

[REDACTED]

From: Gabriel Martinez [REDACTED]
Sent: Monday, September 27, 2021 12:06 PM
To: [REDACTED]
Subject: Recommendation 30.5

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Dear Acting Captain Altorfer,

Our office has completed its review of the materials related to Recommendation 30.5 that were submitted to us as part of the collaborative reform process. This package focused on SFPD ensuring supervisors are trained on assessing officers' disparities in traffic stops. After reviewing the package and information provided by the Department, the California Department of Justice finds as follows:

Recommendation 30.5: SFPD supervisors must be trained (pursuant to recommendation 27.1) to review and assess e-585 traffic stop incident report for disparate outcomes, particularly in relation to peer groups within the unit.

Response to 30.5: On May 5, 2021, SFPD issued Department Notice 21-076, “Dashboard Review System (DRS),” instituting a review system using data to identify disparities in policing among officers. SFPD is rolling out DRS in three phases, and once complete SFPD will be among the first in the nation to create this kind of individualized dashboard and accompanying administrative and remedial framework. The planned DRS will take information, such as the demographics of an officer’s stops, and compare that information to other officers. Importantly, the DRS will provide context by comparing the officer to the averages of officers in other stations, to officers in the same station, to various shifts (day, midnight, swing), and to Performance Improvement Plan groups. If significant disparities exist, SFPD will use intervention strategies outside of discipline to address the disparities. These strategies include providing additional training, mentorship, non-punitive review of data, and voluntary change of assignment. DRS is crafted non-punitively because the existence of disparities does not necessarily equate to biased policing; however, the DRS system can indicate where biased policing may occur, where an officer’s actions warrant a closer look, or where changes or re-enforced training and resources might be warranted—much like an Early Intervention System.

SFPD's DRS is currently in the first of three phases, providing district station captains monthly reports that incorporate eCitation, arrested/detained/cited persons, district demographics, and Crime Data Warehouse demographic data. During the week of April 12, 2021, SFPD conducted an initial DRS training for district station captains and solicited feedback. SFPD followed up with DRS trainings on May 5, 2021, and May 12, 2021, for supervisors. The trainings included information on drawing comparisons—including how to compare individuals to various groups to provide context—supervisors’ responsibilities, and data source

information. SFPD has planned further supervisor trainings as DRS is expanded and refined at the start of Phases II and III.

From the early rollout of DRS, SFPD has received and responded to feedback. SFPD has broadened the data sources beyond traffic data, and SFPD is now rolling out the full supervisory analysis in a test phase with select supervisors. The test is intended to help refine DRS before it is adopted by all supervisors. Four sergeants will begin testing the individualized data analysis during Phase I to troubleshoot any issues that arise. The next phases include: (1) incorporating more data; (2) instituting intervention options to include trainings and voluntary change of assignment; and (3) evaluating the rollout and effectiveness of DRS for improvements. Meanwhile, SFPD continues to send generalized data between shifts, district stations, and performance-improvement-plan groups to supervisors, with individualized officer data beginning in Phase II. The district station captains submitted memoranda in August 2021 documenting their reviews of the quarterly data and their training of sergeants on the DRS system.

Cal DOJ commends SFPD on creating the DRS and is hopeful that it will be fully implemented according to SFPD's plan without delay. Cal DOJ would like to acknowledge SFPD's pioneering work creating the DRS, which may serve as a national best practice to other law-enforcement agencies.

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 # 30	The weight of the evidence indicates that African-American drivers were disproportionately stopped compared to their representation in the driving population.
Recommendation #30.5	SFPD supervisors must be trained (pursuant to recommendation 27.1) to review and assess E-585 traffic stop incident report data for disparate outcomes, particularly in relation to peer groups within the unit.

