



COUNTY of VENTURA

PUBLIC SAFETY RACIAL EQUITY ADVISORY GROUP MEETING AGENDA

1911 WILLIAMS DRIVE, OXNARD, CA

THURSDAY, AUGUST 1, 2024

5:30 PM -7:30 PM

MEETING PARTICIPATION:

Topic: PSREAG Meeting

Location: Ventura County Behavioral Health
Large Training Room
1911 Williams Drive, Oxnard, CA

Members of the public may join in person or by Zoom link below:

Join Zoom Meeting: <https://us02web.zoom.us/j/85188551246>

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Meeting ID: 851 8855 1246
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PUBLIC COMMENTS BY EMAIL:

IF YOU WISH TO MAKE EITHER A GENERAL PUBLIC COMMENT OR COMMENT ON A SPECIFIC AGENDA ITEM BEING HEARD, YOU CAN SUBMIT YOUR COMMENT VIA EMAIL BY 9:00 AM THE DAY OF THE MEETING TO THE FOLLOWING ADDRESS: COUNTYDEI@VENTURA.ORG. PLEASE INCLUDE THE FOLLOWING INFORMATION IN YOUR EMAIL: (A) MEETING DATE, (B) AGENDA ITEM NUMBER, (C) SUBJECT OR TITLE OF THE ITEM, (D) YOUR FULL NAME. DURING PUBLIC COMMENT ON THE AGENDA ITEM SPECIFIED IN YOUR EMAIL, YOUR EMAIL WILL BE SUBMITTED FOR THE RECORD



COUNTY *of* VENTURA

OPENING

1. **CALL TO ORDER (5 MIN)**
 - a. Welcome
 - b. Spotlight a Group Norm
 - c. Roll Call & Confirm Quorum

2. **APPROVAL OF PAST MEETING MINUTES (5 MIN)**

3. **PUBLIC COMMENT OPPORTUNITY FOR ITEMS ON THE AGENDA AND/OR FOR OTHER ITEMS WITHIN PSREAG SUBJECT MATTER JURISDICTION (10 MIN).**
 - a. *All public comments regarding public safety and racial equity are welcome and encouraged. However, please note that the PSREAG does not investigate complaints regarding individual incidents involving law enforcement. Such complaints should be submitted to the involved law enforcement agency.*

REGULAR AGENDA

4. **REVIEW OF PROTOCOL AND RESPONSE TO INDIVIDUAL PUBLIC COMMENTS (10 MIN)**
 - a. Q & A with County Counsel
 - b. Member Discussion

5. **UPDATE REGARDING DRAFT DATA REPORT FROM POLICY AND PRACTICE AD HOC SUB-COMMITTEE (25 MIN)**
 - a. Presentation by Ad Hoc Lead
 - b. Member Discussion
 - c. Public Comment

6. **GRAND JURY REPORT AND REVIEW (20 MIN)**
 - a. Presentation by DEI Staff
 - b. Member Discussion

7. **UPDATE REGARDING POLICY & PRACTICE VOTES FOR NEXT STEPS (5 MIN)**
 - a. Presentation by DEI Staff
 - b. Member Discussion

8. **MEMBER AND STAFF COMMENTS (10 MIN)**
 - a. Opportunity for announcements from members and staff.

9. **ADJOURN**



COUNTY *of* VENTURA

Materials related to an item on this Agenda submitted after distribution of the agenda packet are available for public inspection on the Ventura County PSREAG website <https://www.ventura.org/psreag/> subject to staff's ability to post the documents prior to the meeting.

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OPENING

1. CALL TO ORDER (10 MIN)

- Spotlight a Group Norm
- Welcome new probation alternate PSREAG member, Candice Modica
- Roll Call & Confirm Quorum
 - i. Erik Nasarenko, DA
 - ii. Claudia Bautista, Public Defender
 - iii. Gina Johnson, Probation
 - iv. Cynthia Gonzalez, NAACP
 - v. Damon Jenkins, Black Lawyers of VC
 - vi. Vanessa Benitez, Latinx Bar Association
 - vii. Cindy Liu, We Belong Together
 - viii. Bob Bland, Conejo Valley Interfaith Association
 - ix. Vanessa Teran, MICOP
 - x. Roland Catabona, Diversity Collective
 - xi. Ivan Vega, Future Leaders of America
 - xii. Dexter Nunnery, Project 50
 - xiii. Eric Starna, Santa Paula Police Department
 - xiv. Also in Attendance:
 1. Brooke Lautz, Public Defender
 2. Willie Lubka, Conejo Valley Interfaith Association
 3. Kate English, CEO DEI
 4. Gabriela Cázares, CEO DEI

- **Called to order at 5:37 pm**
- **Quorum established by roll call**
- **Welcome to Probation alternate Candice Modica**

2. APPROVAL OF PAST MEETING MINUTES (5 MIN)

- **Approved no objections**

3. PUBLIC COMMENT OPPORTUNITY FOR ITEMS ON THE AGENDA AND/OR FOR OTHER ITEMS WITHIN PSREAG SUBJECT MATTER JURISDICTION (10 MIN)

REGULAR AGENDA

4. HISTORICAL REVIEW OF PROTOCOL AND RESPONSE TO INDIVIDUAL PUBLIC COMMENTS (20 MIN)

- Presentation by DEI Staff
- Member Discussion
- **Group discussion**

**PUBLIC SAFETY RACIAL EQUITY ADVISORY GROUP
MEETING AGENDA
1911 WILLIAMS DRIVE, OXNARD, CA
THURSDAY, JUNE 6, 2024
5:30 PM -7:30 PM**

MEETING PARTICIPATION:

Topic: PSREAG Meeting
**Location: Ventura County Behavioral Health
Large Training Room
1911 Williams Drive, Oxnard, CA**

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- **No action taken**
5. **UPDATE REGARDING DRAFT DATA REPORT FROM POLICY AND PRACTICE AD HOC SUB-COMMITTEE (65 MIN)**
 - Presentation by Ad Hoc Lead
 - Member Discussion
 - Public Comment
 - **Group discussion on updates for report**
 - **No action taken**
 6. **MEMBER AND STAFF COMMENTS (10 MIN)**
 - Opportunity for announcements from members and staff.
 - **Reminder: no meeting on 4th of July due to federal holiday**
 7. **ADJOURN**
 - **Adjourned at 7:38 pm**

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PUBLIC SAFETY RACIAL EQUITY ADVISORY GROUP

AGENDA ITEM #6: GRAND JURY REPORT AND REVIEW

Everyone,

It was recently brought to my attention that the Ventura County Grand Jury completed a thorough investigation on “Policing by The Ventura County Sheriff’s Office” on April 30, 2021. To our amazement, this report focused on the same areas which are currently being reviewed by PSREAG. I thought it important to bring this before the group as a majority of the heavy lift was already completed by a group of trusted individuals who represent the community at large. There is a great deal of overlap or near resemblance to what the PSREAG committee is trying to review.

In the report, you will find they reviewed and investigated the following areas:

- Bias in Policing
- Use of Force
- Body Worn Cameras
- Diversity within the Agency
- Hiring Process
- Training
- Citizen Complaints/Complaint Forms

I highly recommend that everyone at least read the Summary, Background, and Methodology of the report. If you have the time, I encourage everyone to read the investigation from beginning to end which includes a list of “Findings”, “Recommendations”, and “References”.

One of the Findings (F-15): The Grand Jury finds the creation of a sheriff oversight board for VCSO would benefit both the VCSO and the public by increasing accountability and transparency, and would serve to provide an additional level of trust to community members who encounter deputies.

Our response: The Grand Jury does not provide references to the empirical data supporting a direct correlation between public trust of police and oversight boards. Many supporters of this concept make conclusionary statements regarding such correlations, however, we are unaware of evidence supporting the idea that the unilateral implementation of oversight boards will result in increased public trust and transparency in all jurisdictions. Communities across California and the county face different challenges requiring different solutions and a solution that works well in one area may not work well in another. In fact, it may hinder efficient communications and services. Some boards have an adversarial relationship with the police which may result in an inordinate amount of administrative time responding to criticisms and issues that are not based in local experiences.

The Sheriff’s Office believes that public trust and transparency are created at the local level, between local agencies and the communities they serve. The Grand Jury report notes relationships developed between the Sheriff’s Office and advocacy groups and public programs. We have a long-standing culture of engagement with the community at every patrol station and we seek input from the communities we serve. Additionally, after substantial research, the Grand Jury report concludes there are no significant issues in the areas considered.

Other methods of oversight, such as the courts, Civil Service and the Grand Jury, as evidenced by this report, are already in use as a form of check and balance. As to transparency, the Sheriff's Office publicly posts all policies, Use of Force data, contact demographics, TRUTH Act information, training materials, and we are currently working on posting office involved shooting reports per the recent revisions to Penal Code section 832.7.

Adding an oversight board in a jurisdiction that does not need one may create unnecessary friction that inhibits objective enforcement, reduces morale, increases bureaucracy, increases liability and introduces political agendas into police activities that could have disparate impact on our communities.

Thank you for your time. If you have any questions at all, please don't hesitate to contact me.



