

Recommendation 27.5

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Mon 3/15/2021 2:47 PM

To: [REDACTED]; McGuire, Catherine (POL) [REDACTED] Scott, William (POL)

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Dear Acting Captain Altorfer,

Our office has completed its review of the materials related to Recommendation 27.5 that were submitted to us as part of the collaborative reform process. This package focused on SFPD training officers and supervisors on bias and cultural competency. After reviewing the package and information provided by the Department, the California Department of Justice finds as follows:

Recommendation 27.5: All officers and supervisors should be fully trained on bias and cultural competency within 18 months of the release of this report.

Response to 27.5: Since 2016 San Francisco's Department of Human Resources has been teaching an implicit bias courses to SFPD officers. Lieutenants, captains, and commanders were trained in 2016 in a sixteen-hour course, sergeants were trained in 2017 and 2018 in an eight-hour course, and recruits and police service aides (including new hires) began receiving the eight-hour training in 2017. The training continues presently with all new hires being trained.

While the DHR program is a one-time class, SFPD has instituted its own internal trainings covering bias. That includes the Principled Policing training that began in 2017 as part of Advanced Officer training. Now all officers are required to attend the Principled Policing training every two years, as well as new officers in Basic Academy and new police service aides. The eight-hour class covers procedural justice and implicit bias through five modules: (1) The Interactive Nature Between Procedural Justice, Legitimacy, and Goals in Policing; (2) Expectations and Legitimacy; (3) Education and Training; (4) Historical and Generational Effects of Policing; and (5) Implicit Bias and Stereotypes. The Police Academy is currently creating a two-hour Principled Policing refresher course and a four-hour Bias and Racial Profiling course as part of the next Advanced Officer training in 2021/2022.

Additionally, SFPD has incorporated elements of bias training within regular occurring roll-call training and in recruit training. Some of these roll-call trainings were Procedural Justice – Neutrality; Interacting with Transgender, Gender Variant, and Nonbinary Individuals; and Procedural Justice – Respect. Some of these recruit trainings are Racial Profiling, Cultural Competency, and Transgender Awareness.

As of September 2020, ninety-eight percent of officers have completed their required bias training. The remaining two percent comprise recruits yet to receive training and individuals on various forms of leave or separation from SFPD.

Based upon all of the above, the Department of Justice finds that SFPD is in substantial compliance with this recommendation. Please let us know if you have any questions or would like to discuss further.

Thank you.

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Finding # 27 The SFPD is not addressing the anti-bias goals set forth through the Fair and Impartial Policing training-the-trainers session.

Recommendation # 27.5 All officers and supervisors should be fully trained on bias and cultural competency within 18 months of the release of this report.

Recommendation Status Complete Partially Complete In Progress
 Not Started No Assessment

Summary

The San Francisco Police Department enacted bias and cultural competency training for all officers and supervisors. The training is supported by DGO 5.17 Bias-Free Policing and is consistent with practices recommended in the profession. The team's review of department records evidenced that 97% of department members have completed the training.

The response to this recommendation is considered to be complete. The reviewers note that for the compliance measures 1, 2 and 3 they are marked as met for the intent of the measures and N/A for the timebound requirement from the U.S. DOJ Assessment Report. However, the department must continue to be vigilant to ensure bias education and training is institutionalized.

Compliance Measures		Status/Measure Met
1	Training compliance for all officers within 18 months.	√ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
2	Training compliance for all supervisors within 18 months.	√ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
3	Audit to ensure that training was completed within 18 months – by 4/12/18.	√ Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
4	Evidence of supportive and remedial action if deficiencies are found – including failure to attend training.	√ Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Administrative Issues

Compliance Issues

Prior to forwarding this recommendation to Cal DOJ for substantial compliance evaluation, the following updates need to be made to the file submission: identify the specific measures taken against those 73 individuals who did not complete training. 15 were identified and supplied with a reason for non-completion of the training. Documentation is needed on what happened to the remainder who are in non-compliance.



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Finding #27: The SFPD is not addressing the anti-bias goals set forth through the Fair and Impartial Policing training-the-trainers session.

Recommendation # 27.5 All officers and supervisors should be fully trained on bias and cultural competency within 18 months of the release of this report.