Recommendation Status [Highlight selected status in yellow font.]	Complete	Partially Complete	In Progress
	Not Started	No Assessment	

Summary
<p>All compliance measures have been met.</p> <p>The department developed the Dashboard Review System (DRS) which will provide supervisors with traffic stop data. The data will enable supervisors to identify outcomes for bias and disparate impact.</p> <p>Training on how to identify potential bias and disparate impact in stop data began May 1, which includes training on the Dashboard Review System.</p> <p>Training will occur over three phases and will be modified immediately if a deficiency is discovered or prior to or during the next phase. Plan for Phase 1a is evidence of continuous review and improvement.</p> <p>The Principled Policing Bureau and the Bias Executive Staff Working Group will be responsible for the continuous review of the DRS until the proposed Dashboard Review Unit is established</p>

Compliance Measures		Status/Measure Met
1	Develop training and train supervisors to review stop data for potential bias and disparate outcomes. File includes evidence Bias-Training developed for all employees, including training for supervisors. The department developed a Dashboard Review System (DRS) to educate supervisors how to review stop data for potential bias and disparate outcomes.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
2	Train supervisors how to recognize disparate outcomes in relation to unit peers. The DRS Phase 1 training began in May 2021 with Captains/Lieutenants/Sergeants from pilot patrol divisions.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
3	Review/improvement loop of training. During Phase 1 supervisors offered feedback on how to improve the DRS and training. The department demonstrated flexibility and described how recommended improvements will incorporated into training prior to expansion of DRS training to other supervisors and patrol	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
4	Evidence of supportive and remedial action if deficiencies are found. The PSPP, in addition to feedback from supervisors, conducted their own review and identified improvements and in Phase 1a will institute remedial improvements. (Review includes Addendum Response dated August 18, 2021 and subsequent discussions with PSPP leadership)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

5		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
6		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
7		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
8		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Administrative Issues

Enter any identified administrative issues here. E.g. submission of file package, time delay, unnecessary materials included, feasibility of maintaining efforts responsive to compliance measures, etc.

Compliance Issues

Enter any identified compliance issues here that would elaborate on an RFI request – how the file package does not meet the compliance measures, conflict with data submitted elsewhere, partnership agreements, audit/improvement loop, etc.

Supplemental Document Request

Requested Documents	Responsive Document(s) and Why
List required documentation to move an RFI from other status to Complete here.	Documents:
	Relevance:

File Review

1. Has the recommended action occurred? Yes No

1A. If yes, does the action address the issue as identified within the recommendation?
 The department began educating and training supervisors how to review stop data for disparate outcomes.

2. Does the recommendation require a DGO or other department policy? Yes No

If not required, is the recommendation supported by department policy? Yes No

See 2 C

2A. If a DGO, department bulletin or policy is required, has it been approved by the Police Yes No

Commission?		
Does the policy sufficiently achieve the Report recommendation?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Has the policy been promulgated?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
NA		
2B. If a policy is required but not completed, have other actions been taken to advance the recommendation?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
NA		
2C. If a DGO or policy is not required, but the recommendation is supported by department policy, has the policy/bulletin/manual been approved and promulgated?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
The Department DGO regarding bias-free policing is appropriate. The file contains draft policies on the Dashboard Review System. (DRS). Director McGuire and Commander Ewins advised the team that the DB's the DRS are in the concurrence process.		
2D. Does the policy require actions beyond the recommendation?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If so, is there evidence of compliance with these policy requirements?		
NA		
2E. Does the policy support and meet the goals of the Report recommendation?		
Yes, the Dashboard Review Unit supports and meets the goals of the recommendation.		
3. Does the recommendation require training and/or education?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3A. If so, has training and/or education been implemented?		
The training was piloted at selected stations for input and feedback (May 2021). After incorporating the feedback, the full-rollout of training for the DRS is being implemented as feedback and improvements are incorporated into the training. (Phase 1a)		
3B. Is the training a type that would require continuous or regular reinforcement of training?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, provide factual support and whether there is continuous or regular training.		
Refresher training is needed as perceptions of bias change, methods of recognizing bias and cognitive analysis related to bias is improved, laws change and deficiencies are discovered through improved research.		
3C. Is the training record complete?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Because training is currently being implemented it is too soon for a training record to be complete.		
3D. Where training has been implemented to address a recommendation, has a training analysis been conducted?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, has any action been taken as a result?		

