

# INDEPENDENT POLICE AUDITOR



Civilian Oversight of Investigations  
into Police Conduct

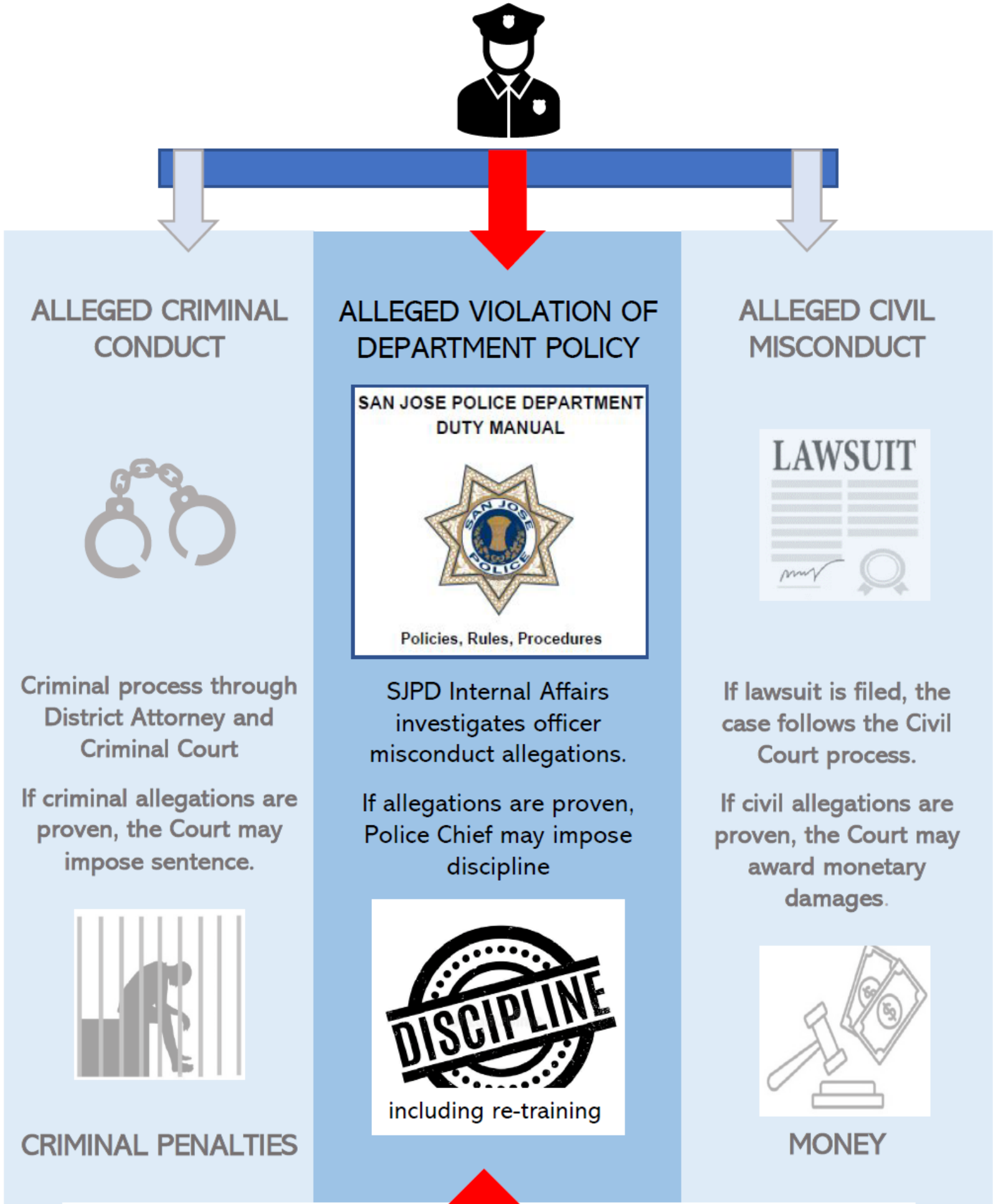


## YEAR END REPORT 2022

FORCE  
ARREST/DETENTION  