Response Date: 10/15/2020

Executive Summary:

Since this Department of Justice (DOJ) recommendation was received in 2016, the San Francisco Police Department (SFPD) has continued to evolve in order to create new course curriculum to address the anti-bias goals of the Department. The SFPD requires that all members take continuous training in procedural justice, bias, cultural competency and fair and impartial policing. The Chief of Police, Command Staff, Commissioned Officers and Sergeants/Civilian Supervisors were trained first in small sessions. This was followed by all officers, PSA's, and civilians who were trained during their Advanced Officer and Continued Professional Training sessions. Additional mandatory courses, both in collaboration with the Department of Human Resources and the SFPD Academy Training Division. The initial training requirements were completed by December 2018. However, the SFPD continues to provide this training to all members, including new recruits during their academy training.

Members of the San Francisco Police Department (SFPD); Professional Standards Unit participate in conference calls with Hillard Heintze and the California Department of Justice (Cal DOJ) for the purpose of recommendation prescreening. The SFPD prescreened Bias Recommendation 27.5 on 10/15/20. For completion of this recommendation, the following suggestions were made by Cal DOJ and Hillard Heintze. These suggestions were communicated in writing on 10/15/20 by Cal DOJ as a result of this prescreen meeting:

"This package generally looked great as well. We were particularly impressed with the grid showing the pre- and post-2016 training changes. Hillard Heintze asked that SFPD include in this package the one-page document that provides the number of people who took bias trainings. Cal DOJ recommended that in any recommendation that asks for training compliance that SFPD provide this one-pager."

"For compliance measure 2, Cal DOJ asked that SFPD include language from the compliance measure 1 response describing the fact that "[e]very employee of the San Francisco Police Department, from the Professional Staff, Command Staff and Chief of Police, have been trained and are in compliance with this recommendation."

"For compliance measure 4: Compliance measure 3 states that the 2020 BAT audit found that 23 non-recruit personnel were noncompliant with bias training. In SFPD's response to compliance measure 4, Cal DOJ asked that SFPD include information about what supportive or remedial actions were taken with respect to those 23 personnel."



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Compliance Measures:

1) Training compliance for all officers within 18 months.

Officers and civilian employees are currently within training compliance. All training was completed by December 2018 and is ongoing for all members and incoming academy recruits. (See [Attachment #1: SFPD Bias Training 2019.](#))

The San Francisco Police Academy compiled a P.O.S.T. certified training program for Principled Policing and Implicit/Explicit Bias. Every employee of the San Francisco Police Department, from civilian. The Professional Staff, Command Staff and Chief of Police, have been trained and are in compliance with this recommendation.

Procedural Justice Training consists of five modules:

- [Module 1: The Interactive Nature between Procedural Justice, Legitimacy and Goals in Policing](#)
- [Module 2: Expectations and Legitimacy](#)
- [Module 3: Education and Training](#)
- [Module 4: Historical and Generational Effects of Policing](#)
- [Module 5: Implicit Bias and Stereotypes](#)

[See Attachment #2: Principal Policing Course Outline.](#)

SFPD has partnered with the Department of Human Resources (DHR) to provide the following Bias related training:

- Creating an Inclusive Environment (2-Day Training)
- Managing Implicit Bias: Raising Awareness and Creating Inclusion (1-Day Training.) (See [Attachment #3: Creating an Inclusive Environment course curriculum](#) & [Attachment #4: Managing Implicit Bias course announcement.](#))

In 2020, the SFPD Training Division has created a list of courses that make up the departments Bias training curriculum. (See [Attachment #5: SFPD Bias Related Training – June 2020.](#))

Ongoing Mandatory Academy Classes (required per 13519.4 PC)

- Principled Policing (ongoing for all new employees)
- Procedural Justice and Implicit Bias (8-hour course, including a 3-hour block of Implicit Bias and Black Crime Association)
- Cultural Diversity Training (part of SFPD Basic Academy Training)



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- Biased Based Policing (2-hour course). Museum of Tolerance Certified Instructors.
- Racial Profiling (4-hour course). Museum of Tolerance Certified Instructors.

