

**Culver City Review of Public Safety Services:  
Recommendations to Advance Racial Equity and Social Justice**

*Preliminary Report*

Submitted to the  
Office of the City Manager

and

Mayor Göran Eriksson  
Councilmember Alex Fisch  
Councilmember Daniel Lee  
Councilmember Megan Sahli-Wells  
Councilmember Thomas Small

October 9, 2020

Solidarity Consulting  
Los Angeles, California

## Background

Over the past 3 months, Solidarity Consulting has served as one of the technical advisors to the City Manager's Office to fulfill the Council's mandate to review public safety services. Specifically, Solidarity's scope of work was to provide a racial equity and social justice level of review at each phase of the process, facilitate the community engagement process involving a wide array of stakeholders, and make recommendations related to addressing equity and social justice issues related to public safety. These recommendations were developed from a synthesis of public testimony, subject matter expertise, community survey responses, insights from city staff and residents serving on commissions, research reports, and focus groups with targeted stakeholders ranging from sworn officers to public housing residents. However, at the time of submission, operational information and data analysis regarding 911 calls, dispatch of police, and aggregated data about traffic citations, arrests, and other crucial dimensions of the public safety infrastructure were still being completed by the police staffing experts, Center for Public Safety Management (CPSM) also serving as technical advisors to the City. Once the data analysis and operational assessment is completed and the underlying data from dispatch call centers and police records are presented publicly, additional revisions or recommendations in this report may be necessary.

The context for the race equity and social justice level of review rests in the motivation for the review of public safety services itself. The Council's mandate to the City Manager -- to examine a potential re-allocation of public safety services, duties, and responsibilities that could serve as a basis for potential reductions to the police budget -- was undertaken after the killing of George Floyd, an unarmed African American man, in police custody for allegedly using a counterfeit \$20 bill and the ensuing mobilization of Culver City residents in Summer 2020. Specifically, the recorded testimony of residents seeking Council action after Floyd's murder, reflects a desire that the City a) acknowledge the systemic racism experienced by communities of color, especially anti-Black racism, and concrete action to end any racial injustices associated with policing; b) conduct an assessment of alternatives to pursue non-law enforcement responses to crisis and community safety that would reduce exposure to violence and other harm, and c) pursue pathways that shift public funds away from the police budget, up to an aspirational goal of a 50% of the existing \$40+ million CCPD budget, both as a way to accomplish (b) above and to be invested elsewhere for prevention and alternative responses. Together, these priorities reflect a desire by many Culver City residents that elected leaders demonstrate a responsiveness to a broader concern about the amount of public taxpayer

money invested in law enforcement, rather than to the social safety net and human needs, especially services that produce community well-being, prevent crime, and promote a deeper sense of public safety. The Council provided broad guidance instructing the City Manager to conduct this review in the spirit of those expectations, with the support of the technical advisors, and with robust community input through the Chief's Advisory Panel, various city commissions and entities, labor representatives, and the broader community.

These race equity/social justice recommendations also seek to be responsive to an additional concerns and skepticism voiced by people who live, work, or visit Culver City and who have lived through the 1965, 1992 and 2020 mass uprisings against systemic racism and for police reform in Southern California: that nothing substantive will change, that proposed changes will fail to bring about fundamental changes, and that Black lives, in particular, will continue to be imperiled and diminished by policing practices. These concerns lie in the observation that -- after previous killings of unarmed people of color by police, fires and protests, and peaceful citizen mobilizations for meaningful change -- government entities, elected officials, and others with institutional power have displayed patterns of delaying decision-making until public anger wanes, using bureaucratic mechanisms to stymie fundamental change, or choosing against racial justice pathways using logics about economic efficiencies, tradition, or intractability from other entities.

