At the October 20, 2020 Board of Supervisors meeting (Item No. 27), the Board approved Supervisor Simitian’s motion to direct the Administration to evaluate whether the OIR Group had the capacity, expertise, and experience to undertake the policing study at Stanford University instead of issuing a Request for Proposals to select a consultant. This memorandum responds to this request for information.

**Executive Summary**

At the October 20, 2020 Board meeting, the Board approved Supervisor Simitian’s motion to direct the Administration to evaluate whether the OIR Group had the capacity, expertise, and experience to undertake the policing study at Stanford University instead of issuing a Request for Proposals to select a consultant.

The Administration engaged the OIR Group to understand the firm’s experience, expertise, and capacity to undertake a review of the Stanford’s policing practices relative to the 2007 County Stanford Memorandum of Understanding (MOU).

Based on those discussions, the Administration determined that OIR Group does have the staffing capacity, expertise, and a deep understanding of the Office of the Sheriff to make it ideally suited to evaluate Stanford policing practices and determine whether any changes are recommended to the Community Plan, the 2007 MOU, or any other pertinent document. We propose to enter into an agreement with OIR for this study and will seek funding for the study at a future Board meeting either in December or January 2021.
OIR Group’s Qualifications to Perform Stanford Policing Study
The OIR Group is a team with experience with police practices who have been conducting independent reviews of police agencies for over twenty years. OIR Group also has experience with post-secondary school public safety, and has experience with Stanford University, in addition to its familiarity with the Office of Sheriff’s policies and practices. The Administration believes the firm is ideally suited to conduct the proposed study.

OIR Group’s relevant experience, expertise, and capacity are further identified in the attached October 29, 2020 letter from the OIR Group.

Background
At the September 1, 2020 Board meeting (Item No. 25), the Board received a report from the Office of the County Executive and Department of Planning and Development regarding updates to the Stanford Community Plan. The Board received public testimony from members of the Stanford University community who requested the County evaluate matters concerning policing at Stanford University.

At the October 20, 2020 Board meeting (Item No. 27), the Administration provided a report to the Board that described how the student concerns may be evaluated within the context of a variety of studies and work surrounding the Stanford Community Plan update. The Administration’s recommendation was to conduct a Request for Proposals to hire a consultant to assist with evaluating policing practices at Stanford University.

The Board approved Supervisor Simitian’s motion to direct the Administration to evaluate whether the OIR Group had the capacity, expertise, and experience to undertake the policing study at Stanford University instead of issuing a Request for Proposals to select a consultant.

c: Jeffery V. Smith, M.D., J.D., County Executive
Sheriff Laurie Smith
Clerk of the Board
Chief Board Aides
Jean McCown, Stanford Associate Vice President, Office of Government Affairs,
Government/Community Relations
October 29, 2020

Sylvia Gallegos, Deputy County Executive
Office of the County Executive
County of Santa Clara
VIA ELECTRONIC MAIL

RE: Review of Stanford University Department of Public Safety

Dear Ms. Gallegos:

Per your request following our recent discussion, what follows is a description of OIR Group’s experience, expertise, and capacity as it might relate to a review of Stanford’s Office of Public Safety and its relationship to the County as set out by the current Memorandum of Understanding.

OIR Group is a team of police practices experts who have been conducting independent reviews of police agencies for over twenty years. As a result of that work, OIR Group has been repeatedly asked to evaluate critical public safety functions, including use of force, handling of complaints, accountability, transparency, internal investigations, staffing, evaluations, and virtually every other aspect of a law enforcement agency’s operations. OIR Group’s review is accompanied by achievable recommendations designed to improve vital public safety responsibilities. Our backgrounds, and our extensive experience with jurisdictions throughout California and in other states have contributed to a recognition that law enforcement activity can often disproportionately impact persons of color; accordingly, we apply a civil rights and equity lens to the substantive evaluations we perform.

OIR Group has also developed special expertise in the unique world of school public safety. Ideas about responsiveness to specific community priorities and needs are gaining new prominence in the assessment of law enforcement effectiveness, and the distinctive atmosphere of a campus creates its own
dynamics in this regard. As a result, those entrusted with providing public safety to students, faculty, and administration should do so in a spirit of collaboration with those groups and with an awareness of the school community’s overarching objectives and commitments. Leadership decisions in recruiting, hiring, evaluations, promotions, accountability, transparency, and organizational culture should all be shaped by a sensitivity to campus identity. For example, individuals who are attracted to traditional “crime fighting” strategies and aggressive approaches to enforcement will likely not be a good fit in such a paradigm.