AO/CPT-Mandatory Classes

- Critical Mindset and Coordinated Response (CMCR) – (As part of AO/CPT or offered as 20-hour course)
- Force Options () (included within AO/CPT 4-hours)
- Arrest and Control – (included with AO/CPT 4-hours)
- Communication: Keeping your Edge (Post Learning Portal 2-hours)
- BSU/Officer Wellness (included with AO/CPT 2-hours)
- Crisis Intervention Training (CIT) - 40 hours - over 50% Department-wide (60% Patrol). 2-hour component on bias within this course. CIT Team Concepts (Field Tactics and Use of Force DGO 5.01) - 20 hours. Bias related training is infused throughout the course (meaning that there is no specified block of hours, but it is present within).

(See Attachment #6: CMCR Course slides; Attachment #7: Force Options course slides; Attachment #8: CIT course slides; See Attachment #9: AO Course Syllabus.)

The following are Roll Call Trainings (RC) presented by the department to members that touch upon Bias and inclusion:

- RC 2017-001, Autism Awareness for Law Enforcement
- RC 2017-002, Procedural Justice – Principle #1: Voice
- RC 2017-002, Procedural Justice – Principle #2: Neutrality
- RC 2018-001, Sanctuary City Policy
- RC 2018-003, SFPD Strategic Plan 1.0
- RC 2019-003, Transgender, Gender Variant, and Non-Binary individuals and search procedures.
- RC 2019-004, Procedural Justice — Principle #3: Respect
- RC 2019-006, Procedural Justice – Principle #4: Trust
- RC 2020-004, 21st Century Policing

(See Attachment #10: Roll Call Trainings)

The bias specific training that members receive from the SFPD and DHR provide a guiding principle for members to carry out all their duties in a manner free from bias. This guiding principal, as discussed in the newly adopted Department General Order (DGO) 5.17; Bias Free Policing Policy, is aligned with SFPD's goal of eliminating implicit bias in all areas. The SFPD provided training on the updated DGO 5.17 with the issuance of Department Notice 20-125 (See Attachment #11: DN 20-125 for updated DGO 5.17; Bias Free Policing).



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2) Training compliance for all supervisors within 18 months.

Based on the prescreen meeting with Hillard Heintze and the Cal DOJ, the following suggestions were made specific to Compliance Measure 2.

"For compliance measure 2, Cal DOJ asked that SFPD include language from the compliance measure 1 response describing the fact that every employee of the San Francisco Police Department, from the Professional Staff, Command Staff and Chief of Police, have been trained and are in compliance with this recommendation."

Every employee of the San Francisco Police Department is in compliance with this recommendation. The Chief of Police, Command Staff, Commissioned Officers and Sergeants/Civilian Supervisors were trained first in small sessions, which was completed by 2016. This was followed by all officers, PSA's, and civilians who were trained during their Advanced Officer and Continued Professional Training sessions.

In regards to the Implicit Bias class, DHR has been facilitating and teaching Implicit Bias to members of SFPD since 2016, and training has been broken up into the following groups:

- Lieutenants and above were trained on Intro to Managing Implicit Bias in December of 2016
- Sergeants and Civilian Supervisors were trained on Creating an Inclusive Environment and Managing Implicit Bias in 2017 and 2018
(See again Attachment #1: SFPD Bias Training 2019)

The grid provided on pages 4-7 of this document shows the evolution of bias related training. The left column highlights courses offered prior to the DOJ audit in 2016 compared to the current state of affairs with regard to bias training in the SFPD as of October, 2020.

SFPD BIAS TRAINING COMPARISON

PRE CRI:

POST CRI:

<u>DGOS</u>	<u>DGOS</u>
<ol style="list-style-type: none"> 1. DGO 5.01 (Former version from prior to 2016 update) 2. DGO 5.17 (Former version from 05/04/2011) 3. DGO 11.07: Prohibiting Discrimination, Harassment and Retaliation (Former version from 11/25/02) 	<ol style="list-style-type: none"> 1. DGO 5.01 (Revised 12/21/16) – modified to include portion on "FAIR AND UNBIASED POLICING" 2. DGO 5.17 (Revised 08/12/20) 3. DGO 5.21: The Crisis Intervention Team (CIT) Response to Person in Crisis Calls for Service (New DGO eff. 12/21/16) 4. DGO 5.22; Interacting with Transgender, Gender-Variant, and Nonbinary Individuals (New DGO - eff. 10.03.18) 5. DGO 11.07: Prohibiting Discrimination, Harassment and Retaliation (Revised 05/20/20)