VENTURA COUNTY
SHERIFF'S OFFICE
OFFICE OF JIM FRYHOFF, SHERIFF

Andrew Salinas
Assistant Sheriff, Support Services Division

PUBLIC SAFETY RACIAL EQUITY ADVISORY GROUP

AGENDA ITEM #6: GRAND JURY REPORT AND REVIEW

2020 - 2021 Ventura County Grand Jury



Final Report

Policing by The Ventura County Sheriff's Office

April 30, 2021

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Policing by The Ventura County Sheriff's Office

SUMMARY

The Final Report of the President's Task Force on 21st Century Policing in May 2015 found that "[t]rust between law enforcement agencies and the people they protect and serve is essential in a democracy. It is key to the stability of our communities, the integrity of our criminal justice system, and the safe and effective delivery of policing services." The Ventura County Sheriff's Office (VCSO) notes that "[o]ver the last thirty years, there have been a number of well-publicized deaths that have occurred after interactions between law enforcement and members of the communities... [they] serve throughout the United States. In many of the cases, the training, tactics and motives of peace officers have been called into question...."

The 2020-2021 Ventura County Grand Jury (Grand Jury) undertook an investigation to review the policies and procedures of law enforcement agencies with respect to bias in policing, the use of force by officers, the use of body worn cameras (BWCs), and diversity within the agency. VCSO is the largest law enforcement agency in Ventura County (County). It is not only the law enforcement agency for the unincorporated portions of the County and operates the County's adult detention facilities, but it also serves as the law enforcement agency for the cities of Camarillo, Fillmore, Moorpark, Ojai and Thousand Oaks. Accordingly, this report is limited to a review of the policies and procedures of VCSO.

The Grand Jury finds that since bias, especially implicit bias, is a result of prior influences and imprints, it cannot be completely eliminated. However, law enforcement agencies can help to mitigate the impact of bias in their interaction with the community through policies and the enforcement of those policies. The Grand Jury also finds that the very nature of policing involves the possibility of the use of force and the need to make decisions under pressure. Law enforcement can work to minimize the use of improper force through policies and training.

The Grand Jury finds that VCSO conducts thorough background investigations as part of its efforts to identify bias in its recruits and past incidents that may lead to the use of improper force. VCSO also provides training to its deputies that exceeds the recommended minimum basic academy training hours. Accordingly, the Grand Jury commends VCSO for its extensive hiring procedures, training, and policies designed to address issues raised by bias and use of force.

The Grand Jury reviewed citizen complaints for the calendar years 2018 through 2020 and did not find any pattern of bias or use of improper force in those citizen complaints.

The Grand Jury finds that BWC information can be an important element in determining the outcome of many citizen complaints, and that VCSO's policy regarding BWCs contains an element of discretion as to when the BWC is to be turned on or off. Therefore, the Grand Jury recommends that VCSO requires activation of BWCs when responding to all calls for service and during all enforcement-related encounters and activities. Additionally, the Grand Jury recommends that, once a BWC is activated, whether in accordance with the previous recommendation or for any other reason, VCSO require the BWC to remain in recording mode until the conclusion of the encounter/activity or the officer has left the scene, except for limited exceptions announced while the BWC is recording.

The Grand Jury finds that California Assembly Bill 1185 (AB 1185) provides a vehicle for civilian oversight of county sheriffs through the authorization of sheriff oversight boards. The Grand Jury also finds that the creation of such an oversight board for VCSO would benefit both VCSO and the public by increasing accountability and transparency, and would serve to provide an additional level of trust to community members who come into contact with deputies. The Grand Jury recommends that the Ventura County Board of Supervisors consider creating a sheriff oversight board with respect to VCSO as authorized by AB 1185.

Finally, the Grand Jury finds that VCSO's Citizen's Complaint Form does not comply with the express wording and formatting requirements of the California Penal Code and, accordingly, the Grand Jury recommends that VCSO revise its Citizen Complaint Form to comply with the Penal Code.

BACKGROUND

"Trust between law enforcement agencies and the people they protect and serve is essential in a democracy. It is key to the stability of our communities, the integrity of our criminal justice system, and the safe and effective delivery of policing services." (Ref-01) "Over the last thirty years, there have been a number of well-publicized deaths that have occurred after interactions between law enforcement and members of the communities... [they] serve throughout the United States. In many of the cases, the training, tactics and motives of peace officers have been called into question...." (Ref-02)

Many questions have been raised by citizens of the County regarding the relationship between law enforcement and the communities they are to protect and serve. (Ref-03) The Grand Jury undertook an investigation to review the policies and procedures of law enforcement with respect to bias in policing, the use of force by officers, the use of BWCs, and diversity within law enforcement agencies.

VCSO is the largest law enforcement agency in the County. As of October 18, 2020, VCSO had 1,253 total employees, including 717 sworn officers. VCSO is the law enforcement agency for the unincorporated portions of the County and operates the County's adult detention facilities. In addition, it serves as the law enforcement

agency for the cities of Camarillo, Fillmore, Moorpark, Ojai, and Thousand Oaks. (Ref-03) This report is limited to a review of the policies and procedures of VCSO and does not address similar issues for the law enforcement agencies of the cities of Oxnard, Port Hueneme, Santa Paula, Simi Valley, and Ventura.

METHODOLOGY

The Grand Jury reviewed the following items:

- Final Report of the President's Task Force on 21st Century Policing, May 2015
- Hiring, Training, Reporting and Accountability, An Overview of the Ventura County Sheriff's Office, June 22, 2020
- VCSO website
- VCSO Policy Manual, February 2, 2021
- VCSO Citizen Complaint Form, November 2018 version
- Peace Officer Standards and Training (POST) website
- POST Learning Domain Workbooks and Training Materials
- Ventura County Criminal Justice Training Center (VCCJTC) Training Materials
- VCCJTC Basic Training Academy Curriculum and Course Syllabus, 2020-2021
- VCCJTC facilities tour
- U.S. Department of Justice, Body-Worn Camera Toolkit, August 27, 2020
- U.S. Department of Justice website
- Relevant California Bills, Government Codes, Penal Codes, and Case Law

The Grand Jury conducted multiple interviews with VCSO personnel and representatives from local chapters of advocacy groups.

VCSO was cooperative throughout this investigation and was very responsive to the Grand Jury's requests for information and documents.

DISCUSSION

In 1959, The California Legislature established a Commission on Peace Officer Standards and Training (POST). (Ref-04) One of the duties and responsibilities of POST is "[t]o develop and implement programs to increase the effectiveness of law enforcement..." (Ref-05) "For the purpose of raising the level of competence of local law officers,... [POST] shall adopt, and may from time to time amend, rules establishing minimum standards relating to physical, mental, and moral fitness that shall govern the recruitment of any... peace officer members of a county sheriff's office..." POST "...also shall adopt, and may from time to time amend, rules

establishing minimum standards for training of... peace officer members of county sheriff's offices...." (Ref-06) "The POST program is voluntary and incentive-based. Participating agencies agree to abide by the standards established by POST. More than 600 agencies participate in the POST Program and are eligible to receive... [POST] services and benefits...." (Ref-07) VCSO is a POST-participating agency. (Ref-08)

"Every POST-participating department and/or agency...shall ensure that every 'peace officer candidate'... satisfies all minimum selection requirements specified in the following regulations.... Statutory requirements in these regulations cannot be waived by the Commission.

- Reading and Writing Ability Assessment (Regulation 1951)
- Oral Interview (Regulation 1952)
- Background Investigation (Regulation 1953)
- Medical Evaluation (Regulation (1954)
- Psychological Evaluation (Regulation 1955)." (Ref-09)

"The POST-certified Regular Basic Course (basic academy) is the training standard for... deputy sheriffs.... The basic academy is both physically and mentally challenging. It includes a minimum of 664 hours of POST-developed training and testing in 42 separate areas of instruction called Learning Domains." (Ref-10) "The Learning Domains contain the minimum required foundational information for given subjects...." (Ref-11)

There are 41 POST-certified basic training academies in California, one of which is held at VCCJTC. (Ref-12) VCSO runs this facility. The VCCJTC basic training academy exceeds the POST required minimum numbers of hours by providing over 937 hours of initial training, including testing. (Att-01) In addition to using the POST developed Basic Course Workbook, the training for each Learning Domain is comprised of a combination of reading materials, videos, lectures, PowerPoint presentations, situational training, expert presentations by employees of VCSO and civilians, and speakers representing a particular community. (Ref-03)

VCSO has a set of policies (Policies) set forth in the *Ventura County SO Policy Manual* (Policy Manual). (Ref-13) VCSO's Policies are initially written by Lexipol, a national company that writes policies for policing and other governmental agencies. Lexipol's policies are written and updated in adherence to statutes and case law on the state and federal level. (Ref-14) Prior to their adoption as policy, VCSO amends the language as needed to be more specific to VCSO. (Ref-03)

Hiring Process

VCSO requires “psychological testing in an effort to assess psychological suitability to perform the duties of a peace officer.” This testing “includes a MMPI-2-FR-PCIR (Police Candidate Interpretive Report), which includes police comparison norms, as well as the 16 Personality Factor test.” These tests assess such things as emotional regulation and stress tolerance, decision making and judgment, impulse control, and social and interpersonal skill levels. (Ref-02)