It is too soon for an analysis of the training to be completed. However the department has committed to a review of training during all three phases of implementation.

3E. If the recommendation does not specifically require training, should it be supported by training?

Yes

No

If so, provide the factual support necessary.

NA

4. Does the recommendation require an audit or continuous improvement loop?

Yes

No

4A. If yes, has an audit/review process been established?

NA

4B. Has any subsequent modification been made to policy or practice as a result of audit/review?

Insert response here.

4C. If no audit is required in the recommendation, would an audit or continuous improvement loop support ongoing compliance with the recommendation?

Yes

No

Audit Process for Consideration:

The department has proposed creating a Dashboard Review Unit (DRU). Pending creation of the DRU, the Principled Policing Unit and the Bias Executive Staff Working Group will conduct periodic audits and implement training improvements as deficiencies are identified.

Reviewer Notes

Linked Recommendations or Actions to Support File Review Status

30.1-30.6

Compliance Issues and Implementation Challenges

Insert response here.

Hillard Heintze Reviewer

Initials

MAD

Date

09/22/21 revision

Notes: Reviewed complete submission file and addendum dated August 18, 2021- supplement by discussions with PSPP additional evidence received September 21-22, 2021. (Meeting date September 21, 2021).



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Finding #30: The weight of the evidence indicates that African American drivers were disproportionately stopped compared to their representation in the driving population.

Recommendation # 30.5

SFPD supervisors must be trained (pursuant to recommendation 27.1) to review and assess e-585 traffic stop incident report for disparate outcomes, particularly in relation to peer groups within the unit.

Response Date: 5/5/2021

Executive Summary:

SFPD members engage in policing activities that can require enforcement actions when conducting traffic stops, violence reduction operations, narcotic buy/bust operations, and high visibility presence. These actions increase the amount of stop data collected by each member. All data can be examined and should not be considered negative or disparate without first conducting a thorough analysis.

To address disparities, the San Francisco Police Department has implemented new policies, procedures, and training to educate our members of potential biases and avoid unequal application of the law. Data collection is a tool that the SFPD will use to understand the work their members undertake each day and what they are being directed to do by supervisors. Examining data can, among other things, help identify disparities that may exist within the agency. Disparities in enforcement actions can damage police and community relationships. With the implementation of the new Dashboard Review System (DRS), the SFPD will use intervention strategies, outside of discipline, to address disparities.

The Chief of Police is proposing a staffed unit to supervise and manage this effort, known as the Dashboard Review Unit (DRU). Currently, this unit consists of the bias recommendation group. The proposal for the official DRU will be presented to the Chief in the coming weeks. This unit will address and support all deficiencies in the DRS as they present themselves through additional training or policy revision.

Members of the SFPD participated in a conference call with Hillard Heintze (HH) and the California Department of Justice (Cal DOJ) for the purpose of recommendation prescreening on Bias Recommendation 30.5 on May 3rd, 2021. To achieve substantial compliance for recommendation 30.5, Cal DOJ and HH made the following suggestions, which were communicated via email by Cal DOJ to the SFPD after this prescreen meeting:

"Hillard Heintze and Cal DOJ requested that SFPD update this recommendation with evidence of training after it occurs. SFPD explained that training is happening this week including a Teams meeting with sergeants on Wednesday, and that proof of these



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meetings can be included in the package. Hillard Heintze and Cal DOJ requested that SFPD include in compliance measure 3 that a review of the training in particular will occur during the various phase review process, and that deficiencies found in the review will be incorporated going forward. Hillard Heintze and Cal DOJ asked SFPD to expand on the details of the phase review process as it becomes finalized and occurs."