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<p style="text-align: center;"><u>DEPT. BULLETINS/NOTICES:</u></p> <ol style="list-style-type: none"> 1. DB 12-055; DGO 5.17 Update Packet 2. DB 13-021; LGBT Safe Zone Project 3. DB 14-144; LGBT Resource Guide 4. DB 15-249; "Not On My Watch" Pledge (began 12/03/15) 	<p style="text-align: center;"><u>DEPT. BULLETINS/NOTICES:</u></p> <ol style="list-style-type: none"> 1. DB 16-079; Lesbian, Gay, Bisexual, Transgender, Queer, Questioning, and Intersex Resource Guide 2. Various DBs/DNs - "Not On My Watch" Pledge (distributed bi-annually since 2015) 3. DB 18-195; DGO 5.22 "Interacting with Transgender, Gender-Variant, and Nonbinary Individuals" Update Packet #58 4. DB 19-016; SFPD Safe Place Program (formerly called Safe Zone Project) 5. DN 20-102; DGO 11.07 Update Packet 6. DN 20-125; DGO 5.17 Update Packet 7. DB 19-152 (re-issue of 17-126) Monthly roll-call training focusing on Leadership, Procedural Justice, Fair and Impartial Policing, the President's Task Force on 21st Century Policing. 8. DB 19-013; SFPD Climate Survey 9. DB 18-114; Equal Employment Opportunity (EEO) Policy.
<p style="text-align: center;"><u>DHR:</u></p> <ol style="list-style-type: none"> 1. (Video) Preventing Workplace Harassment Training (2 hours) 	<p style="text-align: center;"><u>DHR:</u></p> <ol style="list-style-type: none"> 1. Introduction to Managing Implicit Bias (16 hours) 2. Creating and Inclusive Environment-Managing Implicit Bias (8 hours) 3. (Online) Implicit Bias Online Module (45 minutes) 4. (Video) Preventing Workplace Harassment Training (2 hours) 5. (Video) Ensuring a Diverse, Fair, and Inclusive City Workplace (1 Hour)
<p style="text-align: center;"><u>AO/CPT & OTHER SFPD TRAINING:</u></p> <ol style="list-style-type: none"> 1. Fair and Impartial Policing – 1 day class (offered to command level, March 2010) 2. POST Racial Profiling/Bias Based Policing. (Museum of Tolerance Certified Instructors) 	<p style="text-align: center;"><u>AO/CPT & OTHER SFPD TRAINING:</u></p> <ol style="list-style-type: none"> 1. Principled Policing 2016 through 2018 (and all new employees) 2. Procedural Justice and Implicit Bias (8 hour) 3. Critical Mindset and Coordinated Response (CMCR) 8 Hours 4. Communication: Keeping your Edge (Post Learning Portal) 2 hours 5. Crisis Intervention Training (CIT)-40 HOUR
<p style="text-align: center;"><u>RECRUIT TRAINING:</u></p> <ul style="list-style-type: none"> • Biased Based Policing (Museum of Tolerance Certified Instructors) 2 HR 	<p style="text-align: center;"><u>RECRUIT TRAINING:</u></p> <ul style="list-style-type: none"> • Biased Based Policing (Museum of Tolerance Certified Instructors) 2 HR



