information has been subject to several requests pursuant to the California Public Records Act (CPRA). In response to the South Pasadena Youth for Police Reform's request for such data, the city directed the group to the California Department of Justice's website. It is not possible to pull reports from the DOJ's website that provide the data sought. The city produced arrest reports in response to Care First South Pasadena's request. But the reports are missing arrestees' ethnicity (coding all Hispanic and non-Hispanic people as "white") and city of residence. Ethnicity and city of residence are reported in the Department's crime reports. There is no doubt the city possesses the information sought.

<sup>8</sup> This information has been subject to at least one request pursuant to the CPRA. The city represented to members of the community that it does not maintain any data related to stops, and it will not adopt a new system to track stop data until 2023, under a recent change in state law. While it may be that stop data is not maintained in any centralized way, we ask the city to work with the auditor to identify data sources related to stops that may be available, even if it is incomplete and imperfect.