



Memorandum

TO: RULES AND OPEN GOVERNMENT COMMITTEE **FROM:** Councilmember Donald Rocha
SUBJECT: POLICE DEPARTMENT OPERATIONS AND PERFORMANCE **DATE:** September 11, 2014

Approved Don Rocha Date 9-11-14

RECOMMENDATION PH

That the Rules Committee direct staff to prepare a written report on Police Department operations and performance, in the form of an informational memo. In addition to any information Police Department staff, Rules Committee members or my other colleagues may wish to include, the report should address the following issues:

1. The current status of police department sworn staffing, including the following:
 - a. Current staffing levels, as well as historical staffing levels going back five years.
 - b. Any projections as to future staffing the Department may have developed.
 - c. An update on recent academy class size, historic class sizes going back five years and a discussion as to what the Police Department's targets are for class size.

2. An analysis of recent trends in crime statistics, including the following:
 - a. A brief overview of the deployment strategies that have allowed the Police Department to achieve a significant reduction in violent crime even at reduced staffing levels.
 - b. A discussion as to whether these deployment strategies entail tradeoffs. For example, does a focus on violent crime affect our ability to respond to other crimes?
 - c. A discussion of the Police Department's use of overtime, including a discussion of the risks of continued use of overtime as well as an assessment as to whether there may be a limit to our ability to continue using it at high levels.
 - d. A discussion as to whether lower priority crimes, especially property crimes, may be under-reported in the statistics. For example, do we capture fewer crimes for statistical purposes because of our inability to respond to calls, or because it takes so long to respond that the reporting party has left the scene?

ANALYSIS

Our Police Department has been dropped into difficult circumstances over the past few years, but there can be little doubt that both the officers out on the street every day as well as Chief Esquivel and his command staff have responded to challenges with great dedication and ingenuity. In his press release on crime statistics, the Mayor was right to assign credit for crime rate improvement to the men and women of our Police Department; I join him in giving them our thanks.

It is in part because of my regard for our Police personnel that I issue the above recommendations. I value analysis from our professional staff on any issue, but on a matter as important as public safety it is especially critical that we listen to the experience and expertise of the Chief and his command staff. I appreciate the verbal report on operations and performance the Police Department provides at PSFSS, but believe that given the recent attention attracted by crime statistics and staffing numbers, a slightly more in-depth written report is called for.

Sometimes in the rough and tumble of public debate we can forget to seek the counsel of professional staff. The September 5th Mercury News article on police staffing, for example, focuses mainly on the war of words between the Mayor and a police union official, with only a brief quote by the Department spokesperson at the very end. Political debate through news articles and press releases isn't a bad thing—it's part of democracy—and I certainly don't begrudge the Mayor his perspective on this issue because I have my own. In addition to political posturing, however, we also need dispassionate staff analysis—analysis that is honest and forthright both about successes and about remaining challenges, with no outside agenda.

As I mentioned, like the Mayor I have my own perspective on this issue, and should discuss it briefly. Part of the purpose behind the questions I pose in the above recommendation is to ensure that we hear from our staff about what challenges remain. I don't seek to highlight these challenges for the purpose of criticizing our Police staff—as I've noted above, there can be no doubt as to the exemplary quality of their work under difficult circumstances. Rather, I want to ensure that my colleagues and I have the information we need to evaluate the quality of our own work as a Council. Even if the Police Department responds as best they can with the resources available to them, it is largely up to the City Council to decide what those resources will be and what the compensation structure and labor relations climate will be like; we should not confuse the performance of Police staff in deploying resources with the performance of the Council in leading the organization. The information I request will help keep us honest about where we as elected officials still need to improve our own performance.

This distinction between the performance of the Police Department and the performance of the Council can be seen in the most recent round of crime statistics (see Attachment A for a graphical presentation of the data.) Statistics can appear differently depending on

the slant we put on them, so let me describe two different perspectives on the data. First, if we look at the data and ask the question “How has the Police Department performed since 2012?” we can’t help but conclude that it has done a great job. Crime isn’t back down where we’d like it to be, but our officers have managed to beat back a huge upswing with extremely constrained resources. If, on the other hand, we ask the question “How has the City Council performed since the beginning of the pension reform effort in 2010?” our conclusions can’t be as positive. Five of the seven categories in Attachment A still remain above 2010 levels. Burglary—the crime I hear about most from my constituents—sat just below an 18 year high in 2013 and is essentially flat since 2012. Motor vehicle theft is also notably elevated in 2013, sitting at the second highest level since at least 1985. The response of our Police Department to these trends has been heroic, but that heroism was made necessary by decisions of this Council, which has repeatedly refused to give voters the opportunity to vote for higher revenue and refused to fix Measure B. We should not attempt to use the excellence of our Police Department to obscure our own failures as a Council.

I will make one additional note about the data. The decline in larceny between 2012 and 2013 is striking, especially given that burglary is essentially flat. I am not an expert on crime statistics, but this decline does make me wonder whether we are capturing all the data in this category, and is the reason I ask for analysis of that issue in recommendation 2b above.

I will close by again offering the disclaimer that the above analysis on crime statistics is just my perspective on the issue, and I am sure that many of my colleagues will have a different take. I am open to any additional questions Rules Committee members or my other colleagues may wish to include in the information request, whether for the purpose of highlighting successes or remaining challenges. Whatever questions we ask, I have no doubt that our Police Department will respond with their characteristic integrity and professionalism, and provide us with the information we need to hear to make good decisions.

Attachment A

San Jose Crime Statistics 2003-2013

