

State of California ~ Department of Justice

OFFICE of the ATTORNEY GENERAL

KAMALA D. HARRIS

DOJ Division of Law Enforcement 90-Day Review

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Executive Summary:

In her second inaugural address, Attorney General Kamala D. Harris highlighted the important conversation taking place – in our living rooms and on our streets, here in California and around the nation – about the relationship of trust between law enforcement and the communities we are sworn to protect. The sacred trust between our men and women in law enforcement and the communities we serve is essential to a strong, prosperous and safe California.

As a first step, Attorney General Harris directed the Division of Law Enforcement (“DLE”) to conduct a review (“90-Day Review”) of our special agent training on implicit bias and use of force. She further directed DLE and the California Department of Justice to convene and work collaboratively with state and local law enforcement partners, community leaders and youth to craft tangible solutions that increase mutual understanding and strengthen trust. These undertakings rely on two central truths: (1) The public and law enforcement need each other and must work together to ensure the safety of our communities, and (2) California law enforcement has a unique opportunity to lead the way for the entire country. As such, and consistent with her direction, we not only conducted a review; we took action on a number of our key findings.

Findings:

- **Developed the first California Department of Justice policy on implicit bias.** This policy *expressly prohibits* bias on the basis of an individual’s race, ethnicity, national origin, gender, sexual orientation/identity, religion, socioeconomic status and/or age. As a result of this new policy, DLE has also conformed dozens of related policies to the new policy on implicit bias.
- **Established the first certified implicit bias/procedural justice training in the United States.** This new training program is the result of a collaborative partnership between this office, the Stockton and Oakland Police Departments, the Commission on Peace Officer Standards and Training (“POST”) – which sets the training standards for all California law enforcement – and Stanford University Professor Jennifer L. Eberhardt, who is an expert on implicit bias in law enforcement. This training will be available to police officers throughout California by the fall of 2015.

- **Formed the Attorney General’s 21st Century Policing Working Group.** This Working Group represents a diverse coalition of California law enforcement leaders dedicated to sharing best practices and improving community trust. The Working Group expects to publicly report on its progress by the end of 2015.
- **Trained all DLE command-level staff on fair and impartial policing and implicit bias.** This training was developed and conducted by University of South Florida Professor Lorie Fridell, an expert in fair and impartial policing. DLE is on track to train all special agents by May of 2015.
- **Rolling out a body camera program for special agents conducting field operations.** DLE will provide certain special agents with body cameras and institute a “Body-Worn Video Recording Device Policy” that sets forth body-camera guidelines for all special agent personnel. This policy will reflect best industry practices and establish safety protocols, camera operation and storage administration rules, privacy measures, and procedures controlling access to recordings.
- **Modifying hiring qualifications to tap into a more diverse pool of potential special agents/trainees.** The proposed changes – amending certain qualifications such as the education achievement requirements for special agent positions – will permit a more diverse group of candidates to undergo testing for DLE special agent positions.
- **New processes to enhance transparency after an officer-involved-shooting or other critical incident.** DLE is instituting a new two-step independent review of all critical incidents that involves both a review board and a second independent review by the DLE Director. DLE will also dedicate investigative assistance to law enforcement agencies in circumstances where they demonstrate an inability to investigate a critical incident due to lack of resources, training, or conflicts of interests.
- **Incorporating more community involvement.** The Attorney General’s Office has convened many community members, including roundtable discussions with high school students from South and East Los Angeles. The meetings serve as an opportunity for community members to relay their experiences with police as well as their ideas on how to improve the relationship between young people and law enforcement.

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