### **Race Equity/Social Justice Framework**

These recommendations proceed from a historical understanding about how government entities, and civic engagement processes specifically, fail to construct remedies for racial harm that produce substantive equality, rather than 'formal' equality - that is, why they produce equality on paper, but not in practice. It is also rooted in 25 years experience in systems reform work at various levels of government in the Southern California region, with a specific focus on criminal justice reforms that seek to end discrimination against people of color. This report will not be addressing the broader charge under the responsibility of the City Manager -- to review use of force policies, implement President Obama's 21st century policing recommendations, nor where to reinvest public dollars, etc. They focus specifically on the Council's directive to identify pathways to reduce the police budget in ways that can shield Black people and people of color from exposure to structural violence, racial harms, or rob them of feeling safe as residents or visitors to Culver City. The framework used to assess the contours of racial harm and social

inequity, and potential remedies to them, are grounded in the following six foundational tenets of a structural racism analysis.

1. **Racism is endemic, not aberrational.**

The problem of structural racism in policing is neither exceptional nor dependent on intentional discrimination. The assumption that when racism manifests, it is an unintended departure from, rather than an expression of, settled expectations, cultural norms, or institutional practices is neither borne out by data nor by public testimony during this 3 month intensive process. To bring this element into sharp focus, consider the October 1, 2020 meeting of the Chief's Advisory Panel, when [racial disparities documented in CCPD police arrests](#) were discussed with community members. These numbers indicate that Black Culver City residents are 8% of the Culver City population but 21% of the city residents arrested by CCPD and that African Americans constitute 37% of all those arrested by the CCPD. When asked to reflect on these disparities, a member of the CAP who is African American, and a Reverend and elder, reported that in his many decades living in the city 'this has always been the case,' indicating that he himself has been pulled over by the police and that his young son had also been pulled over and detained by the police. But for his notoriety in the community, he fears that they would be reflected in those arrest numbers. Moreover, he implored the panel and the City to consider why Black men being handcuffed and stripped of their dignity on the sidewalk is normalized and why these practices have endured over the decades that he has lived in the city. This testimony was provided on the same day that a [study was released](#) by the Lawyers Committee on Civil Rights indicating that Black people are disproportionately cited for low-level infractions at the local level, and more so than any other group, across the State of California. Specifically, the report indicated that across local police jurisdictions, Black people are disproportionately cited for mundane activities in the public square, such as loitering, jaywalking, sleeping in a park, etc., to such an extent that it essentially amounts to 'criminalization of being Black in public.' Together, the aggregated data across the State and the testimonials in surveys, focus groups, and CAP meetings, illustrate that a strong racial equity analysis must recognize that racism is endemic, not aberrational.

**2. Race consciousness is not the same as racial discrimination, and colorblindness is not the same as equal treatment.**

One of the enduring features of racial inequity in the United States is the deployment of claims or aspirations to colorblindness -- the idea that people 'don't see' or 'should not see' racial differences -- which has the effect of submerging concrete racial disparities. Being race conscious begins with the recognition that although racial categories themselves are made-up ('socially constructed'), racial hierarchies built on acceptance of these categories do exist. Moreover, due to their long history and purpose to distribute economic and social privileges unevenly in the United States, social relations are often organized around these racial hierarchies. A race conscious approach to this public safety review - and to remedies for harms related to the existing public safety infrastructure - means recognizing that for Black, Indigenous, and People of Color, safety goes beyond the absence of aggravated assaults, robberies, or threats to their persons or property. For them, the definition of 'community safety' also includes 'safety from police violence,' 'safety from racial discrimination when interacting with city officials,' and 'the right to travel through or live in Culver City without the presumption of criminality or fear of negative police interaction.' These desired outcomes are not in conflict with having a common definition of safety in other respects enjoyed by their neighbors, but they do reflect a race-conscious recognition that the burdens from specific failures in the current public safety infrastructure are not borne equally by all residents of the city.

