



COUNCIL AGENDA: 09-29-09  
ITEM: 8.2

# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Deanna Santana

**SUBJECT:** CPLE AGREEMENT

**DATE:** September 16, 2009

Approved

Date

9/17/09

## RECOMMENDATION

Approve the agreement between the City of San Jose and the Consortium for Police Leadership in Equity (CPLE).

## ANALYSIS

Attached is the Information Memorandum, dated September 10, 2009 regarding the agreement with CPLE. The memo highlights the scope of services. A supplemental memo with the proposed agreement will be distributed before the September 29, 2009 Council Meeting.

DEANNA J. SANTANA  
Deputy City Manager



Distributed on:

SENT TO COUNCIL: SEP 11 2009

by City Manager's Office  
*Memorandum*

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Robert L. Davis

**SUBJECT:** CPLE MOU UPDATE

**DATE:** September 10, 2009

Approved

Date

9 / 10 / 09

**INFORMATION**

The purpose of this memo is to inform Council that the Memorandum of Understanding (MOU) between the Consortium for Police Leadership in Equity (CPLE) and the City of San Jose and the Police Department will soon be finalized. The City and CPLE have reached agreement on the key provisions and will prepare the MOU for council presentation on October 6, 2009. Key provisions/concepts of the Scope of Services section of the MOU are as follows:

- Conduct research with the goal of determining the existence or absence of racial/ethnic bias in SJPD's officers' decision to contact and/or arrest individuals. This research will be conducted with a particular focus on comparing so-called "discretionary" stops (e.g. public intoxication arrests, resisting arrest and disturbing the peace arrests) vs. so-called "nondiscretionary" stops. This will require access to broad categories of arrest data, which SJPD agrees to provide. All research will be conducted at the highest professional standards of each researcher's academic discipline, with the goal of translating that research into knowledge and practice that is useful for the SJPD and the City.
- Similar analyses of use of force and victims of crimes among major demographic groups in the City will also be conducted. This data will allow the CPLE research team to investigate aggregate trends and group-based disparities as well as the role of officer-level discretion and/or bias in producing these outcomes. CPLE researchers will be permitted to measure psychological factors of officers that consent to participating in research. These psychological factors may include, but shall not be limited to, measures of officer racial bias, concern with appearing prejudiced, insecure masculinity, anti-Black and anti-Latino dehumanization, and attribution patterns for non-White residents. These data may then be paired with consenting individual officer suspect stops and use of force histories.
- Conduct research on factors that potentially exacerbate any observed inequalities in treatment and outcomes. Specific focus will be on officer and suspect racial phenotypic stereotypicality, expectations of hyper-masculine responses (by one's self and other), and actual hyper-masculine responses on police-community interactions. Using arrest records, booking photographs and experimental designs, designated CPLE researchers will assess

the role of racial phenotype, expectations of masculine displays, and actual masculine displays in the creation of racial inequality.

- Assess SJPD's current police department statistical data reports and data archiving practices. CPLE will advise SJPD on recommended formats for collecting and presenting data to the Department, Public and the City. Formatting can be used for future reports to ensure clear communication about equity issues with the public and the city.
- Conduct research with the goal of ensuring positive communication between the racially and ethnically diverse communities of San Jose and the SJPD.
- UCLA will conduct research that is intended to inform the SJPD with respect to ways in which SJPD might ensure both a racially/gender representational police force as well as an equitable police force. Additionally, UCLA will endeavor to determine what aspects of police/ community engagement might enable SJPD to ensure racial and gender equity.

Once the MOU terms have been finalized, staff will be returning this issue and related materials to Council on October 6, 2009 for City Council approval.



ROBERT L. DAVIS  
Chief of Police

RLD: GLK