SEARCH/SEIZURE  
COURTESY  
PROCEDURE  
NEGLECT OF DUTY



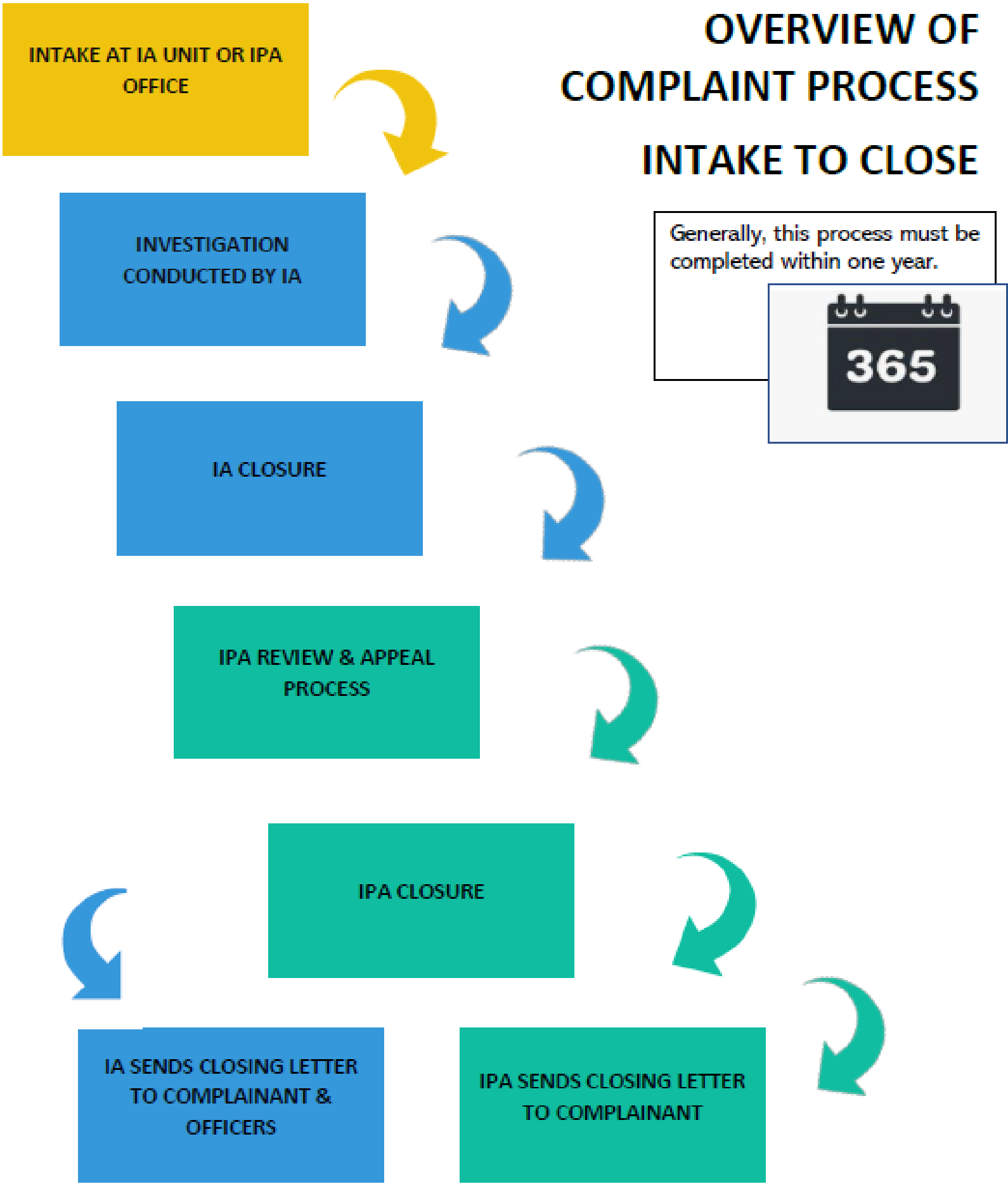
THREE AVENUES OF POLICE ACCOUNTABILITY



A PATH LEADS TO OFFICER DISCIPLINE.