**3. Ensuring racial equity requires historicizing and contextualizing.**

Fashioning racial remedies and social justice approaches that work requires the absolute centrality of 'historicizing' -- searching historical facts that can inform how the legacy of overt racial discrimination of non-white people in a particular place (i.e. Culver City) has shaped the issue being examined over the years (i.e. policing and public budgeting). However, it is not enough to look back in time, it is also critical to 'contextualize,' that is, to examine how the racial disparities in policing fit into the existing or contemporary social dynamics related to racial oppression (i.e. racial discrimination in jobs, schools, housing, the Courts, and social relations). One of the duties of public agencies seeking to pursue racial equity and social justice is to recognize that due to the impoverished vocabulary for discussing race, racism, and racial justice in our country, -- as well as the active stoking of racial animus by State actors -- residents will need to be supported, encouraged, and challenged to walk towards each other and their history,

to change it. If the essential process of accounting for the actual historical experiences of racial animus through public agencies, such as police and city governments, is itself seen as an improper or irrelevant line of inquiry, or if it is isolated to a subset of residents, or if it is allowed to be characterized as an attack on a particular group; then racial justice is not achievable, because one cannot heal, what one cannot diagnose. While it is the prerogative of the City's elected leadership to decide what the scope of these harms have been and what the appropriate remedy for them is, it is an essential element to racial justice that they be named.

The Council's wisdom directing the City Manager to interface with the General Plan Advisory Committee and the Governmental Alliance for Racial Equity, allowed the City Manager's Office to build on important processes already in motion to account for the racialization of the city itself, its police force, and the execution of public safety duties. First, this provided access to the [City sponsored speakers series](#) that contains multiple scholarly and resident informed examinations of the history of Culver City as a 'model white city,' the past direct recruitment of KKK members into the Culver City Police Department by its Chief of Police, and the social history of communities of color who understood that being caught in Culver City after sun-down would mean suffering repercussions at the hands of its public safety infrastructure. These historical antecedents illuminate survey responses and community input indicating that for some people of color today, including some city residents and employees, walking or driving through the City means anticipating being vulnerable to being followed, pulled over, or seen as suspicious by CCPD or the broader community. In some cases, people of color described as 'common knowledge' that being non-white in Culver City exposes one to overzealous surveillance or unwarranted police-community contact.

#### **4. Strategies to address racism must be intersectional and multi-disciplinary.**

One of the greatest frustrations for people of color and residents of all races who seek equity and justice in their communities is observing that public entities may only provide a surface solution to racial oppression due to a one-dimensional understanding of the racial harms. Intersectionality refers to a method of analysis and diagnosis that recognizes that race does not operate alone from other aspects of our identities (such as gender, sexual orientation, or residency status). Correspondingly, an intersectional analysis helps to uncover how interlocking systems of oppression acting on identities vulnerable to multiple stigmas, exclusion, and discrimination can undermine social justice remedies. During our review, for example, we learned that together, Black and Latinx residents account for more than 70% of all those

arrested by CCPD. However, accounting for the intersection of race, age, and residency, we learned that a staggering 85% of all the people arrested by CCPD are non-residents and that Black or Brown people aged 18-29 who live outside of Culver City make up the vast majority of those cases. This cross-referencing of race, age, and residency combine to reveal an over-representation in the arrests of CCPD, that can allow for a deeper examination of critical questions at the core of the review regarding policing and race.

Additionally, intersectional analysis would require considering mental health or disability conditions, and dispatch data that involves these conditions, to examine factors that may produce disproportionate contact, citations, arrests, or deaths. This would allow public policy makers to fashion a more exacting remedy to any disparities. These solutions would not rely simply on one disciplinary training -- such as psychology or law -- but rather would seek to draw on multiple lenses -- ranging from medicine, social work, and community health, to provide a more effective understanding, and solution, to an issue.