The minimum requirements to be employed as a California peace officer are set forth in California Government Code (GC) Section 1031. The requirements that are relevant to the issue of bias include:

- “Be of good moral character, as determined by a thorough background investigation.”
- “Be found to be free from any physical, emotional, or mental condition, including bias against race or ethnicity, gender, nationality, religion, disability, or sexual orientation, that might adversely affect the exercise of the powers of a peace officer.” (Ref-15)

This statute further provides that the prospective recruit’s emotional and mental condition must be evaluated by either: “[a] physician and surgeon who holds a valid California license to practice medicine, has successfully completed a postgraduate medical residency education program in psychiatry accredited by the Accreditation Council for Graduate Medical Education, and has at least the equivalent of five full-time years of experience in the diagnosis and treatment of emotional and mental disorders, including the equivalent of three full-time years accrued after completion of the psychiatric residency program... [or a] psychologist licensed by the California Board of Psychology who has at least the equivalent of five full-time years of experience in the diagnosis and treatment of emotional and mental disorders, including the equivalent of three full-time years accrued postdoctorate.” (Ref-15)

The Peace Officer Psychological Screening Manual was developed as a guide for the psychological screening process and “is intended to clarify and provide support on the conduct of pre-employment peace officer psychological evaluations in compliance with federal and state law, regulations, and professional standards.” (Ref-16)

VCSO conducts an extensive background investigation, which can take approximately three to six months to complete. One of the components of the background investigation is “a records check from every local law enforcement agency where the applicant has resided in the ten years prior to their application. This includes records for traffic tickets, field interview cards, crime reports, or arrest reports. Those records are compared with the personal history statement completed by the applicant and with statements made by them during the multiple interviews. Additionally, if an applicant applied with another law enforcement

agency, our investigators visit those agencies and review the applications. This is done to ensure what the applicant disclosed to our investigators is consistent and accurate with prior disclosures.” (Ref-02)

If the applicant will not consent to the review of his or her file, that applicant will no longer be considered for employment with VCSO. Unscheduled visits are made to the applicant’s home and, at this time, neighbors are contacted to ask for feedback on the applicant. Additional interviews are conducted with relatives, current and former neighbors, former employers, supervisors, and co-workers. (Ref-03)

Other components of the background investigation include a polygraph test as well as psychological and medical exams. These assess several dimensions, such as moral character, handling stress and adversity, work habits, and interactions with others, in addition to the candidate’s intellect. (Ref-02) VCSO also looks into any past incidents involving aggressive behavior such as engaging in physical altercations and domestic abuse. Upon discovering such evidence, the candidate is disqualified. (Ref-03)

If the candidate is a “lateral transfer” currently employed with another policing agency, his or her employment record is sought from the current agency. If the candidate has any history of abuse of force or has been terminated from an agency because of having been involved in incidents of abuse, he or she will be disqualified. (Ref-03)

After an applicant is determined to be physically and psychologically fit and passes the background investigation, he or she attends a basic training academy at VCCJTC.

Just over 1% of those who apply to VCSO ultimately become deputies. (Ref-02)

Overview of Bias

According to the U.S. Department of Justice, “[e]xplicit bias is the traditional conceptualization of bias. With explicit bias, individuals are aware of their prejudices and attitudes toward certain groups. Positive or negative preferences for a particular group are conscious. Overt racism and racist comments are examples of explicit biases.

“Implicit bias involves all of the subconscious feelings, perceptions, attitudes, and stereotypes that have developed as a result of prior influences and imprints. It is an automatic positive or negative preference for a group, based on one’s subconscious thoughts. However, implicit bias does not require animus; it only requires knowledge of a stereotype to produce discriminatory actions. Implicit bias can be just as problematic as explicit bias, because both may produce discriminatory behavior. With implicit bias, the individual may be unaware that biases, rather than the facts of a situation, are driving his or her decision-making.

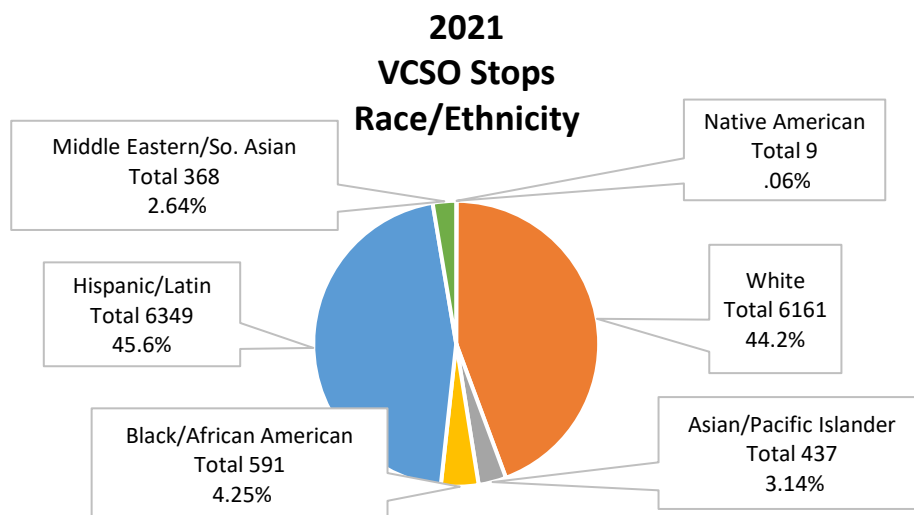
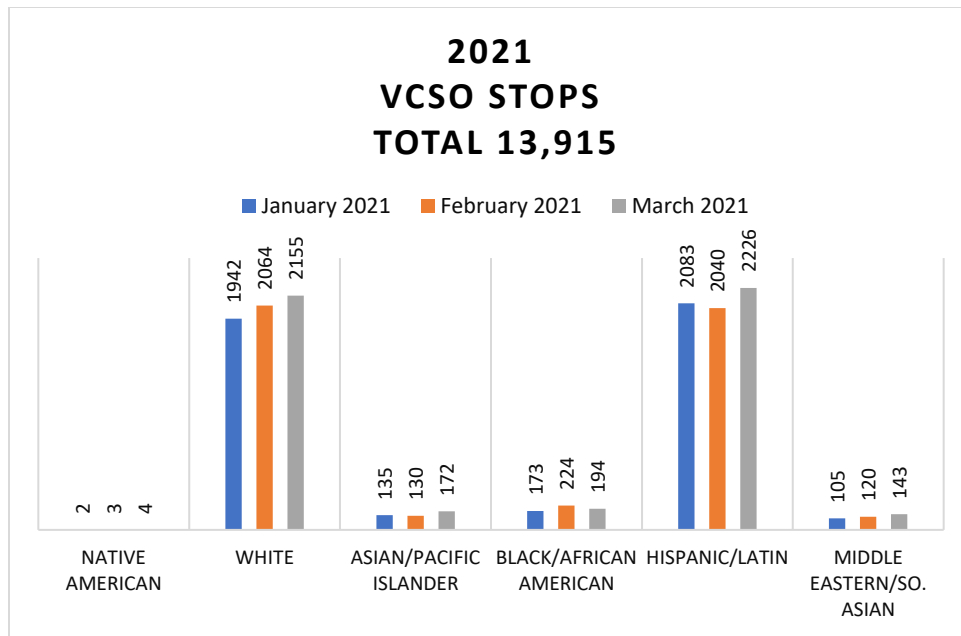
"In policing, for example, implicit bias might lead police officers to automatically be suspicious of two young Hispanic males driving in a neighborhood where few Hispanics live. Implicit bias might actually endanger officers; for example, if officers have an implicit bias based on gender, they might be 'under-vigilant' with women and miss clues suggesting that a particular woman may be dangerous.

"Although everyone has implicit biases, research shows that implicit biases can be reduced through the very process of discussing them and recognizing them for what they are. Once recognized, implicit biases can be reduced or 'managed,' and individuals can control the likelihood that these biases will affect their behavior. Unconscious negative bias toward a particular group also can be reduced through positive contacts with members of that group, and through 'counter-stereotyping,' in which individuals are exposed to information that is the opposite of the stereotypes they have about a group.