The above suggestions were taken into consideration and are discussed below in the various compliance measures.

Compliance Measures:

1) Develop training and train supervisors to review stop data for potential bias and disparate outcomes.

With the culmination of bias related training as well as revision of policies, such as Department General Order (DGO) 5.17; Bias Free Policing, the SFPD now has the foundation to move towards a data driven examination of our members to identify data disparities. The new Dashboard Review System (DRS) will assist supervisors in this review and intervene when applicable. The DRU has outlined the training phase process in the attached DRS Phase Grid (see Attachment #1: DRS Phase Grid).

Data disparities occur when a member has higher or lower data numbers in comparison to their peers or a disproportionality of data in a specific demographic. This does not mean that a member is engaged in bias-based behavior. Data disparities can be the result of various factors; assignment, directed enforcement at the request of the Department from complaints of elected officials, community members and City partners.

A working focus group, consisting of district station captains, lieutenants, sergeants, officers, and PEG group members, met to discuss the DRS on March 24th, 2021. Members of this focus group provided input and asked questions regarding DRS application and implementation and development of the training for this system. Invitations for the working group were sent to members of all ranks from Captain to Officers as well as invitations to the SFPD Public Employee Groups ("PEG") (Attachment #2: Working Group Calendar Print Out with Agenda).

Additionally, during the week of April 12th, the DRU met with the district station captains and their designated lieutenant who will be managing the DRS program at their respective district stations. This was both an informative meeting and training regarding the new system and how it will be utilized by district station supervisors. Including in this training to the captains was a breakdown of the following comparison metrics:

- District Station to 10 district stations
- Shift Comparison (Days, Middays, Swings and Midnights)
- PIP Groups
- District demographics from San Francisco census data



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- Suspect descriptions pulled from Crime Data Warehouse reports

Included in this training presentation was information regarding the dashboard phase system and the information to be included in each phase. The DRU explained to the captains that information included in phase 1 of the DRS will only include that information that is related to traffic enforcement – eCitations and traffic related arrests. The input provided by the captains and their lieutenant designee was used to further develop additional training for station lieutenants and sergeants. (Attachment #3: Email of meeting scheduling Captains/Lts), (Attachment #4: Captains Meeting Input) and (Attachment #5: Captains DRS Presentation).

On Wednesday May 5th, 2021, the DRU conducted the first set of two meetings via Microsoft TEAMS for supervisors who will be conducting member reviews via the DRS. The second set of meetings is scheduled for Wednesday May 12th, 2021, where the remaining supervisors will attend (Attachment #6: Dashboard Supervisor Training Invite). During these training sessions, a PowerPoint presentation created by the DRU was presented to supervisors that address the purpose, definitions, supervisory responsibilities, data sources, and comparison matrix. (Attachment #7: Supervisor Dashboard Review Training PowerPoint). In addition to this training, a Department Bulletin was provided to all members of the Department via PowerDMS detailing phase I of the DRS (Attachment #8: SFPD DB 21-076: Dashboard Review System; Phase 1).

2) Train supervisors how to recognize disparate outcomes in relation to unit peers

Training will be in a 3-phase approach in line with the release of each new phase of the DRS. A major improvement loop will be the introduction of SDCS data into phases II and III of the DRS. Therefore, training for phases II and III will include information on how to analyze SDCS data. As the data increases in the DRS during phases II and III, supervisors will be better able to review the members under their supervisor and look for a wider variety of potential data disparities. These increased data sets will allow for a broader picture of member's stop data activity from a variety of sources.

Prior to the training being formally developed, district station captains were presented with a sample of data like what that they will receive in an actual report. A discussion of comparison data and the need for an evaluation of members activities were discussed. This training served, in part, to provide Captains with the tools to understand what we are asking their subordinates to review and how to recognize data disparities of members under their supervision. At the conclusion of this training, the captains were presented with an opportunity to provide their feedback on policy and training. (see Attachment #4: Captain/Lt Feedback and Attachment #5: Presentation to Captains/Lt's).