**5. Ending racial injustice is more likely to be achieved when it is tied to addressing other forms of inequity.**

Race has been intimately tied to the distribution of rights, resources, and privileges in the United States, but these rights and privileges have also been tied to oppression based on other dimensions of identity, such as gender, sexual orientation, and class. As such, remedies to achieve racial equity will not be as effective as they can be without addressing inequities based on other forms of social hierarchy. This public safety review was centered on assessing the use of a finite resource -- public taxpayer dollars -- and exploring a re-allocation of those resources based on principles of equity. Therefore, the review must bring into sharp relief any other inequities in the allocation of public safety dollars and identify remedies that could address them. During this review, for example, the UCLA School of Law's Criminal Justice Program issued a [report analyzing the CCPD's budget](#), specifically a breakdown of annual officer pay. This study indicates that the Chief of Police earns \$231,801 in base salary, but also an additional \$162,741 each year in 'other pay.' The additional pay earned by one person on the force, is more than the annual total pay (salary, overtime, and 'other cash compensation') earned by 44% of all sworn officers. Similarly, the other top 5 sworn CCPD personnel receiving 'other pay,' earn between \$106,000 per year and \$174,000 per year in base salary, and additional 'other pay' starting at \$111,000 to \$133,000 pay year, according to the study. In more than one focus group, we heard repeatedly that the younger, newer members of the force are

more likely to be engaged in the community and reflect the diversity of that community, causing some focus group participants to query how pay could be aligned more equitably and incentivize achieving racial justice and transformation of public safety services.

**6. Racial justice is often produced when the remedies for racial harms converge with some other interest of the majority population.**

From desegregation of schools to diversification of public and private entities, the 'interest-convergence principle' reveals that, despite the commonly held belief that racial remedies reflect an embrace of racial justice, racial remedies are more likely to be adopted when they can show that they advance a larger interest of the dominant society. Related to public safety, for example, for many years, grassroots organizations working for criminal justice reform in California implored policy makers to change policies that led to incarceration and over-reliance on prisons. These policies finally took hold only when the State of California faced extreme losses in tax revenue and the need to produce massive budget reductions resulted in adoption of more laws and policies to reduce incarceration and promote rehabilitation. Thus, a realistic approach to the Council's mandate will recognize that racial idealism alone will not sustain any proposals to reallocate public safety services or resources.

More specifically to Culver City's review of public safety services, the Chief's Advisory Panel had the benefit of having the former elected City Treasurer on its body, who participated in both the CAP meetings and the meeting of the City's Finance Advisory Committee. One of the insights shared by the former City Treasurer at these meetings, regarding UCLA Law's findings about officer pay cited above, was that if the current expenditure levels continue, 'all city services will eventually be impacted.' The current configuration of these labor costs for the CCPD, as cited in the report include:

- CCPD sworn personnel make 2 times as much in total pay than other Culver City employees and 4 times as much in 'Other Pay' than other city employees
- Almost 30% of the CCPD budget for salaries is spent on 'Other Pay/Cash Compensation,' not base salaries for police officers
- CCPD's total budget is 4 times the budget for the City's park, recreation, and community services, 22X the budget for housing protections/rental assistance and homelessness projects and 144X the budget for after-school programs



Given the short-lived social history of Court-ordered, electoral-based, and public policy-maker driven racial remedies, it is essential to surface the potential impact of current allocations of police services, duties, and resources may have on all city services. This is especially crucial in a time period where the mass mobilizations to end racial injustices in policing and systemic racism in public and private institutions coincide with a pandemic that may negatively affect revenue streams in the near future. It is not clear whether labor costs will be part of the operational analysis that is pending from CPSM. However, from a racial equity perspective, it is important to note that the core request from the June/July mobilizations to the City Council was a rigorous and open dialogue about investments in law enforcement and potential shifts to the social safety net. Without putting these labor costs into the conversation, and the potential impact to the broader Culver City population and the city services that it depends on, transformative racial equity options will be curtailed. This is due primarily to an inability to demonstrate a convergence of the racial justice needs and a broader interest of the majority of city residents to find solutions that prevent cuts to services or increase taxes to sustain these 'other-pay' costs.

## **Pathways to Reallocating Public Safety Resources**

### **I. Remove Police from Emergency Response Calls Involving the Unhoused, Mental Health, and Substance Use**

During the Public Safety Review we heard a high level of interest in exploring non-law enforcement responses to mental health, substance use, and houseless-ness. Results from the community survey and focus groups indicate that of all existing police duties, responsibilities and services, responding to such calls was the most frequently cited service that Culver City residents believe can use alternatives to a police-only response. Fiscal and budgetary comparisons presented to the City's Finance Advisory Committee and the CAP also indicate the city's current 'co-response' approach -- pairing a County-funded psychologist and sworn officers to respond to some of these calls -- is the most expensive way to provide this service. Significantly, several of the race equity and social justice issues at the core of this inquiry converge in these types of emergencies, providing the City with a clear opportunity to fashion solutions that meet short and long term goals with multiple benefits.