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<ul style="list-style-type: none"> • Racial Profiling (Museum of Tolerance Certified Instructors) 4 HR • Cultural Competency 24 HRS (bias component) • LGBT Community Immersion Day 8 HRS (bias component) • Interacting with Gender Diverse People and Sexual Orientation 4 HRS (bias component) • Homeless Community Group 2 HRS (bias component) • ADA Issues/Hearing and Visually Impaired 16 HRS (bias component) • EEO and Discrimination 4 HRS (bias component) • Limited English Proficiency 2 HRS (bias component) • Victimology 6 HRS (bias component) • CCSF Sanctuary City Policy 1 HR (bias component) • Search and Seizure - 14 HRS (bias component) • Laws of Arrest - 14 HRS (bias component) • Arrest and Control - 120 HRS (bias component) • Booking and Detention - 8 HRS (bias component) • Pedestrians Approaches - 8 HRS (bias component) • Use of Force - 12 HRS (bias component) • Crimes Against Persons - 6 HRS (bias component) • Domestic Violence - 14 HRS (bias component) • Sex Crimes - 4 HRS (bias component) 	<ul style="list-style-type: none"> • Racial Profiling (Museum of Tolerance Certified Instructors) 4 HR • Cultural Competency 24 HRS (bias component) • LGBT Community Immersion Day 8 HRS (bias component) • Interacting with Gender Diverse People and Sexual Orientation 4 HRS (bias component) • Homeless Community Group 2 HRS (bias component) • ADA Issues/Hearing and Visually Impaired 16 HRS (bias component) • EEO and Discrimination 4 HRS (bias component) • Limited English Proficiency 2 HRS (bias component) • Victimology 6 HRS (bias component) • CCSF Sanctuary City Policy 1 HR (bias component) • Search and Seizure - 14 HRS (bias component) • Laws of Arrest - 14 HRS (bias component) • Arrest and Control - 120 HRS (bias component) • Booking and Detention - 8 HRS (bias component) • Pedestrians Approaches - 8 HRS (bias component) • Use of Force - 12 HRS (bias component) • Crimes Against Persons - 6 HRS (bias component) • Domestic Violence - 14 HRS (bias component) • Sex Crimes - 4 HRS (bias component) • Principled Policing 8 HRS • Managing-Implicit Bias-8 HRS • CIT Tactical De-escalation 10 HRS (bias component) • Blue Courage (Heart and Mind of the Guardian) 1.2 HRS (bias component)
<p>ROLL CALL TRAINING:</p> <ol style="list-style-type: none"> 1. Discrimination, Harassment & Retaliation (July 2010) 	<p>ROLL CALL TRAINING:</p> <ol style="list-style-type: none"> 1. Course Code RC2017-001 Autism Awareness 2. Course Code RC2017-002 Procedural Justice: Voice 3. Course Code RC 2017-003 Procedural Justice: Neutrality



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	<ol style="list-style-type: none"> 4. Course Code RC2018-001 Sanctuary City Policy 5. Course Code RC 2018-003 SFPD Strategic Plan 1.0 6. Course Code RC2019-003 Interacting with Transgender, Gender Variant, and Non-Binary Individuals 7. Course Code RC2019-004 Procedural Justice: Respect 8. Course Code RC 2019-006, Procedural Justice – Principle #4: Trust 9. Course Code RC 2020-004, 21st Century Policing
<p><u>PROFESSIONAL DEVELOPMENT:</u></p> <ol style="list-style-type: none"> 1. Supervisory Leadership Institute (SLI) 	<p><u>PROFESSIONAL DEVELOPMENT:</u></p> <ol style="list-style-type: none"> 1. Leadership Development Institute (LDI) 2. Supervisory Leadership Institute (SLI) 3. POST Executive Development Course (EDC)
<p><u>OUTSIDE CONSULTANTS:</u></p> <ol style="list-style-type: none"> 1. Franklin Covey – Seven Habits for Law Enforcement; Leadership Development Training Program. 	<p><u>OUTSIDE CONSULTANTS:</u></p> <ol style="list-style-type: none"> 1. Blue Courage-The Heart and Mind of a Warrior- 2-day course 2. Inclusive Leadership-The Core of the Champion-3-day course 3. Franklin Covey-7 Habits of Highly Effective People for Law Enforcement-2-day course 4. Franklin Covey-The Speed of Trust 5. National Organization of Black Law Enforcement Executives (NOBLE)'s Annual Training Conference

3) Audit to ensure that training was completed within 18 months (by 4/12/18).

In September 2020, the SFPD Business Analysis Team conducted a "Bias Training Audit" for compliance and found that 98% of the department's members had taken courses meeting the Bias Training criteria. (See **Attachment #12: Bias Training Audit**)

Per this Audit:

"Out of 38 personnel non-compliant, 15 personnel are currently in training as recruit officers. 23 (1.01%) remaining personnel are non-compliant."