On Wednesday May 5th, 2021, the DRU conducted the first set of four meetings via Microsoft TEAMS for supervisors. The second set of meetings is scheduled for Wednesday May 12th, 2021, where the remaining supervisors will attend (Attachment #6: Dashboard Supervisor Training Invite). With each progressive dashboard phase, a



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new supervisor training presentation will be created and provided to supervisors, in accompaniment with supplemental department bulletins ([Attachment #1: DRS Phase Grid](#)). Each captain will be responsible for meeting with their lieutenants to discuss the DRS reports and work together supervisors to review data disparities within their members, if any exist. Members of the DRU will also conduct station visits with the release of each report and provide guidance to members in person, via email, telephone or video conference as needed.

3) Review/improvement loop of training.

Review and improvement loop will be ongoing through the 3 phases. The week of May 3rd, 2021, the DRU created an aggressive training schedule both in person and TEAMS meetings. ([Attachment #3: Email of meeting scheduling Captains/Lts](#)). The release of the DRS, phase I report was released on April 30th, 2021. This is the reason for meetings with supervisors. With these meetings, documentation of input regarding the system and new ideas for collection of data was memorialized. This information will be evaluated and used to improve the DRS reports and overall system. This process will be ongoing through all 3 phases.

As the DRS itself develops with each phase, so will the supervisory training. Following the initial sergeant and lieutenant training sessions on Wednesday May 5th, the newly trained supervisors have provided feedback of the DRS and training. This feedback is being evaluated by the DRU for its future application in additional trainings and department policies ([see Attachment #9: Supervisor Training Feedback](#)). During the training sessions, members were advised that should they have any additional feedback to contact the DRU and that with each new phase of the DRS, additional training sessions would be scheduled.

At the completion of each phase, the DRU will conduct member surveys and gather input from district station supervisors regarding the review process in the prior phase. The survey results and input will be applied to both modifications to the DRS and the supervisory training. The training will be reviewed and changed if needed because of the member input, in addition to the added training in each phase in relation to added data to the DRS. ([revisit Attachment #1: DRS Phases Grid](#)).

4) Evidence of supportive and remedial action if deficiencies are found.

The DRS will be an evolving process through the 3 phases. With the progression of the DRS, increased data sources will allow for the better collection and evaluation of member activity data. With the acquisition of technological resources, additional analysts to validate data and the increased training of supervisors during each phase, the DRU will be able to consistently evaluate and change the system if deficiencies are found. The DRU will also provide supportive assistance to supervisors and stations



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should station supervisors identify deficiencies and be unable to complete their reviews (revisit Attachment #1: DRS Phase Grid).

The DRU will address and support all deficiencies in the DRS as they present themselves during each of the phases. At the end of each phase, member survey results will be analyzed to change and alter the system if needed. Since the SFPD is one of the only departments in the nation to develop such a review of data, we cannot model it after other departments. The 3-phase approach allow for a thoughtful and thorough development with member input for this new system.

Prior to transitioning from one phase to the next, the DRU will evaluate the effectiveness, the strengths, and the weaknesses of the previous phase of the DRS program and make the needed modifications to the upcoming phase based on that evaluation. The DRU will review the following when analyzing proposed changes that for upcoming phases:

- number of members identified as having disparate data
- changes over time in the number of members identified with disparate data
- accuracy of data
- reliability and validity of the type of data
- effectiveness of the overall procedures
- effectiveness of training for captains, lieutenants, and sergeants
- effectiveness of interventions
- feedback from officers/supervisors regarding the DRS program

If deficiencies are found where supervisors are not completing evaluations of members due to data disparities, the captain or designee will retrain that member. This will be identified at the district station level or the DRU evaluation of data of members that have been pre-identified as a need for review. A Unit Order for the DRU will be developed in Phase II which will detail the corrective actions if deficiencies are found and will also include an audit of evaluations and interventions applied when applicable.