### Centering Racial Equity in Alternative Approaches to Houselessness:

The role of police encounters with the unhoused population is a driver of racial disparities in arrests and the levels of incarceration, especially of Black people, and continues to be a documented problem in LA County. Grounding the examination of alternatives to law enforcement approaches in our racial justice framework requires a race-conscious consideration of the pipelines to jail which are enmeshed with having police respond to houseless people's needs. A recent UCLA Million Dollar Hoods [study](#) provides a sobering picture of that connection:

- Fully 33% of LA County's houseless population is Black, while the total Black population in the County is less than 10%
- Booking houseless African American people in 2019 cost the County more than \$46 million in one year
- The most common charges for the unhoused Black people booked in LA County jail involved six low-level charges amenable to diversion and community-based care

In addition, the racial justice framework calls us to consider what communities facing human needs and racial strife in the past have done to solve these inequities. As referenced by one of the City Councilmembers during the June 2020 meetings that led to this review, Culver City residents and leaders can draw from the historical experience of the [Freedom House](#) in Pittsburgh, PA which led to the creation of modern emergency medical services. This collaboration between medical professionals involved medical staff collaborating with community trainees to address the dismal level of pre-hospital care when society used to rely on police to respond in paddy wagons to transport people to hospitals, often leading to death. For Black residents, this approach led to additional harms related to racial discrimination, when police acting on biases [denied equal service](#) to residents who needed transportation to the hospital. Invoking a social justice approach to developing a solution, doctors trained a cohort of Black residents who were excluded from entire sectors of work due to racial discrimination, over-policing, and discrimination based on criminal records resulting from that discrimination, to become first responders and create modern emergency medical services (EMS). Together, they revolutionized medicine, the job prospects of unemployed and excluded people, and pre-hospital transport. This collaboration is a model of how to partner medical staff and community residents to meet human needs. Sadly, the model ended when the city's racist policy making processes ended funding for the non-profit initiative and absorbed the model into City

services after complaints from the white areas of the city who had not benefited from it. This had the effect of excluding almost all of the Black community members from a new city-run EMS program, and never allowed the community to reap the benefits of the innovations they pioneered. Culver City is poised, with a clear racial equity and social justice framework, to recognize the anti-Black contours of current responses to emergencies facing people experiencing houselessness, while responding to the public appetite for innovation to dealing with these human needs, by creatively divesting from law enforcement responses to them - and instead, emulating the origins of the EMS partnership. The city is surrounded by some of the leading hospitals in the nation and institutions innovating community health, such as the Venice Family Clinic in partnership with a top public university in the country, that could facilitate implementation of the political will to break the bond between policing and houselessness, mental health, and substance use pipelines to mass incarceration.

#### Limits of the Co-Response Model

Unfortunately, the dispatch data which could allow for a more concrete analysis of the current amount of calls, nature of police-community interaction, and disposition of emergency responses involving people who are unhoused, under the influence of substances, or mental health incidents, was not released during the 90-day review period. However, during focus groups with sworn officers we learned that the needs of houseless individuals account for an increased amount of officer response and that interactions with people experiencing houselessness are diverse and complex. Additionally, during this review, an encounter between CCPD and a houseless person carrying a knife tragically led to death. We learned that this encounter fell outside the hours that the police have coverage from the County psychologist on the co-response team. The Police Chief reported that multiple requests for an additional County psychologist have gone unfulfilled, likely due to the number of the 88 municipalities within the County who may be requesting such support. Irrespective of who would cover the costs of the additional County clinician, the costs would hover close to \$200,000 after accounting for salary and benefits. Finally, during this review, the City expanded the contract with its current homeless service provider, to provide resources that would allow the non-profit organization to provide mental health support services during the hours that the co-response team is not available. Pairing the use of a non-profit provider part of the time, with the use of a police-psychologist team during the rest of the time, or building around these two measures,

falls short of an integrated system and to meet the challenge to properly evaluate actual calls and needs manifesting in the City.