"Likewise, though, psychological research has revealed that an officer's day-to-day work may actually contribute to the development of negative stereotypes. Policing inherently involves dealing with criminality and other negative behavior, so if an officer is consistently, repeatedly exposed to negative stimuli and contacts within a given community, he or she may develop negative stereotypes regarding the members of that community. These stereotypes can influence implicit biases as discussed above and must also be actively managed." (footnotes omitted) (Ref-17)

California Assembly Bill 953 requires that "[e]ach state and local agency that employs peace officers shall annually report to the Attorney General data on all stops conducted by that agency's peace officers for the preceding calendar year." A stop means "any detention by a peace officer of a person, or any peace officer interaction with a person in which the peace officer conducts a search, including a consensual search, of the person's body or property in the person's possession or control." The reported data must include the "perceived race or ethnicity" of the person stopped. (Ref-18)

The following graphs reflect the data regarding stops that VCSO reported to the California Department of Justice for January, February, and March 2021. (Ref-19)



The racial or ethnic demographics used by VCSO for the populations it serves is: American Indian 3%, Asian 8.3%, Black 2.2%, Hispanic 29.4%, Pacific Islander 0.3%, White 58.5%, and Other 1.7%. (Att-02) The population demographics are based upon residence addresses and the individual’s disclosure of their race or ethnicity. The information VCSO reports to the California Department of Justice is based upon stops within the County, which could include residents from outside the County, and the officer’s perception of the race or ethnicity. (Ref-18, Ref-19)

VCSO has met and established ongoing communication with representatives of several advocacy groups, such as the NAACP, Black Lawyers Association, and the League of United Latin American Citizens (LULAC). It is also involved in community outreach programs. Some of these include Special Olympics, Shop with a Cop,

community meetings, National Night Out, Chamber of Commerce, and various service clubs. (Ref-03)

Policies Related to Bias

VCSO's Policies define bias-based policing as "[a]n inappropriate reliance on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement...." (Ref-20)

VCSO is "committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.... Bias-based policing is strictly prohibited." (Ref-20)

"Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any biased-based actions by another member." (Ref-21)

Training – Identifying and Mitigating Bias

California Penal Code (PC) Section 13519.4 specifically requires POST to focus on issues of bias. That section provides that "[t]he course or courses of instruction and the guidelines shall stress understanding and respect for racial, identity, and cultural differences, and development of effective, noncombative methods of carrying out law enforcement duties in a diverse racial, identity, and cultural environment... The course of basic training for peace officers shall include adequate instruction on racial, identity, and cultural diversity in order to foster mutual respect and cooperation between law enforcement and members of all racial, identity, and cultural groups. In developing the training, the commission shall consult with appropriate groups and individuals having an interest and expertise in the field of racial, identity, and cultural awareness and diversity." (Ref-22)

The statute goes on to provide that the course of instruction "include significant consideration to each of the following subjects:

- (1) Identification of key indices and perspectives that make up racial, identity, and cultural differences among residents in a local community.
- (2) Negative impact of intentional and implicit biases, prejudices, and stereotyping on effective law enforcement, including examination of how historical perceptions of discriminatory enforcement practices have harmed police-community relations.

- (3) The history and role of the civil and human rights movement and struggles and their impact on law enforcement.
- (4) Specific obligations of peace officers in preventing, reporting, and responding to discriminatory or biased practices by fellow peace officers.
- (5) Perspectives of diverse, local constituency groups and experts on particular racial, identity, and cultural and police-community relations in a local area.
- (6) The prohibition against racial or identity profiling....” (Ref-22)

In addition to completing the initial training courses on bias, every peace officer “shall be required to complete a refresher course every five years thereafter, or on a more frequent basis if deemed necessary, in order to keep current with changing racial, identity, and cultural trends.” (Ref-22)

POST has developed courses for each of the areas covered in PC Section 13915.4. (Att-01)

VCSO provides the following training in the areas of bias:

- “During recruit training through the VCCJTC, each recruit is provided 30 hours of mandated training in cultural diversity and discrimination.
- Bias-based Policing- Deputies receive 2 hours every 5 years through video, study guide and facilitation by a POST certified instructor
- Discriminatory Harassment- Review of departmental policy each year
- Discrimination and Sexual Harassment- LinkedIn training required every 2 years
- Developing Cultural Competency and Inclusion- Online class or 4-hour in-person class every 2 years” (Ref-02)

Overview of Use of Force

According to the U.S. Department of Justice, “[c]ommunity disturbances resulting from the police use of excessive or deadly force continue to plague many American communities. Law enforcement is an important societal function and its effectiveness is hampered when tensions exist between the police department and the public it serves.

“Over and over, one thing we have learned, is that good policing practices are essential to developing community support. Other elements include trust and confidence in the administration of justice. With this foundation, the prospect of successfully dealing with the potential for violent disturbances in the community is greatly enhanced. Moreover, a healthy relationship between the police and the community diminishes the prospect of the police using excessive force at all.” (Ref-23)

“Physical force is defined as any physical contact with, or use of any lethal or less-lethal weapon against a person (or persons), where there is a reasonable potential for injury. For ‘hands on’ techniques, it does not include manual escorts but does include control holds, take-downs, pressure points, strikes, etc. It also includes any deployment of a less-lethal weapon regardless of whether or not the person is actually struck or contacted.” (Ref-24)

VCSO has provided examples of manual escort as placing a passive hand on a person’s back for the purpose of guiding them in a direction, such as away from a vehicle or crime scene. (Ref-03)

When reporting a physical use of force, deputies must document the use of force in a General Offense Report. The report shall include a narrative by the deputy describing the use of force. (Ref-24)

“Pointing a firearm, less lethal shotgun, or Taser (with or without the laser) directly at a person or displaying a warning arc at a suspect are also considered uses of force; however, they are not considered physical force under this policy. These incidents shall also be accurately documented in a General Offense Report.” (Ref-25)

The following chart shows the use of force data, provided by VCSO, covering the period January 2018 to May 2020. (Ref-26)

VENTURA COUNTY SHERIFF’S OFFICE Comparison of Contacts and Reported Incidents of Use of Force Period January 2, 2018 – May 31, 2020				
Period	Contacts	Use of Force Incidents (UOF)	UOF Involving Serious Bodily Injury (GC §12525.2)	% of UOF per Contact
1/1/18 – 12/31/18	201,766	638	3	0.32%
1/1/19 – 12/31/19	202,394	654	2	0.32%
1/1/20 – 5/31/20	74,367	252	0	0.34%
Total	478,527	1,544	5	0.32%

In 2016, VCSO “created the Force Tactics Analysis Committee (FTAC), which is a committee of law enforcement force and training experts. The goal of this committee is to promote consistency with use of force training, reporting and review, identify and correct individual deputy problems or trends, recognize employees for using sound tactics during use of force incidents, identify and correct any agency shortcomings in policy training, and to be proactive in our force review process.” (Ref-02)

FTAC meets “each month and review[s] all evidence from use of force incidents, including reports, audio recordings, body worn cameras footage and any other evidence gathered during the incident. FTAC issues a determination on the use of force incidents and makes managers of the effected bureau aware of the results of the findings. FTAC can determine that additional training is required, and that training can come in the form of individual training for a particular deputy or department-wide training. If FTAC uncovers a violation of departmental policy or law, the matter is referred to the Sheriff’s Professional Standards Bureau.” (Ref-02)

Policies Related to Use of Force

California Senate Bill 230 was signed into law on September 12, 2019. (Ref-27) This Bill provides that “[e]ach law enforcement agency shall, by no later than January 1, 2021, maintain a policy that provides a minimum standard on the use of force. Each agency’s policy shall include all of the following.

- (1) A requirement that officers utilize deescalation [sic] techniques, crisis intervention tactics, and other alternatives to force when feasible.
- (2) A requirement that an officer may only use a level of force that they reasonably believe is proportional to the seriousness of the suspected offense or the reasonably perceived level of actual or threatened resistance.
- (3) A requirement that officers report potential excessive force to a superior officer when present and observing another officer using force that the officer believes to be beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances based upon the totality of information actually known to the officer.
- (4) Clear and specific guidelines regarding situations in which officers may or may not draw a firearm or point a firearm at a person.
- (5) A requirement that officers consider their surroundings and potential risks to bystanders, to the extent reasonable under the circumstances, before discharging a firearm.
- (6) Procedures for disclosing public records in accordance with [Penal Code] Section 832.7.
- (7) Procedures for the filing, investigation, and reporting of citizen complaints regarding use of force incidents.
- (8) A requirement that an officer intercede when present and observing another officer using force that is clearly beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances, taking into account the possibility that other officers may have additional information regarding the threat posed by a subject.

- (9) Comprehensive and specific guidelines regarding approved methods and devices available for the application of force.
- (10) An explicitly stated requirement that officers carry out duties, including use of force, in a manner that is fair and unbiased.
- (11) Comprehensive and specific guidelines for the application of deadly force.
- (12) Comprehensive and detailed requirements for prompt internal reporting and notification regarding a use of force incident, including reporting use of force incidents to the Department of Justice in compliance with [GC] Section 12525.2.
- (13) The role of supervisors in the review of use of force applications.
- (14) A requirement that officers promptly provide, if properly trained, or otherwise promptly procure medical assistance for persons injured in a use of force incident, when reasonable and safe to do so.
- (15) Training standards and requirements relating to demonstrated knowledge and understanding of the law enforcement agency's use of force policy by officers, investigators, and supervisors.
- (16) Training and guidelines regarding vulnerable populations, including, but not limited to, children, elderly persons, people who are pregnant, and people with physical, mental, and developmental disabilities.
- (17) Comprehensive and specific guidelines under which the discharge of a firearm at or from a moving vehicle may or may not be permitted.
- (18) Factors for evaluating and reviewing all use of force incidents.
- (19) Minimum training and course titles required to meet the objectives in the use of force policy.
- (20) A requirement for the regular review and updating of the policy to reflect developing practices and procedures." (Ref-27)

VCSO addresses these requirements primarily in Policies 300, 301, 302, 303, 306, 401, 810, and 1004 in its Policy Manual and Learning Domains 3, 9, 10, 20, 37, and 42 in its basic academy training.

