



POLICE DEPARTMENT
City of Benicia

September 7, 2021

Presiding Judge Donna Stashyn
Solano County Grand Jury 2020-2021
Hall of Justice
600 Union Ave
Fairfield, CA 94533
(via email: cdclower@solano.courts.ca.gov)

RE: Responses to Solano County Grand Jury Report

Dear Judge Stashyn,

On behalf of the City of Benicia, this letter serves as the City's response to the report named above and was approved by the City Council at its September 7th, 2021 meeting. The response is due to the Grand Jury no later than September 23, 2021.

FINDING 1 – The Solano County Civil Grand Jury found that local law enforcement agencies comply with the statutory requirements when providing training. However, bias training is only required and conducted every five years. Local law enforcement administrations agreed there is too much time between training sessions.

RECOMMENDATION 1 – County law enforcement agencies adopt a more frequent schedule of diversity and bias training over and above the current five-year requirement.

RESPONSE TO RECOMMENDATION 1

The Benicia Police Department employs a regular cadence of professional development for all Department staff, which includes community engagement, cultural awareness, and anti-bias training. In 2019, The Benicia Police Department initiated a specific focus on anti-bias training through the integration of practices highlighted in the book, "Producing Bias-Free Policing: A Science-Based Approach" by Lorie Fridell. As part of this work, all department supervisors are required to read the book and participate in facilitated discussions as to how we can incorporate these and other practices in our current policies and procedures toward a goal of reducing the impact and perception of implicit bias in our profession. Department supervisors lead "teach-back" sessions with their subordinates on producing bias-free policing and best practices, establishing a baseline within the Department of a common goal integrity, inclusivity, and continuous improvement of our diversity efforts. As an extension of this work, I personally facilitate conversations with all new employees on implicit bias, how and what we do within the Department to minimize the effects of bias and provide a copy of Fridell's book. It has been my

goal as the Chief of Police to provide ongoing opportunities for the Department to expand its knowledge base in this area and reaffirm the Department's commitment to unbiased law enforcement practices.

FINDING 2 – Most law enforcement administrations identified lack of adequate funding as an impairment to providing additional and/or more frequent training.

RECOMMENDATION 2a— Law enforcement administrations seek increased funding for diversity and bias training.

RESPONSE TO RECOMMENDATION 2a

The Benicia Police Department sustains a robust training budget, which ensures that all personnel are proficient in contemporary strategies and current approaches in community safety. In 2021, the City of Benicia hired an Equity, Diversity, and Inclusion Manager (“Equity Manager”) to review and implement equitable processes, policy, and inclusive practices within all departments, including, but not limited to, the Benicia Police Department. This new role has proved invaluable to the Department as an internal resource to support our efforts to provide additional and more frequent training. We meet bi-weekly with the Equity Manager to consult on de-escalation strategies, review case reports, proposed action plans, communication strategies, etc. The Equity Manager is invited to meetings, participates in community events along with other City staff and leadership, and is a known resource to and for the Department. Leveraging the City's internal resource in this way allows us to remain strategically aligned with the overall vision for equity, diversity, and inclusion in Benicia, as we simultaneously use our dedicated training budget for Department-specific needs in these areas.

RECOMMENDATION 2b— Collaborate with other local law enforcement agencies in providing diversity and bias training.

RESPONSE TO RECOMMENDATION 2b

The Benicia Police Department is an active member of several associations to enhance our collaboration with other law enforcement agencies – namely, the Solano County Chiefs, county-wide commanders, and the training managers associations. The monthly meetings of these and affiliated groups present multiple opportunities to for our Department to learn more about and share best practices in diversity and anti-bias training.

FINDING 3 -More under-represented people need to be represented in decision making roles.

RECOMMENDATION 3—Law enforcement agencies promote more under-represented people to decision making positions.

RESPONSE TO RECOMMENDATION 3

The Benicia Police Department is proud of our diversity and inclusivity. In fact, the Department boasts more racial and gender diversity than the community it serves. Of the 52 employees in the Department, we represent a balance of gender diversity – 26 male and 26 female employees. More than one-third of the Department is comprised of employees from under-represented populations of race, ethnicity, and language diversity.

This is reflected in the diversity of the supervisors and decision makers as well. Since the Department has a diverse pool of personnel, inevitably those who are promoted reflect this diversity. The Department also prioritizes professional growth in its personnel by providing training opportunities and other educational resources and promotes from within the department.

