



TOWN OF ATHERTON

CITY COUNCIL
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October 25, 2021

Honorable Amarra A. Lee
Judge of the Superior Court
c/o Jenarda Dubois
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

Subject: Response of the Town of Atherton to the Civil Grand Jury Report “Building Greater Trust Between The Community & Law Enforcement Via The Racial And Identity Profiling Act”

Dear Judge Lee,

Thank you for the opportunity to respond to the Civil Grand Jury report entitled “Building Greater Trust Between The Community & Law Enforcement Via The Racial And Identity Profiling Act.” The Town of Atherton’s response to both the findings and recommendations are listed below.

Responses to Civil Grand Jury Findings:

RIPA Data Collection and Reporting

F1. LEAs in SMC are aware of RIPA data requirements, including the requirement that data collection starts on January 1, 2022.

Response:

The Town of Atherton agrees with this finding.

F2. County LEAs vary in their degree of understanding of: RIPA data collection requirements, technological options for collecting the data, and the need for procedures and training to collect and report the data. The LEA’s RIPA-preparedness correlates to their understanding of RIPA requirements.

Response:

The Town of Atherton agrees with this finding.

The Atherton Department of Police has a full and complete understanding of the RIPA data collection requirements, has the necessary technology for RIPA data collection, has establish RIPA procedures and training, and has started the process of collecting the required RIPA data.

F3. Burlingame and Menlo Park are to be commended for publicly announcing their plans for early implementation of RIPA data collection and reporting to the CA DOJ. The other fifteen LEAs were in various stages of planning and acquiring their RIPA data collection system.

Response:

The Town of Atherton agrees with this finding.

The Atherton Department of Police has finalized all required RIPA planning, training, and implementation of the RIPA data collection system and is currently collecting the required RIPA data.

F4. The San Mateo County Police Chiefs & Sheriff Association RIPA Subcommittee provides a convenient forum for LEAs to benefit from peer learning and collaboration for RIPA planning, testing, deployment, and best practices.

Response:

The Town of Atherton agrees with this finding.

F5. Some LEAs mistakenly believe the County Dispatch System will handle their RIPA data collection.

Response:

The Town of Atherton agrees with this finding.

The Atherton Department of Police fully understands that RIPA data collection is their full responsibility.

Using RIPA Data for Transparent Community Trust Building

F6. LEAs vary in their understanding that implementing RIPA Board recommendations would build greater trust with their communities.

Response:

The Town of Atherton agrees with this finding.

The Atherton Department of Police fully understands that the RIPA Board recommendations to law enforcement agencies are intended to and will build greater trust in our Department of Police.

F7. Some contracting entities were unaware of the RIPA requirements, and that RIPA data breakdown for their respective cities could be requested from the Sheriff's Office beginning in the spring of 2022.

Response:

This finding is not applicable to the Atherton Department of Police.

F8. Between now and 2022, sixteen county LEAs have plans for “regularly analyzing data, in consultation with [academics, police commissions, civilian review bodies, or advisory boards], to assist in identifying practices that may have a disparate impact on any group relative to the general population.”

Response:

The Town of Atherton agrees with this finding.

Responses to the Civil Grand Jury Recommendations:

RIPA Data Collection and Reporting – Milestones for January 1, 2022, compliance

R1. Each LEA must have a fully developed implementation plan for complying with RIPA. The plan should include data collection and reporting, training methods, policies and procedures, roll-out plans, personnel allocation, systems testing and data auditing. The plan should be reviewed and approved by October 30, 2021.

The Atherton Department of Police RIPA Implementation plan and related policies/procedures have been approved and are attached for review.

R2. Each LEA needs to acquire the necessary software and hardware required to comply with RIPA by October 30, 2021, in order to complete testing within 30 days and to go live by January 1, 2022.

The Atherton Department of Police has acquired Veritone RIPA software and Apple iPhone hardware for RIPA data collections. Testing has been completed and is RIPA data collection is operational.

R3. Each LEA must test and confirm their readiness for RIPA data collection by November 30, 2021.

The Atherton Department of Police has tested and confirmed readiness for RIPA data collection.

R4. Each LEA should provide regular updates to their governing entities, on their progress toward preparing for the required RIPA data collection starting on October 15, 2021.

The Atherton Department of Police has been and will continue to keep the Town Council and City Manager updated on our progress for RIPA data collection implementation.

Using RIPA Data for Transparent Community Trust Building – don't wait for the annual Report

R5. Each LEA should, on a quarterly basis, starting in the second quarter of 2022, provide reports on RIPA data and how it is being used to address potential identity biases, including supervisory oversight (as defined by the RIPA Board). The report should be posted and easily viewable on the entity's website.

The Atherton Department of Police will provide detailed RIPA data reporting on a regular basis to the Town Council/Residents and the reports will be posted on the Police Department's website.

R6. By February 1, 2022, each LEA should begin considering how to obtain and use insights gained from the RIPA data to improve the operation of its department by combating implicit bias in policing and pursuing greater community trust by implementing the RIPA Board’s growing list of policing best practices.

On a semi-annual basis, the Atherton Department of Police will review our RIPA data and the RIPA Board’s current recommended policing best practices, to ensure community trust and ensure implicit bias does not affect or impact our policing practices.

R7. By February 1, 2022, each LEA should consider community engagement and transparency, including the possible use of “academics, police commissions, civilian review bodies, or advisory boards” as a mechanism to build community trust and provide bias-free policing.

The Atherton Department of Police actively and routinely engages in community outreach events and opportunities and has the necessary policies and procedures to ensure transparency and confidence, to and by, the residents we serve. The department will leverage “academics” and other effective resources to continue to build and maintain community trust and to help ensure bias-free policing. Currently, the department is not considering the use of “police commissions, civilian review bodies, or advisory boards.”

R8. In the second quarter of 2022, each of the contracting entities should begin requesting RIPA stop data for its jurisdiction, separate from the rest of the Sheriff’s stop data.

Response:

This recommendation is not applicable to the Atherton Department of Police.

This response to the Grand Jury was considered by the City Council at a public meeting on October 20, 2021. Should you have any questions concerning this response, please contact City Manager George Rodericks at (650) 752-0504.

Very truly yours,

Elizabeth Lewis
Mayor, Town of Atherton

Cc: Grand Jury website (sent via email to grandjury@sanmateocourt.org)
George Rodericks, City Manager
Anthony Suber, City Clerk

Attachments

1. Atherton PD RIPA Implementation Plan
2. Atherton PD RIPA Training PowerPoint
3. Atherton PD RIPA Lexipol Policy
4. Atherton PD Biased Based Policing Lexipol Policy