Training – Focused on Use of Force

VCCJTC's Learning Domain 20 dedicates 25 instructional hours to the topic of use of force and de-escalation techniques. The minimum hours recommended by POST are 16. (Att-01) The Workbook for that Learning Domain states the learning outcome for this Learning Domain is to teach recruits that "[p]eace officers must recognize that they have the authority to use objectively reasonable force to effect an arrest,

to prevent escape, or to overcome resistance as authorized by the California Penal Code.” (Ref-28)

The learning objectives state, “after completing study of this chapter, the student will be able to:

- discuss *objectively reasonable force* as stated by law.
- discuss the components of the Fourth Amendment standard for determining objective reasonableness, as determined by the U.S. Supreme Court.
- explain the legal framework establishing a peace officer’s authority during a legal arrest, including:
 - subject’s requirement to submit to arrest without resistance
 - peace officer’s authority to use objectively reasonable force during a detention or arrest.
- identify the circumstances set forth in the California Penal Code when a peace officer has the authority to use force.
- discuss the level of authority agency policies have regarding the use of force by a peace officer.” (Ref-28)

The Workbook also provides instruction on defining and understanding the term “objectively reasonable force”, stating “[t]he reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight. The evaluation should be based on the facts and circumstances confronting the officer without regard to the officer’s underlying intent or motivation.” (Ref-28)

It also provides instruction on defining and understanding the principles of de-escalation, stating “[p]eace officers must understand how the principles of deescalation [sic] can enhance contacts with the public and may result in improved decision-making, reduction in situational intensity, and opportunities for outcomes with greater voluntary compliance.” De-escalation is defined as the process of using strategies and techniques intended to decrease the intensity of the situation. (Ref-28)

VCCJTC has a Force Options Simulator (FOS) room used by recruits and deputies alike. This is an interactive, high-definition video device that allows for the use of replica laser devices to engage in force response simulations. In the FOS room, unexpected and potentially dangerous scenarios are presented to the participant and they must make split-second decisions on the level and type of force most appropriate to use. The repeated engagement and interaction in these simulations is intended to hone the participant’s decision-making and observational skills. Those training on the simulators use non-firing weapons, including pepper spray, a

handgun, a rifle, and Taser. Instead of deploying bullets or electrodes, the weapons emit red light beams recognized by the simulator's cameras. (Ref-03)

Upon completion of Learning Domain 20, the instructors must use the POST-developed Scenario Test and the POST Scenario Competency Evaluation and Grading Test Forms, or presenter-developed forms approved by POST. (Ref-28)

In addition to basic academy training, VCSO provides four hours of use of force training and eight hours of crisis intervention training every two years. VCSO's intention is to add an additional eight hours of training regarding de-escalation decision making in future basic academy trainings. (Ref-29)

Body Worn Cameras

According to the U.S. Department of Justice, "[l]aw enforcement agencies across the United States and throughout the world are using body-worn cameras (BWCs) as a promising tool to improve evidentiary outcomes, and enhance the safety of, and improve interactions between, officers and the public. BWCs also are proving to be an important tool to assist broader law enforcement, problem-solving, and community engagement strategies within jurisdictions.

"BWCs can be highly effective resources, providing an unalterable audio and visual record of interactions that capture empirical evidence in the event of a crime, police-citizen interaction, or use-of-force incident." (Ref-30)

Policies Related to Body Worn Cameras

VCSO Policy 418.3 provides that "[t]here are many situations where the use of the BWC is appropriate. This policy is not intended to describe every possible circumstance. In addition to the required conditions, deputies should activate the system any time they feel its use would be appropriate and/or valuable to document an incident.

"Unless it is unsafe or impractical to do so, or mechanical issues impede the use of the device are present, deputies shall make every reasonable effort to activate their BWC prior to making contact in any of the following incidents:

1. During any law enforcement related contact or activity where there is a reasonable suspicion of criminal activity or a violation of law and investigative or enforcement action may be taken.
2. Deputies may activate the BWC before or during any other incident at their discretion and shall have the latitude to terminate the recording when there is no likelihood of force being used or anything else of evidentiary value occurring." (Ref-31)

Policy 418.3 also states that "[i]t shall be deemed a violation of this policy for a deputy to fail to activate the device or intentionally terminate a recording in order to conceal a violation of law or policy." (Ref-32)

Recommendations from the Police Executive Research Forum

In 2014, the Community Oriented Policing Services of the U.S. Department of Justice published a report titled "Implementing a Body-Worn Camera Program, Recommendations and Lessons Learned" that "documents extensive research and analysis by the Police Executive Research Forum (PERF), with support from the U.S. Department of Justice's Office of Community Oriented Policing Services (COPS Office)...." (Ref-33)

This report recommends, among other things, that, "[a]s a general recording policy, officers should be required to activate their body-worn cameras when responding to all calls for service and during all law enforcement-related encounters and activities that occur while the officer is on duty." Exceptions to the policy include: "officers should be required to obtain consent prior to recording interviews with crime victims"; and "officers should have the discretion to keep their cameras turned off during conversations with crime witnesses and members of the community who wish to report or discuss criminal activity in their neighborhood"; "or other situations in which activating cameras would be unsafe, impossible, or impractical." (Ref-33)

"Policies and training materials should clearly define what is included in the description 'law enforcement-related encounters and activities that occur while the officer is on duty.' Some agencies have found it useful to provide a list of examples in their policies, such as traffic stops, arrests, searches, interrogations or interviews, and pursuits." (Ref-33)

"Officers should also be required to activate the camera during the course of any encounter with the public that becomes adversarial after the initial contact." (Ref-33)

"Once activated, the body-worn camera should remain in recording mode until the conclusion of an incident/encounter, the officer has left the scene, or a supervisor has authorized (on camera) that a recording may cease. Officers should also announce while the camera is recording that the incident has concluded and the recording will now cease." (Ref-33)

Training – Focused on Body Worn Cameras

After a VCSO recruit graduates from basic academy training, he or she is assigned to work in the detention facilities for approximately four years. BWCs are not worn in the detention facilities. Detention facilities utilize fixed position cameras to monitor open non-private areas in detention facilities. When a deputy is assigned to a patrol position, they are paired with a Field Training Officer. It is the responsibility of the Field Training Officer to train the new field deputy on the use of the BWC. (Ref-03)

All patrol deputies and supervisors are issued BWCs. BWCs are on all the time, in a Buffering Mode/Standby Mode. While in this mode, the camera will continuously

record only video in 30 second loops. The camera and activation button are worn on the chest area of the deputy's uniform. Once activated by the deputy, the camera enters Event Mode, recording both audio and video. Maintaining a constant Buffering Mode allows the camera to capture 30 seconds of video of an activity before the camera is activated. (Ref-03)

Digitally encrypted data from BWCs is transferred to the digital evidence management service contracted for by VCSO while the BWC is being charged. The videos are considered evidence or records of interactions and are subject to retention policies and protection of records. Retention periods are established by VCSO in accordance with state and federal mandates. (Ref-03)

VCSO is currently in the testing phase for the next generation BWC, which has a remote access monitoring feature. (Ref-03)

Citizen Complaints

California law requires that each department that employs peace officers establish a procedure to investigate complaints by members of the public against the personnel of that department and make a written description of the procedure available to the public. (Ref-34) VCSO provides information regarding the filing of a complaint and the Citizen Complaint Form on its website. (Ref-35)

VCSO Policy 1003 describes the procedure and provides guidelines for filing and investigating citizen complaints against personnel. (Ref-36) Citizen complaints are accepted both verbally and in writing and may be received by any VCSO personnel. It is preferable that a Citizen Complaint Form be used. This form may be obtained on the VCSO website or at any VCSO station or bureau.

Whether in writing or verbal, there is an initial attempt to resolve a complaint informally to the satisfaction of the complainant. For example, some investigations of a citizen complaint may be quickly completed by review of BWC footage memorializing an event that exonerates the accused deputy. If this is not possible, the formal citizen complaint process starts, and it is assigned a tracking number. If the citizen complaint was received verbally, the personnel receiving it must put it in writing. Each formal citizen complaint includes a detailed narrative in the words of the complainant. The complainant will be provided a copy once it is submitted. It is requested that the written complaint be signed by the complainant, though a signature is not required. All formal citizen complaints are forwarded through the chain of command to the VCSO Professional Standards Bureau. This Bureau will process the complaint and assign it to the appropriate personnel to investigate. (Ref-03, Ref-36)

Investigations may include, but are not limited to, interviews with all parties involved, including witnesses, any oral statements provided at the scene, and viewing of all available video obtained from BWCs. VCSO's policy is to investigate

all citizen complaints with due diligence and complete each investigation within one year, if possible. (Ref-03, Ref-36)

All completed investigations are reviewed and approved by the head of the VCSO Professional Standards Bureau. "Each allegation shall be classified with one of the following dispositions:

Unfounded - When the investigation discloses that the alleged act(s) did not occur or did not involve department personnel. Complaints which are determined to be frivolous will fall within the classification of unfounded....