The need to rigorously examine modalities to respond to these needs without deploying police, altogether, is most seriously related to the continued exposure to death for people experiencing mental health-related distress, due to the fundamental incompatibility of police training to this human need. During this review, a paradigmatic example of these dangers were highlighted by a case that led to the resignation and dismissal of the Chief of Police and other staff at the highest levels of the Rochester (New York) city government, one of the first cities to adopt police crisis intervention strategies. These officials were implicated in steps before, during, and after the death of Daniel Prude, an African American man under mental health distress who suffocated to death under police custody after his brother called them for help. Research on police crisis intervention teams indicates they [have not reduced the risk of mortality or death](#) during police interactions and that people with mental illness (PMI) are involved in 25% of cases where police shootings led to fatalities.

#### Mobile Crisis Intervention Services

During the public meetings and in private presentations to city officials, Culver City was introduced to a tested model operating for more than 30 years in Eugene, Oregon which has provided a 24 hour/7 days per week non-police response to 911 calls involving mental health, substance use, and unhoused people. This model involves deploying a mobile unit, staffed with medically trained individuals ranging from EMT, nurses, and health professionals equipped with mental health expertise to respond successfully to these calls. The mobile team is able to assess and respond to the emergency calls because they are equipped with technology that allows them to be on the same frequency as police. They are unarmed and 99% of the calls they were involved with did not require police interaction, and when they did, it was police asking for their support more so than the reverse. In short, the MCIS model is a non-law enforcement response to these human needs, co-response is not.

Several characteristics about this model also make a strong case for its consideration. The staff of the mobile crisis teams can provide medical care that a psychologist and a police response do not. For example, Medicare is now providing a line of reimbursement and revenue for the work of the MCIS program in Eugene for deviating visits to the hospital by high frequency users. Wound care, relief from dehydration, and other medical needs require a medical

response in many of these situations and this program, called CAHOOTS and described further in the City Manager's report is doing just that.

The [CAHOOTS](#) program expert indicated multiple times that in three decades of experience, it is simply not their experience that people experiencing mental health or substance use related crises are threatening or dangerous to the unarmed staff. In addition, the model has been responsible for deviating more than 10% of 911 calls that would otherwise be dispatched to police. A serious non-law enforcement consideration of this model would involve assessing the needs of code enforcement officers, housing, and homelessness services staff to explore, in good faith, what alternatives to conducting visits that currently involve police, to ensure that these staff feels safe, supported, and equipped in aligning with the city's vision. This model has most recently taken effect in [Denver, Colorado](#), where the unarmed response teams have taken on more than 350 calls since June 2020. There is no evidence that the cities of Eugene or Denver have lost insurance coverage, been exposed to liability, or faced increased premiums by using unarmed response teams to meet the needs of PMI, unhoused people, or other community needs

## **II. Align Culver City with the County of Los Angeles' Shift to a 'Care First, Jail Last' Model By Pursuing Non-Law Enforcement Responses to Targeted Infractions**

During the meeting of the General Plan Advisory Committee and the City's Governmental Alliance for Race Equity (GARE) team, and the CAP, the public safety review included a formal presentation of the [LA County Alternatives to Incarceration \(ATI\) plan and initiative](#) adopted by the LA County Board of Supervisors in March 2020. Broadly speaking, this reform constitutes a watershed moment that will impact each of the 88 cities in the County of Los Angeles, by tying criminal justice resources to strategies that move away from treating social infractions as crimes that produce racial disparities in the jail population and treating human needs, as such, by creating a decentralized continuum of community-based care. In this respect, the Culver City Council's mandate to examine existing public safety duties and responsibilities and identify potential re-allocations that achieve equity is an opportunity to put Culver City in a municipal leadership role as a partner to the County, while ending the racial disparities tied to its own policing practices.