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Finding #30: The weight of the evidence indicates that African-American drivers were disproportionately stopped compared to their representation in the driving population.

Recommendation #30.5:

SFPD Supervisors must be trained (pursuant to recommendation 27.1) to review and assess E-585 traffic stop incident report data for disparate outcomes, particularly in relation to peer groups within the unit.

- Develop training and train supervisors to review stop data for potential bias and disparate outcomes.
- Train supervisors how to recognize disparate outcomes in relation to unit peers.
- Review/improvement loop of training.
- Evidence of supportive and remedial action if deficiencies are found.

Response Date: June 22, 2021

ADDENDUM

On, 05/17/2021, the SFPD received notification that the review of Recommendation 30.2 was in final review with Hillard Heintze. However, Hillard Heintze requested the following information be addressed prior submitting the recommendation to Cal DOJ for substantial compliance:

Hillard Heintze noted: *Prior to sending to Cal DOJ, the SFPD needs to ensure that the recommendation submissions for 30.1, 30.2, 30.3, 30.4 and 30.5 are consistent with respect to the department's explanation and response to similar compliance measures.*

In response to this request for additional information, Hillard Heintze also requested that all recommendations related to the Dashboard Review System (DRS) contain similar clarifying information. The following is a unifying response to the DRS recommendations.

In response to the above note, the Chief of Police remains committed to the development and implementation of the Bias Dashboard system. There has been discussion at the Police Commission of what the system will do. The Chief of Police has been very clear that this dashboard is developed as a "management tool."

To address disparities, the San Francisco Police Department has implemented new policies, procedures, and training to educate our members of potential biases and avoid unequal application of the law. Data collection is a tool that the SFPD will use to understand the work their members undertake each day and what they are being directed to do by supervisors. Examining data can, among other things, help identify disparities that may exist within the agency. Disparities in enforcement actions can damage police and community relationships.



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With the implementation of the new Dashboard Review System (DRS), the SFPD will use intervention strategies, outside of discipline, to address disparities.

The Chief of Police has expressed his desire to staff the Dashboard Review Unit (DRU) to supervise and manage this effort when staffing when feasible. This unit will address and support all deficiencies in the DRS as they present themselves through additional training or policy revision.

On April 30th 2021, the DRU sent to each station a generalized traffic stop data report containing station traffic stop data information. Due to the meet and confer process with the San Francisco Police Officer Association, we are currently unable to release the official report to the stations that contains individual officer information. We are waiting for the Professional Standards Unit to move forward with the Meet and Confer process. The Dashboard Review Unit, alongside the Business Analysis Team (BAT) has created the first quarter of 2021 reports. These reports were sent to each district station captain on June 21st, 2021 by the DRU. Meetings to discuss the results will be scheduled for the last week of June and first week of July. These meetings will include supervisory training as needed.

The reports will show the overall data for the station and a comparison of all the shifts in a side-by-side manner. The Dashboard roadmap with proposed interventions has been created, but the development process is delayed. Until the meet and confer process is completed, the DRU will continue to send the redacted quarterly overall reports to each station captain.

In conjunction with the BAT and the DRU, an electronic dashboard review system as a management tool is an ongoing development. Due to budget cuts, BAT personnel have been reassigned and the timeline for completion will be re-evaluated.

Once the system is completed and online, the training will be developed by the Dashboard Review Unit. This training will be specific to the duties of supervisors, on not only how to use the system, but how to properly review the data and identify data disparities. As more resources become available, additional personnel will be available to complete this project as seen in the timeline for the Bias Dashboard.

The DRU will create policy through a Unit Order that establishes the process and procedures for an audit system of the Dashboard Review System. The DRU will be responsible for the following: auditing the District Station reports, managing requests for additional data and additional training and assistance as needed.

ACT CAPT. ERIC J. ALTORFER #151

Professional Standards & Principled Policing
Acting Captain Eric J. Altorfer