OIR Group is uniquely situated to conduct reviews of school public safety organizations as a result of its past relevant work and its recognition of the qualities that should set campus law enforcement apart from the traditional policing mode. OIR Group has performed organizational reviews of a number of university public safety agencies, including a number of Cal State University campuses. OIR Group was also asked by the California Department of Justice to serve as experts during its investigation of the Stockton Unified School District Police Department, and its recommendations were used to help develop a remedial plan to address structural deficiencies in school policing policies and practices as part of a settlement agreement. OIR Group was then chosen by the parties to serve as a monitor and tasked with ensuring the Department’s compliance with the conditions of the agreement.

Moreover, OIR Group is particularly familiar with the Stanford campus and its environs. Michael Gennaco, a core member of OIR Group, is a Stanford Law School alumnus. OIR Group has served for a decade as the Independent Police Auditor for the City of Palo Alto. And OIR Group studied San Jose State University’s campus police as one of its assignments for the California State University system referenced above.

OIR Group’s work with Santa Clara County and its relationships with the County’s leadership as a result of its OCLEM responsibilities leave it also uniquely situated to perform this function. It has been selected to provide monitoring services for law enforcement matters and has been introduced to Santa Clara County governance in ways that will benefit any review of the Stanford University Department of Public Safety.

Should OIR Group receive this assignment, it would staff its review with the following core team members:

**Michael Gennaco**

Michael Gennaco served from 2001 to 2014 as the Chief Attorney of Los Angeles County’s Office of Independent Review and is a founding member of OIR Group.
He graduated from Dartmouth College and Stanford Law School. Before joining OIR, Mr. Gennaco was Chief of the Civil Rights Section at the United States Attorney’s Office for the Central District of California. He also served for ten years as a trial attorney with the Civil Rights Division at the Justice Department in Washington, D.C., first with the Voting Section and then with the Criminal Section.

While at the Civil Rights Division and the United States Attorney’s Office, Mr. Gennaco supervised over 20 federal grand jury investigations into police misconduct, most of them involving force and in-custody death investigations. He also conducted a number of successful civil rights prosecutions against police officers for excessive force, including officers of the Los Angeles Police Department, the Los Angeles Sheriff’s Department, and federal immigration detention officers. In addition, Mr. Gennaco conducted hate crime prosecutions, including the prosecution of Buford Furrow, a white supremacist who killed a Filipino-American postal carrier and grievously shot children at the Jewish Community Center in Los Angeles, and prosecuted human traffickers, such as the eight individuals responsible for enslaving seventy Thai workers for years in El Monte, California. Mr. Gennaco received high recognition for his work including the esteemed Attorney General’s award.

As an oversight practitioner, Mr. Gennaco has performed, with the assistance of OIR Group attorneys, a number of monitoring tasks, audits and reviews for a federal judge, special masters, and other governmental entities. He is a recognized expert in law enforcement reform and accountability systems and regularly teaches Constitutional policing classes sponsored by the State of California’s Peace Officers and Standards Training.

Under Mr. Gennaco’s leadership, OIR Group has become a valuable resource for numerous California cities grappling with officer-involved shootings and other critical incidents in an effort to bridge the gap between the police and the communities they serve and to utilize those incidents as learning tools. Upon request, Mr. Gennaco submitted testimony to the President’s 21st Century Task Force on Policing.

Mr. Gennaco’s knowledge of best practices and his longstanding commitments to police accountability are hallmarks of a distinguished career. In keeping with his accomplishments and reputation, he was honored in 2011 by the National Association for the Civilian Oversight of Law Enforcement (“NACOLE”) as recipient of its highest recognition: the Flame award for outstanding contributions to the field.

- Principal and founder of OIR Group
• Educational background: BA: Dartmouth College, JD: Stanford Law School
• Role in the Project: Project Director
• Experience in Auditing and Oversight: 20 years
• Independent Police Auditor for Cities of Burbank, Palo Alto, Anaheim, Davis, and Portland (Oregon)
• Independent reviews of over 20 law enforcement jurisdictions
• Independent investigations for Fullerton, Oakland, Merced County Sheriff’s Office, Humboldt State University and California State University San Marcos Police Departments

Stephen Connolly

Stephen Connolly is a Principal of OIR Group. From 2001 to 2008, he served as an original member of the Los Angeles County’s Office of Independent Review, overseeing internal investigations and disciplinary determinations, and was the first Executive Director of the Orange County Office of Independent Review for eight years after that. Prior to his work with OIR, Mr. Connolly was an attorney in private practice and served as pro bono counsel to the Rampart Independent Review Panel, formed to assess misuse of force and corruption at the Los Angeles Police Department. For several years he has also provided training to law enforcement on a variety of subjects related to supervision, risk management, and effective internal review. Certified by California’s Peace Officer Standards and Training, he teaches several mandatory training blocks each year to lieutenant-level police managers from throughout the state. Mr. Connolly has worked on numerous projects as a principal of OIR Group.