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Various types of leave, including: vacation, family leave, maternity leave, military deployment, medical disability, and other forms of separation from the Department can account for the inability to reach 100% compliance in an audit.

4) Evidence of supportive and remedial action if deficiencies are found – including failure to attend training.

Based on the prescreen meeting with Hillard Heintze and the Cal DOJ, the following suggestions were made specific to Compliance Measure 4.

"Compliance measure 3 states that the 2020 BAT audit found that 23 non-recruit personnel were noncompliant with bias training. In SFPD's response to compliance measure 4, Cal DOJ asked that SFPD include information about what supportive or remedial actions were taken with respect to those 23 personnel."

As discussed above in compliance measure #3, the SFPD Business Analysis Team conducted a "Bias Training Audit" and found that 98% of the department's members had taken courses meeting the Bias Training criteria. (See again **Attachment #12: Bias Training Audit**). Per this Audit, 23 remaining personnel are incompliant. These members are only out of compliance due to fluid workforce (such as impendent retirement, or separation from the department) and various types of leave (including vacation, family leave, maternity leave, military deployment, and medical disability). The aforementioned types of leave account for the inability of the SFPD to reach 100% compliance

Bias related training is mandatory for all members of the San Francisco Police Department. All sworn members are scheduled to complete this training in the aforementioned courses, as well as during their mandatory Advanced Officer and Continued Professional Training (AO/CPT) at the San Francisco Police Academy. Training is ongoing and provided during AO/CPT which is required every two years to maintain state licensing in accordance with the Peace Officer Standards and Training (POST).

To ensure that members were compliant in acknowledging department bulletins the SFPD developed a procedure for electronic sign off. This process requires civilian and sworn employees to sign department bulletins electronically. This sign-off process used to occur in the Human Resource Management System (HRMS). Members were given information and instructions on this process by the issuance of Department Bulletin #19-156, titled "Mandatory Sign-off of Department Issued Documents in HRMS, Human Resource Management System." (See **Attachment #13: DB 19-156; Mandatory Sign-off of Department Issued Documents in HRMS, Human Resource Management System**).

The SFPD BAT team conducted an audit of Department Bulletin #19-156, which shows that out of 2,900 members, 2,827 members completed sign-off for a similar 97.5%



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compliance rate. (See Attachment #14: Audit of member acknowledgment for Department Bulletin #19-156.

As a remedial action, in August of 2020, the SFPD implemented the web-based software system Power DMS as a replacement for HRMS. Power DMS is now used for signing off on all Department Notices (DN). Members now have access to Power DMS to search DGOs, DBs/DNs, Manuals, Bureau/Unit Orders, and forms. With Power DMS, members also have easy access to a keyword searchable database. The SFPD distributed training manuals for Power DMS in Department Notice 20-122, including a user guide that provided general instructions for logging in, completing training, signing policies, and navigating through Power DMS. (See Attachment #15: Department Notice 20-122 Power DMS Live Announcement).

Any sworn or civilian employee not in compliance with general orders will warrant an administrative investigation, scheduled training, and/or disciplinary action. Finally, a failure to sign and acknowledge written orders or attend training is subject to disciplinary action in violation of DGO 2.01, Section 10:

“Members shall obey all written orders, policies and procedures of the Department, and promptly obey all lawful written or verbal directives of superiors.” (See Attachment #16: DGO 2.01, Section 10)

The SFPD has continued to evolve and provide new course curriculum to all members to address the anti-bias goals of the Department. As a final remedial action, the SFPD will adjust the upcoming AO/CPT cycle for 2021-2022 with updated training to include a new 4 hour "Bias and racial Profiling class". This POST mandated class includes a video portion and a facilitated discussion following the video. The goal of this course is discussed in the course video guide as follows:

“The goal of this training program is to provide law enforcement with an understanding of historical contexts and how they affect law enforcement’s ability to serve. This training will review the idea of history as it relates to racial bias and community perceptions, review potential ways biases may affect decision making, reveal how bias and profiling impact the profession and influences public perception, identify various communities’ perspectives and concerns, and reflect on diversity within law enforcement agencies.”

(See Attachment #17: AO/CPT schedule for 2021-2022 & Attachment #18: Video Guide - Bias and Racial Profiling).