FINDING 4 – California Penal Code section 13651(a) states: “Every police department, sheriff’s office, or other entity that employs peace officers shall review the job description that is used in the recruitment and hiring of those peace officers and shall make changes that emphasize community-based policing, familiarization between law enforcement and community residents, and collaborative problem solving, while de-emphasizing the paramilitary aspects of the job.” All administrators mentioned the general population’s lack of trust of law enforcement officers.

RECOMMENDATION 4a – Ensure that training de-emphasizes a paramilitary approach to policing.

RESPONSE TO RECOMMENDATION 4a

The Benicia Police Department has never taken a para-militaristic approach in its policing. The Department emphasizes de-escalation training for its sworn personnel and public safety dispatchers, as well as the use of less lethal means when responding to escalated service calls. Two Benicia officers are part of the county-wide Crisis Intervention Team.

The Department embraces compassionate policing, an approach which focuses on enforcing the law in a humanistic and holistic manner. Special emphasis is given to selective recruitment and inclusive hiring practices, encouraging applicants from underrepresented groups, non-traditional backgrounds, and life experiences. Candidates are screened to ensure they possess the necessary traits and mindset to apply a compassionate policing approach within our community, and as a representation of our Department culture.

RECOMMENDATION 4b – Use a collaborative approach with community organizations to problem solve.

RESPONSE TO RECOMMENDATION 4b

The Benicia Police Department is an active member of the community and trusted partner to our local organizations. We provide oversight to the Neighborhood Watch program and encourage community members to be engaged in safety for all. The Department has an award-winning volunteer program for its retired residents and puts together free Citizens and Youth Citizens Police Academies annually.

The Department manages the Benicia Family Resource Center, which assists families with basic needs. Most recently, the Center was appointed to manage the Covid-19 assistance program for the City, as well as for the Napa Solano Area Agency for Aging.

The Department is involved with the youth through the partnership with the Benicia Unified School District. An officer is also dedicated as the homeless liaison and works closely with the unhoused community and the resources available county-wide.

FINDING 5 – For some Law enforcement agencies employee turnover is an issue.

RECOMMENDATION 5a – Suisun City increase the length of its employment contract to five years.

RESPONSE TO RECOMMENDATION 5a

N/A

RECOMMENDATION 5b – Law enforcement agencies find ways to achieve pay equity in the county to limit turn over in smaller communities.

RESPONSE TO RECOMMENDATION 5b

The Benicia Police Department represents a stable, connected workforce – the average Department tenure is 8.68 years. Average turnover in the Benicia Police Department is 5.8%, which represents less than half of the national average turnover rate for law enforcement agencies. The pay equity, however, is out of the Department’s control, because salaries and other compensations are set through negotiations between the City and bargaining units.

FINDING 6 – There are reports from the Federal Bureau of Investigation that extremist groups are infiltrating law enforcement agencies. While local law enforcement agencies investigate applicants as part of the vetting process, they rely on employee and citizen complaints to identify current staff social media postings for extremist ideology.

RECOMMENDATION 6a—Solano County law enforcement agencies monitor social media postings by current staff for extremist content.

RESPONSE TO RECOMMENDATION 6a

All applicants and employees of the Benicia Police Department undergo a rigorous screening process and background check of both their personal and professional activities. Any evidence of membership, participation, or affiliation with the activities of extremist associations would immediately disqualify applicants from employment and possible termination (employees).

RECOMMENDATION 6b— Law enforcement agency administrations keep up with the technology that their employees are using.

RESPONSE TO RECOMMENDATION 6b

The Benicia Police Department stays contemporary on relevant technologies that provide public safety to the community.

RECOMMENDATION 6c— Law enforcement agency administrations research and implement technology which assists in monitoring social media without violating first amendment rights.

RESPONSE TO RECOMMENDATION 6c

The Benicia Police Department has a strong policy regarding social media use for personal and/or professional use, which can be found on the Department's website

<https://www.ci.benicia.ca.us/police>. The Department also takes any allegations brought forward by the community seriously regarding anything posted on personnel's social media accounts. Any evidence of extremist views would be fully investigated and acted upon appropriately.

Please contact me should you have any further questions.

Sincerely,



MICHAEL GREENE

Chief of Police, City of Benicia

CC: Erik Upson, City Manager
Benjamin Stock, City Attorney, City of Benicia