Exonerated - When the investigation discloses that the alleged act occurred, but that the act was justified, lawful and/or proper.

Not Sustained - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the employee.

Sustained - When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.

Abated - Due to lack of merit; the complainant withdraws the complaint or refuses to cooperate with the investigation, and/or there is insufficient evidence or alternative sources of information to pursue the matter further." (Ref-37)

All investigations concluded with a "sustained" allegation are forwarded through the chain of command to the commander of the involved employee. Any disciplinary action taken may consider the seriousness of the offense, any previous sustained allegations against the deputy, and the deputy's level of experience, in addition to any other pertinent factors. (Ref-03)

Within 30 days of the final disposition, a copy of the original complaint and written notice of the findings are sent to the complainant. The notice does not disclose any information regarding any discipline of the involved deputy. (Ref-37) Any complainant not satisfied with the department's findings may contact the Sheriff or designee to discuss the matter further. (Ref-38)

VCSO compiles information regarding complaints by allegation. The following chart gives information regarding complaints alleging biased policing as well as excessive force for the calendar years 2018 through 2020. (Ref-39)

2018-2020 BIAS AND EXCESSIVE FORCE							
ALLEGATION	ABATED	EXONERATED	UNFOUNDED	NOT SUSTAINED	SUSTAINED	OPEN	TOTAL
BIASED POLICING							
Bias - Age		3		1			4
Bias - Gender		3					3
Bias - Mental Disability		3	1				4
Bias - Physical Disability					1		1
Bias - Race	1		1	1			3
Bias -Discourteous		2		1			3
Bias - Undefined		26	3	1			30
TOTAL BIAS	1	37	5	4	1		48
EXCESSIVE FORCE		17	4		1		22

The Grand Jury reviewed each of the complaints referenced in the above chart. The Grand Jury reviewed 38 additional complaints categorized as harassment or discourteousness, but there was insufficient information to determine if those complaints should be categorized as biased policing or excessive force.

Of the 70 complaints categorized as biased policing or excessive force, 32 of the complaint files reviewed by the Grand Jury indicated that the disposition of the complaints was based, in large part, on BWC information. As to the remaining 38 complaints, the files reviewed indicated that there was no BWC footage, limited BWC footage, or insufficient BWC footage; and the disposition of those complaints was based on statements of the complainant, independent witnesses, where they existed, and/or the deputies involved.

Diversity within VCSO

One of the key recommendations for “building trust and legitimacy” in community police relations from the May 2015 Final Report of the President’s Task Force on 21st Century Policing focused on the need to ensure law enforcement agencies better reflect the diversity of the communities they serve. (Ref-40)

“As the Task Force recognized, increased diversity within law enforcement agencies – defined not only in terms of race and gender, but also other characteristics including religion, sexual orientation, gender identity, language ability, background, and experience – serve as a critically important tool to build trust with communities. This finding is bolstered by decades of research confirming that when members of the public believe their law enforcement organizations represent them, understand them, and respond to them – and when communities perceive authorities as fair, legitimate, and accountable – it deepens trust in law enforcement, instills public confidence in government, and supports the integrity of democracy. This trust is essential to defusing tension, to solving crimes, and to creating a system in which residents view law enforcement as fair and just. Victims

and witnesses of crime may not approach or engage with law enforcement if they do not perceive such authorities to be responsive to their experiences and concerns. This trust – and the cooperation it facilitates – also enables officers to more effectively and safely perform their jobs.

“Research further suggests that increased diversity can make law enforcement agencies more open to reform, more willing to initiate cultural and systemic changes, and more responsive to the residents they serve. Some have pointed to increased diversity as a catalyst for reform, enabling officers and law enforcement leaders alike to become more introspective and reflective about problems in their departments. A more reflective and open-minded culture in an agency can help drive reform across a range of areas, including civilian oversight, community policing, and racial bias. In addition, while greater workforce diversity alone cannot ensure fair and effective policing, a significant – and growing – body of evidence suggests that diversity can have a positive influence on specific activities and practices of law enforcement agencies.” (Ref-40)

VCSO pursues its diversity goal with respect to its workforce through the use of social media, recruitment fairs, distribution of printed material, attendance at employment fairs and talking to advocacy groups. (Ref-03) For more information on VCSO workforce diversity, see the Sheriff’s Office Workforce Statistics chart. (Att-02)

Recent Legislation

California Government Code Section 25303 provides that “[t]he board of supervisors shall supervise the official conduct of all county officers, and officers of all districts and other subdivisions of the county....” (Ref-41)

On September 30, 2020, California adopted AB 1185 which provides that “[a] county may create a sheriff oversight board, either by action of the board of supervisors or through a vote of county residents, comprised of civilians to assist the board of supervisors with its duties required pursuant to Section 25303 that relate to the sheriff.” (Ref-42)

On November 10, 2020, the Ventura County Board of Supervisors (BOS) adopted Resolution 20-126 “[p]ledging to collaborate with the county’s law and justice agencies and the community to establish an advisory group to help foster meaningful discussions and to identify public concerns related to policing policies and procedures with regard to matters such as hiring, training, and misconduct.” However, this resolution does not specifically address AB 1185. (Ref-43)

VCSO Complaint Form

California Penal Code Section 148.6(a)(2) states that “[a] law enforcement agency accepting an allegation of misconduct against a peace officer shall require the complainant to read and sign the following advisory, all in boldface type:

YOU HAVE THE RIGHT TO MAKE A COMPLAINT AGAINST A POLICE OFFICER FOR ANY IMPROPER POLICE CONDUCT. CALIFORNIA LAW REQUIRES THIS AGENCY TO HAVE A PROCEDURE TO INVESTIGATE CIVILIANS' COMPLAINTS. YOU HAVE A RIGHT TO A WRITTEN DESCRIPTION OF THIS PROCEDURE. THIS AGENCY MAY FIND AFTER INVESTIGATION THAT THERE IS NOT ENOUGH EVIDENCE TO WARRANT ACTION ON YOUR COMPLAINT; EVEN IF THAT IS THE CASE, YOU HAVE THE RIGHT TO MAKE THE COMPLAINT AND HAVE IT INVESTIGATED IF YOU BELIEVE AN OFFICER BEHAVED IMPROPERLY. CIVILIAN COMPLAINTS AND ANY REPORTS OR FINDINGS RELATING TO COMPLAINTS MUST BE RETAINED BY THIS AGENCY FOR AT LEAST FIVE YEARS.

IT IS AGAINST THE LAW TO MAKE A COMPLAINT THAT YOU KNOW TO BE FALSE. IF YOU MAKE A COMPLAINT AGAINST AN OFFICER KNOWING THAT IT IS FALSE, YOU CAN BE PROSECUTED ON A MISDEMEANOR CHARGE.

I have read and understood the above statement.

Complainant _____" (Ref-44)

The VCSO's website contains a Citizen Complaint Form last revised in November 2018. Below is the wording and format this form uses:

**"California Penal Code § 148.6 states:
You have the right to make a complaint against a police officer for any improper police conduct. California law requires this agency to have a procedure to investigate citizens' complaints. You have a right to a written description of this procedure. This agency may find after investigation that there is not enough evidence to warrant action on your complaint; even if that is the case, you have the right to make the complaint and have it investigated if you believe an officer behaved improperly. Citizen complaints and any reports or findings relating to complaints must be retained by this agency for at least five years.**

I HAVE READ AND UNDERSTAND THE ABOVE STATEMENT

Signature of Complainant

Date

FILING A FALSE COMPLAINT AGAINST A PEACE OFFICER MAY SUBJECT YOU TO CIVIL AND CRIMINAL LIABILITY. If you file a false complaint against a peace officer alleging misconduct, criminal conduct, or incompetence, you may be sued for defamation under Civil Code section 47.5. If your false complaint alleges criminal conduct, you may also be prosecuted under Penal Code section 148.5." (Ref-45)

The VCSO Citizen Complaint form does not put the initial paragraph in all capital letters nor include the second paragraph from California Penal Code 148.6(a)(2). (Ref-44, Ref-45)

FINDINGS

- F-01.** The Grand Jury finds that VCSO provides training to its deputies that exceeds the minimum basic academy training hours recommended by POST by approximately 273 hours, or 41%.
- F-02.** The Grand Jury finds that VCSO conducts thorough background investigations as part of its efforts to identify bias of its recruits and past instances that may lead to the use of improper force.
- F-03.** The Grand Jury finds that since bias, especially implicit bias, is a result of prior influences and imprints, it cannot be completely eliminated.
- F-04.** The Grand Jury finds that law enforcement agencies can help to mitigate the impact of bias in their interaction with the community through policies and the enforcement of those policies.
- F-05.** The Grand Jury finds that training can allow an individual to identify his or her biases, become aware of the impact those biases can have on his or her perception of people and situations, and help to mitigate that impact.
- F-06.** The Grand Jury finds that the very nature of policing involves the possibility of the use of force and the need to make decisions under pressure.
- F-07.** The Grand Jury finds that VCSO's Policies and Learning Domains appear to address the items required by California Senate Bill 230.
- F-08.** The Grand Jury finds that law enforcement can work to minimize the use of improper force through policies and training.
- F-09.** The Grand Jury finds that VCSO's policy regarding BWCs contains an element of discretion as to when the BWC is to be turned on or off.
- F-10.** The Grand Jury finds that BWC information can be an important element in determining the outcome of many citizen complaints.
- F-11.** The Grand Jury finds that VCSO makes an internal determination of the outcome of citizen complaints filed against its deputies.
- F-12.** The Grand Jury did not find any pattern of bias or use of improper force in the citizen complaints reviewed by the Grand Jury for the calendar years 2018 through 2020.