The most significant shift at the hands of the City at this critical cross-roads would be to adopt the County ATI recommendation to stop arresting people for the two most common misdemeanor charges: driving without a suspended license and petty theft, which are [drivers of](#)

[racial disparities by CCPD](#). African Americans constitute 44% of these arrests and roughly 35% of these arrests are of Latinx people, while these 2 infractions constitute fully 1 out of 3 arrests made by the CCPD. Not only would this change reduce racial disparities, it could meet the larger interest of ensuring that public taxpayer resources are spent most effectively. Additionally, the ATI calls for a harm reduction approach related to the 3rd most common basis for arrests by CCPD officers: drug possession. Recalling the racial justice framework, it is notable that Whites constitute the largest group arrested by CCPD for drug possession, an area of decriminalization that enjoys wide support, and could help create public awareness of the racial justice impact of treating all three of the the most common categories with the same approach, as well as expanding to all divertible offenses. Instructing the City Attorney to work with the LA County Office of Diversion and Re-entry and the LA County ATI Office to accomplish this shift would demonstrate a good faith effort to achieve racial equity.

During our focus groups and the community survey, residents did express concern that community-based supports may not be available to meet the diversion needs. The history of public policy makers using the devolution of mental health services as a way to cut mental health spending, which then never materialized and fueled houselessness, looms large for many and was mentioned by a range of stakeholders, such as the public housing residents, city staff/commissioners, and sworn officers. Rather than seeing these concerns as a reason not to act, the Council is equipped to ensure that more of its City staff is informed about how to collaborate with the County on the ATI shift, which has been going on for more than one year. It can also spearhead ways to partner both with the County and other cities on the Westside to ensure that policymakers at the County and State level resource the expansion of those community-based services in Culver City, so that they constitute part of a robust continuum of care in the region.

Similarly, the Council's approach to ensuring that its police and legal infrastructure is aligned with the directives to maximize divertible offenses towards the ATI vision, also calls for addressing the more documented obstacle to diversion which is not the lack of services, but the failure of officers to [make the referrals](#). The policy shift towards diversion prior to ATI, has been concentrated on youth who commit infractions that could otherwise land them in jail. The data from such programs indicates that the Council must ensure public accountability mechanisms and oversight of City actors to ensure that these diversions materialize through a pre-police diversion process. During the focus groups and public meetings, there was much praise of the CCPD's decision to voluntarily participate in LA County's existing youth diversion programs (indeed, Culver City was one of only 11 municipalities to participate in this pilot Countywide).

Similarly, the Interim Chief provided his vision for the CCPD's continued commitment to and growth of that program and one of the focus groups involved young people who have benefitted from the services of the non-profit organization running that program. There is also a desire for the pending data analysis from CPSM or the police department to provide an accounting of how many people have been diverted successfully, what these interventions required of all parties, and the impacts on recidivism or youth crime, where possible. It would be helpful to establish a similar set of questions that could provide metrics to show the community what effective harm reduction, diversion, and alternatives to arrest and jails for adults can produce in the lives of individuals and the community as the City considers adoption of the ATI recommendations. It is important to emphasize that realizing the ATI vision involves putting procedures in place that involve not-calling on the police in the first place, rather than pre-booking diversion controlled by the Police Department. For example, one of the youth in a diversion program described the trauma produced by the militarized response of a police officer once he had already been apprehended for shoplifting by security guards. He wondered out loud what kind of a harm he posed as a small, under-aged person in handcuffs, to provoke the rage and aggression directed at him by a CCPD officer. During a CAP meeting, community members were asked if a program that recruited local businesses to partner with non-profits that could intervene in cases such as this, for youth and adults, in which the process of individuals taking responsibility, making amends, and repairing the harm they cause to businesses in cases of petty theft could be put in place without police involvement. We heard affirmation of the approach and references to past such programs in nearby cities with positive results.