• Principal of OIR Group
• Educational background: BA: Holy Cross, JD: Loyola Law School
• Role in the Project: Assistant Project Director
• Independent Police Auditor for Cities of Burbank, Palo Alto, Anaheim, Davis
• Independent reviews of over twenty law enforcement jurisdictions
• Independent investigations for California State University San Marcos Police Department

Julie Ruhlin

Julie Ruhlin is a Principal of OIR Group. From 2006 to 2014, Ms. Ruhlin was a member of the Office of Independent Review in Los Angeles County, serving as its Deputy Chief for the last three years of that engagement. In addition to her regular
responsible for monitoring internal affairs and critical incident investigations at the Sheriff’s Department and making independent recommendations regarding disciplinary determinations, she worked closely with the Training Bureau, preparing a special report to the Board on issues surrounding the Department’s Training Academy. She also focused on issues within the County’s jails, including the investigation and review of inmate suicides and other deaths in custody, and worked with Department leaders to develop a mechanism for executive-level review of uses of force within the jails. Ms. Ruhlin recently worked with Mr. Gennaco to prepare a report examining the Internal Affairs functions of the Denver Sheriff’s Department.

Ms. Ruhlin joined OIR after working with Merrick Bobb at the Police Assessment Resource Center in Los Angeles, where she was responsible for investigating and drafting special reports to the County Board of Supervisors regarding policy and training deficiencies within the Sheriff’s Department. Prior to working with PARC, her private law practice focused on civil rights and criminal defense.

- Principal of OIR Group
- Educational background: BA: American University, JD: USC Law School
- Role in the Project: Police Auditor
- Experience in Auditing and Oversight: 15 years
- Work history Independent Police Auditor for Cities of Anaheim, Davis, and Portland (Oregon)
- Independent reviews of over 20 law enforcement jurisdictions
- Independent investigations for Merced County Sheriff’s Department and Humboldt State University Police Department

**Teresa Magula**

Teresa Magula is a member of OIR Group and a former Special Investigator for the Los Angeles Police Department’s Office of Inspector General responsible for investigating of misconduct allegations. She is an expert on use of force policy and the response to high-profile, large-scale events. Most relevant, Ms. Magula was the lead investigator in the OIG’s review of the events of the 2001 “May Day” incident in MacArthur Park; in this capacity, she collected and evaluated event data from various sources, such as surveillance and body worn camera footage, radio communications and media stories, interviewed stakeholders, victims, and involved officers, and attended community meetings.

Ms. Magula has a broad range of experience, including as a Senior Consultant with Deloitte Consulting, LLP where she specialized in data system
implementation, audits, and reviews. Ms. Magula served on the Los Angeles Mayor’s Performance Management Unit, where she was the liaison between City public safety agencies and the Mayor’s Office and worked with the Santa Monica Commission on the Status of Women and Girls. She received a Master’s Degree in Public Policy from UCLA’s Luskin School and has expertise in database management and statistical analysis. She also is a native Spanish speaker.

- Member of OIR Group
- Educational background: BA: UCLA; Master of Public Policy: UCLA School of Public Affairs
- Role in the Project: Police Auditor
- Experience in Auditing, Investigations, and Oversight: 11 years
- Independent reviews of Santa Ana and Burbank Police Departments
- Monitor for Stockton Unified School District
- Investigation of critical incidents, use of force cases, and misconduct allegations for the LAPD Office of Inspector General

The core team members provide OIR Group with the expertise and the capacity to carry out the anticipated assignment. Moreover, OIR Group is affiliated with other subject matter experts in public safety and has the flexibility to enlist their support should the need arise in this review. In sum, OIR Group is uniquely situated to perform this work and could quickly engage its resources accordingly.

Please do not hesitate to contact me if you have questions or desire additional information.

Very truly yours,

Michael Gennaco
Principal
OIR Group

cc: Kyle Larson, Policies and Procedures Administrator