- F-13.** The Grand Jury finds that California AB 1185 provides a vehicle for civilian oversight of county sheriffs through the authorization of sheriff oversight boards.
- F-14.** The Grand Jury finds that the BOS's November 10, 2020 Resolution 20-126, did not specially address AB 1185.
- F-15.** The Grand Jury finds that the creation of a sheriff oversight board for VCSO would benefit both VCSO and the public by increasing accountability and transparency, and would serve to provide an additional level of trust to community members who encounter deputies.
- F-16.** The Grand Jury finds that VCSO's Citizen's Complaint Form does not comply with the express wording and formatting requirements of PC Section 148.6(a)(2).

RECOMMENDATIONS

- R-01.** The Grand Jury recommends that VCSO require activation of BWCs when responding to all calls for service and during all enforcement-related encounters and activities. (F-09, F-10)
- R-02.** The Grand Jury recommends that, once a BWC is activated, whether in accordance with the previous recommendation or for any other reason, VCSO require the BWC to remain in recording mode until the conclusion of the encounter/activity or the officer has left the scene, except for limited exceptions announced while the BWC is recording. (F-09, F-10)
- R-03.** The Grand Jury recommends that the Ventura County Board of Supervisors consider creating a sheriff oversight board with respect to VCSO as authorized by AB 1185. (F-11, F-13, F-14, F-15)
- R-04.** The Grand Jury recommends that VCSO revise its Citizen Complaint Form to comply with the express wording and formatting requirements of California Penal Code Section 148.6(a)(2). (F-16)

RESPONSES

Responses required from:

The following elected officers or agency heads within 60 days:

Ventura County Sheriff (F-01, F-02, F-03, F-04, F-05, F-06, F-07, F-08, F-09, F-10, F-11, F-12, F-13, F-15, F-16) (R-01, R-02, R-04)

Ventura County Board of Supervisors (F-13, F-14, F-15) (R-03)

COMMENDATIONS

The Grand Jury commends VCSO for its extensive hiring procedures, training and policies designed to address issues raised by bias and use of improper force.

REFERENCES

- Ref-01.** Final Report of the President’s Task Force on 21st Century Policing, May 2015, page 1
<https://d3n8a8pro7vhmx.cloudfront.net/nacole/pages/115/attachment/original/1570474092/President-Barack-Obama-Task-Force-on-21st-Century-Policing-Final-Report-min.pdf?1570474092> Accessed April 24, 2021
- Ref-02.** VCSO. Hiring, Training, Reporting and Accountability, An Overview of the Ventura County Sheriff’s Office, June 22, 2020
<https://s29762.pcdn.co/wp-content/uploads/2020/06/Hiring-Training-Reporting-and-Accountability-A-VCSO-Overview.pdf> Accessed April 24, 2021
- Ref-03.** Interviews with relevant persons
- Ref-04.** California Penal Code Section 13500
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN§ionNum=13500 Accessed April 24, 2021
- Ref-05.** California Penal Code Section 13503(e)
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN§ionNum=13503 Accessed April 24, 2021
- Ref-06.** California Penal Code Section 13510(a)
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN§ionNum=13510 Accessed April 24, 2021
- Ref-07.** POST. About POST
<https://post.ca.gov/About-Us> Accessed April 24, 2021
- Ref-08.** POST. California Law Enforcement Agencies <https://post.ca.gov/le-agencies> Accessed April 24, 2021
- Ref-09.** 11 CCR Section 1950
<https://govt.westlaw.com/calregs/Document/IB830F2D3D3DB4039BF5CE10712871EFA?viewType=FullText&originationContext=documenttoc&transitionType=StatuteNavigator&contextData=%28sc.Default%29> Accessed April 24, 2021
- Ref-10.** POST. Peace Officer Basic Training <https://post.ca.gov/peace-officer-basic-training> Accessed April 24, 2021
- Ref-11.** POST. Regular Basic Course

- <https://post.ca.gov/regular-basic-course>. Accessed April 24, 2021
- Ref-12.** POST. Basic Training Academies <https://post.ca.gov/basic-training-academies> Accessed April 24, 2021
- Ref-13.** VCSO. Ventura County SO Policy Manual https://s29762.pcdn.co/wp-content/uploads/2021/02/RELEASE_20210202_T183010_Ventura_County_Sheriff_s_Office_-PUBLIC.pdf Accessed April 24, 2021
- Ref-14.** Lexipol website <https://www.lexipol.com/> Accessed April 24, 2021
- Ref-15.** California Government Code Section 1031 https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=1031.&lawCode=GOV Accessed April 24, 2021
- Ref-16.** POST. Peace Officer Psychological Screening Manual <https://post.ca.gov/peace-officer-psychological-screening-manual> Accessed April 24, 2021
- Ref-17.** U.S. Department of Justice. Community Relations Services Toolkit for Policing, Understanding Bias: A Resource Guide pages 2-3 <https://www.justice.gov/crs/file/836431/download> Accessed April 24, 2021
- Ref-18.** California Assembly Bill 953 https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB953 Accessed April 24, 2021
- Ref-19.** The Grand Jury developed these graphs from data provided by VCSO
- Ref-20.** VCSO. Policy Manual page 275 https://s29762.pcdn.co/wp-content/uploads/2021/02/RELEASE_20210202_T183010_Ventura_County_Sheriff_s_Office_-PUBLIC.pdf Accessed April 24, 2021
- Ref-21.** VCSO. Policy Manual page 276 https://s29762.pcdn.co/wp-content/uploads/2021/02/RELEASE_20210202_T183010_Ventura_County_Sheriff_s_Office_-PUBLIC.pdf Accessed April 24, 2021
- Ref-22.** California Penal Code Section 13519.4 https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN§ionNum=13519.4 Accessed April 24, 2021
- Ref-23.** Community Relations Service, U.S. Department of Justice. Police Use of Excessive Force, A Conciliation Handbook for the Police and the Community, June 2020 <https://www.justice.gov/archive/crs/pubs/pdexcess.htm> Accessed April 24, 2021
- Ref-24.** VCSO. Policy Manual page 47 https://s29762.pcdn.co/wp-content/uploads/2021/02/RELEASE_20210202_T183010_Ventura_County_Sheriff_s_Office_-PUBLIC.pdf Accessed April 24, 2021

- Ref-25.** VCSO. Policy Manual page 48 https://s29762.pcdn.co/wp-content/uploads/2021/02/RELEASE_20210202_T183010_Ventura_County_Sheriff_s_Office_-PUBLIC.pdf Accessed April 24, 2021
- Ref-26.** The Grand Jury reformatted the data table provided by VCSO
- Ref-27.** California Senate Bill 230
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB230 Accessed April 24, 2021
- Ref-28.** POST. Basic Course Workbook Series Student Materials, Learning Domain 20, Use of Force/Deescalation Version 5.3, July 2020
<https://post.ca.gov/regular-basic-course-training-specifications>
Accessed April 24, 2021
- Ref-29.** VCSO Use of Force Introduction Power Point
- Ref-30.** Bureau of Justice Assistance, Department of Justice. Body-Worn Cameras (BWCs), August 27, 2020 <https://bjaojp.gov/program/body-worn-cameras-bwcs/overview> Accessed April 24, 2021
- Ref-31.** VCSO. Policy Manual page 330 https://s29762.pcdn.co/wp-content/uploads/2021/02/RELEASE_20210202_T183010_Ventura_County_Sheriff_s_Office_-PUBLIC.pdf Accessed April 24, 2021
- Ref-32.** VCSO. Policy Manual page 331 https://s29762.pcdn.co/wp-content/uploads/2021/02/RELEASE_20210202_T183010_Ventura_County_Sheriff_s_Office_-PUBLIC.pdf Accessed April 24, 2021
- Ref-33.** Community Oriented Policing Services, U.S. Department of Justice. Implementing a Body-Worn Camera Program, Recommendations and Lessons Learned, 2014
<https://www.justice.gov/iso/opa/resources/472014912134715246869.pdf> Accessed April 24, 2021
- Ref-34.** California Penal Code Section 832.5
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN§ionNum=832.5 Accessed April 24, 2021
- Ref-35.** VCSO. Complaint <https://www.venturasheriff.org/contact/complaint/>. Accessed April 24, 2021
- Ref-36.** VCSO. Policy Manual pages 509 through 516
https://s29762.pcdn.co/wp-content/uploads/2021/02/RELEASE_20210202_T183010_Ventura_County_Sheriff_s_Office_-PUBLIC.pdf Accessed April 24, 2021
- Ref-37.** VCSO. Policy Manual page 515 https://s29762.pcdn.co/wp-content/uploads/2021/02/RELEASE_20210202_T183010_Ventura_County_Sheriff_s_Office_-PUBLIC.pdf Accessed April 24, 2021