### **III. Remove Police from Traffic Enforcement and Ensure that 'Pro-Active' Policing Practices in Culver City are not in conflict with Constitutional Policing**

Any public safety review making a legitimate attempt to address the specific racial equity and social justice issues that sparked mass mobilizations this year and in years past must confront the issue of over-policing of people of color. During our review, the City Manager staff referenced work in other jurisdictions that have begun to explore ways to shift the responsibility of enforcing traffic infractions without a reliance on police to reduce police-community contact. In the neighboring City of Los Angeles, the Council [voted unanimously to remove police](#) from traffic enforcement, and is exploring what the Department of Transportation would need to absorb these roles. Meanwhile, the City of Berkeley has [already adopted a plan](#) that begins to move towards traffic enforcement without police. In a few of these discussions, we were

reminded by the Interim Chief that there are legal questions regarding what is legally allowable in terms of non-sworn officers having community contact and what is mandated by law as a police duty. Legal scholars have begun to articulate a [framework](#) to establish how to enforce traffic laws with staff who are not police. According to that scholarship there is empirical evidence that traffic stops are the gateway for Black and Latinx people to become criminal justice system-involved, that this is the most frequent type of community-police contact, and that there are identifiable racial disparities in the escalation of traffic stops to more serious - sometimes deadly interactions.

Although the absence of the dispatch data makes it difficult to assess how much time and what the nature of traffic related stops by CCPD are at this time, perceptions about police in communities of color are shaped significantly by this area of police duties. During our focus groups, many of the participants of color saw removal of police officers from the role of enforcing traffic laws as the single most significant change the City Council could make and openly questioned the notion that keeping them in this role and collecting data about race would lead to significant change. Other participants of color felt that the egregious examples of death and violence against people of color, especially Black people, and police, arising out of traffic stops had disqualified the police from this function. Additionally, some wondered what the societal benefit of investing millions in police salaries to address traffic issues ranging from a broken tail light to making a rolling stop could justify the risk of death, jailing, and burden of fines and fees that are disproportionately levied against the poor and people of color.

One of the responses to these questions revolves around a collective assumption that Culver City residents want the CCPD to engage in 'pro-active policing' practices, which includes roles in traffic enforcement as a way to deter crime. Indeed, the City Manager's final report codifies this expression, because it reflects a description that was widely and openly used in the public meetings by some community members and some officers. Despite its use, it is not clear what exactly constitutes '[pro-active policing](#)' in Culver City and it is strongly recommended that City officials create an inquiry to articulate it, since some such practices, as applied, can be deemed unconstitutional, such as New York's infamous stop-and-frisk program halted by the Courts. The description from some communities of color (residents, non-residents, and staff) indicated that they brace themselves for driving in Culver City for potential stops because their lived experience indicates that these practices may involve police seeing people of color as suspects and finding a traffic infraction for which to pull them over. Removing police from traffic stops would remove the need from such an inquiry, including the need for resources to ensure



that these 'pro-active' policing practices in relation to traffic stops, are aligned with constitutional (i.e. non-discriminatory) policing practices.

## **Conclusion**

The recommendations for racial equity and social justice pathways in this preliminary report seek to elucidate affirmative steps that the Culver City Council can take to achieve reallocation of public safety duties, responsibilities and services that achieve the goals sought by city residents who mobilized after the killing of George Floyd.

For long term structural change, two barriers that the City Council can begin address to show a good faith effort at taking seriously any racial justice pathways to reallocation of police services, duties, and responsibilities, include a) a process to examine labor costs associated with policing and b) demystifying the state of municipal law and liability that may or may not be relevant to implementing these alternatives.

A meaningful engagement of the labor representatives from its police force to protect future city services would include exploring reductions in the police budget through retirement incentives or attrition, rather than lay-offs. Moreover, the analysis that has been made to the City by its insurance carrier require that the City direct legal staff to assess the legal standards that govern the scope of a City's liability related to police response, given the existence of such programs in other cities and opinions by legal experts that [contradict the assertions](#) provided to the city by its insurance provider.

Considering the racial justice pathways to broaden the strategies used in Culver City to respond to crisis and to produce community safety with alternatives to law enforcement, would reflect the Council's commitment to its equity values and the pursuit of justice that animated this public safety review.