- Ref-38.** VCSO. Policy Manual page 516 https://s29762.pcdn.co/wp-content/uploads/2021/02/RELEASE_20210202_T183010_Ventura_County_Sheriff_s_Office_-PUBLIC.pdf Accessed April 24, 2021
- Ref-39.** The Grand Jury developed this table from data provide by VCSO
- Ref-40.** US Department of Justice Equal Employment Opportunity Commission. Advancing Diversity in Law Enforcement, October 2016
<https://www.justice.gov/crt/case-document/file/900761/download>
Accessed April 24, 2021
- Ref-41.** California Government Code Section 25303
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV§ionNum=25303 Accessed April 24, 2021
- Ref-42.** California Assembly Bill 1185
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1185 Accessed April 24, 2021
- Ref-43.** BOS November 10, 2020 Resolution No. 20-126
- Ref-44.** California Penal Code Section 148.6
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN§ionNum=148.6 Accessed April 24, 2021
- Ref-45.** VCSO. Citizens Complaint Form https://s29762.pcdn.co/wp-content/uploads/2018/12/Citizen_Complaint_Form_Eng_Ayub1118.pdf
Accessed April 24 2021

ATTACHMENTS

- Att-01.** VCCJTC Hours Taught and POST Hourly Requirements, Regular Basic Academy Course 2021-1
- Att-02.** Sheriff's Office Workforce Statistics

GLOSSARY**TERM****DEFINITION**

BOS	Ventura County Board of Supervisors
BWC	Body Worn Camera
County	Ventura County
FOS	Force Options Simulator
FTAC	Force Tactics Analysis Committee
GC	California Government Code
Grand Jury	2020-2021 Ventura County Grand Jury
Learning Domains	Individual topics covered by the Regular Basic Course
PC	California Penal Code
Policy	A policy included in the Policy Manual
Policy Manual	Ventura County SO Policy Manual
POST	Commission on Peace Officer Standards and Training
VCCJTC	Ventura County Criminal Justice Training Center
VCSO	Ventura County Sheriff's Office

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Attachment 01
VCCJTC Hours Taught and POST Hourly Requirements
Regular Basic Academy Course 2021-1

VCCJTC HOURS TAUGHT AND POST HOURLY REQUIREMENTS REGULAR BASIC ACADEMY COURSE 2021-1				
Domain Number	Domain Description	LD Exam	VCCJTC Hours	POST Minimum Hours
1	Leadership, Professionalism & Ethics		11	8
2	Criminal Justice System		4	2
3	Policing in the Community		26	26
4	Victimology/Crisis Intervention		8	6
5	Introduction to Criminal Law		5	4
6	Property Crimes		10	6
7	Crimes Against Persons		19	6
8	General Criminal Statutes		4	2
9	Crimes Against Children		8	4
10	Sex Crimes		8	4
11	Juvenile Law and Procedure		6	3
12	Controlled Substances		12	12
13	ABC Law		4	2
15	Laws of Arrest		22	12
16	Search and Seizure		20	12
17	Presentation of Evidence		10	6
18	Investigative Report Writing	Tests by Instructors	48	48
19	Vehicle Operations	Tests by Staff	40	40
20	Use of Force		25	16
21	Patrol Techniques		17	12
22	Vehicle Pullovers		19	14
23	Crimes in Progress		48	20
24	Handling Disputes / Crowd Control		10	8
25	Domestic Violence		12	10
26	Critical Incidents		12	4
27	Missing Persons		4	4
28	Traffic Enforcement		16	16
29	Traffic Accident Investigation		12	12
30	Crime Scene, Evidence and Forensics		16	12
31	Custody		2	2
32	Lifetime Fitness (PT)	Tests by Staff	108	44
33	Arrest and Control	Tests by Instructors	60	60
34	First Aid, CPR and AED	1 hour	26	21
35	Firearms / Chemical Agents	Tests by Instructors	89	72
36	Information Systems		4	2
37	People with Disabilities		15	15
38	Gang Awareness		8	2
39	Crimes Against the Justice System		6	4
40	Weapons Violations		6	4
42	Cultural Diversity / Discrimination		24	16
43	Terrorism Awareness		4	4
Additional instruction and testing hours for POST-required content			24	14
TOTAL INSTRUCTIONAL HOURS			855	591
TESTS				
Scenario Tests				
(40 hours test administration/scenario testing;			40	40
18 hours scenario demonstration/practicals)			31	18
(LDs 1, 4, 7, 20, 21, 22, 23, 25, 30 & 37)			71	58
POST-Constructed Comprehensive Tests				
LD34/First Aid			1	1
RBC Test 1 (LDs 5, 15, 16, 20, 39)			3	3
RBC Test 2 (LDs 2,3,5,6,7,8,9,10,15,16,20,39)			3	3
RBC Test 3 (LDs 5,6,7,8,9,10,11,12,15,16,20,25,26,28,31,36,37,39,40, 43)			4	4
TOTAL MINIMUM REQUIRED HOURS			937	664

Attachment 02
Sheriff's Office Workforce Statistics

Sheriff's Office Workforce Statistics

	Ventura County Jurisdiction (Population Served 01-30-18)	Sheriff's Office Total Workforce	Sworn New Hires 2011-2020		Existing Sworn Workforce**														
			% Sworn* Hires	# Sworn* Hires	TOTAL % ALL SWORN RANKS	BY RANK													
						Deputy Sheriff Trainee Class 2020-01	Deputy		Senior Deputy		Sergeant		Captain		Commander		Executive Staff		
#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%		
Gender																			
Female	51%	33%	21%	84	14%	6	25%	67	15%	17	12%	6	6%	3	12%	1	13%	1	20%
Male	49%	67%	79%	312	86%	18	75%	384	85%	121	88%	88	94%	23	88%	7	88%	4	80%
Total	100%	100%	100%	396	100%	24	100%	451	100%	138	100%	94	100%	26	100%	8	100%	5	100%
Ethnicity																			
American Indian	3%	0.5%	1.3%	5	0.4%	0	0%	3	1%	0	0%	0	0%	0	0%	0	0%	0	0%
Asian	8.3%	6.6%	3.5%	14	4.6%	1	4%	26	6%	6	4%	1	1%	0	0%	0	0%	0	0%
Black	2.2%	3.4%	4.5%	18	2.2%	1	4%	12	3%	1	1%	1	1%	1	4%	0	0%	0	0%
Hispanic	29.4%	32.4%	34.8%	138	28.3%	10	42%	143	32%	33	24%	19	20%	5	19%	0	0%	0	0%
Pacific Islander	0.3%	0.8%	1.0%	4	0.7%	0	0%	4	1%	1	1%	0	0%	0	0%	0	0%	0	0%
White	58.5%	56.2%	54.8%	217	63.8%	12	50%	263	58%	97	70%	73	78%	20	77%	8	100%	5	100%
Other	1.7%	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total	103.5%***	100%	100%	396	100%	24	100%	451	100%	138	100%	94	100%	26	100%	8	100%	5	100%

* Sworn New Hires includes Deputy Sheriff Trainee, Academy Completes and Deputy Sheriff Laterals. Academy classes 2011-1 through 2020-1.

** VCHRP [Ventura County Human Resources Payroll] report through PP [Pay Period] 20-21 (September 20 - October 3, 2020) and promotions through October 18, 2020

*** Total is more than 100% due to survey takers selecting more than one race for an option on the Census data

**** VCHRP report through PP 20-21 (September 20 – October 3, 2020).

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Sheriff's Office Workforce Statistics - continued

	Ventura County Jurisdiction (Population Served 01-30-18)	Sheriff's Office Total Workforce	Existing Professional Staff				
			TOTAL % ALL PROFESSIONAL STAFF	Professional Management Staff		Professional Non-Management Staff	
Gender				#	%	#	%
Female	51%	33%	61%	20	63%	306	61%
Male	49%	67%	39%	12	38%	198	39%
Total	100%	100%	100%	32	100%	504	100%
Ethnicity							
American Indian	3%	0.5%	0.7%	1	3%	3	1%
Asian	8.3%	6.6%	9.5%	2	6%	49	10%
Black	2.2%	3.4%	5.2%	1	3%	27	5%
Hispanic	29.4%	32.4%	38.4%	12	38%	194	38%
Pacific Islander	0.3%	0.8%	0.9%	0	0%	5	1%
White	58.5%	56.2%	45.1%	16	50%	226	45%
Other	1.7%	-	-	-	-	-	-
Total	103.5%***	100%	100%	32	100%	504	100%

* Sworn New Hires includes Deputy Sheriff Trainee, Academy Completes and Deputy Sheriff Laterals. Academy classes 2011-1 through 2020-1.

** VCHRP [Ventura County Human Resources Payroll] report through PP [Pay Period] 20-21 (September 20 - October 3, 2020) and promotions through October 18, 2020

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**** VCHRP report through PP 20-21 (September 20 – October 3, 2020)

Date Prepared 10/8/20.