# OVERVIEW OF COMPLAINT PROCESS

## INTAKE TO CLOSE



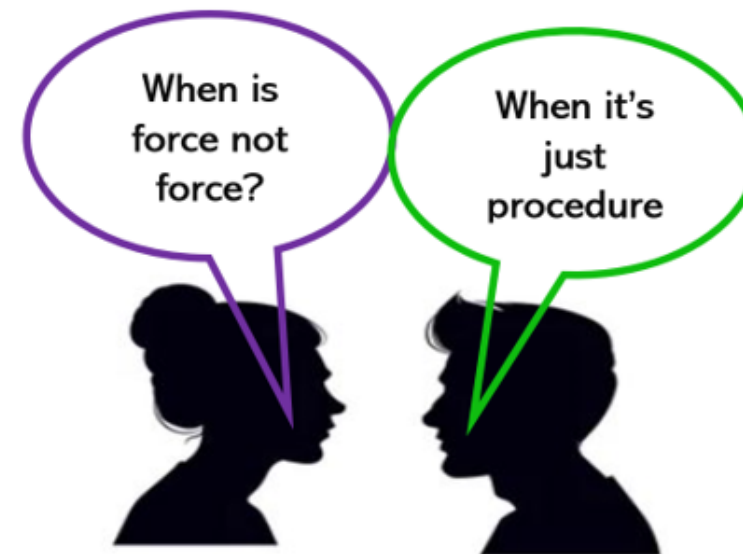




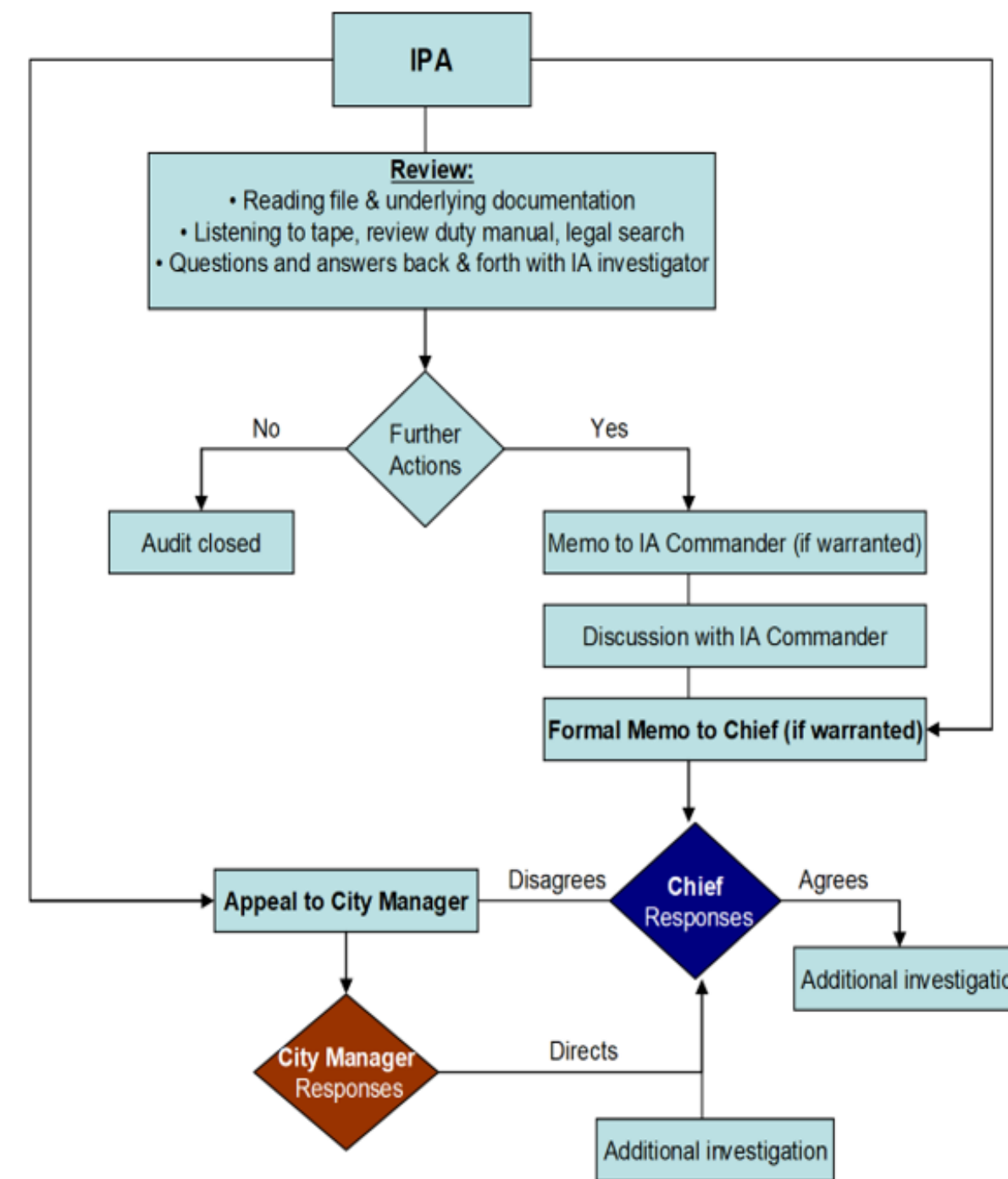
The Department Initially Assigns Allegations.

**COMPLAINT ALLEGATIONS DETERMINE:**

- ▶ Who will be named as a subject officer?
  - ▶ What evidence will be gathered?
  - ▶ What rules apply?
    - ▶ What questions can be asked of the officer?
    - ▶ The level of discipline (if any)?
    - ▶ Public disclosure (if any)?



## California Government Code section 3304

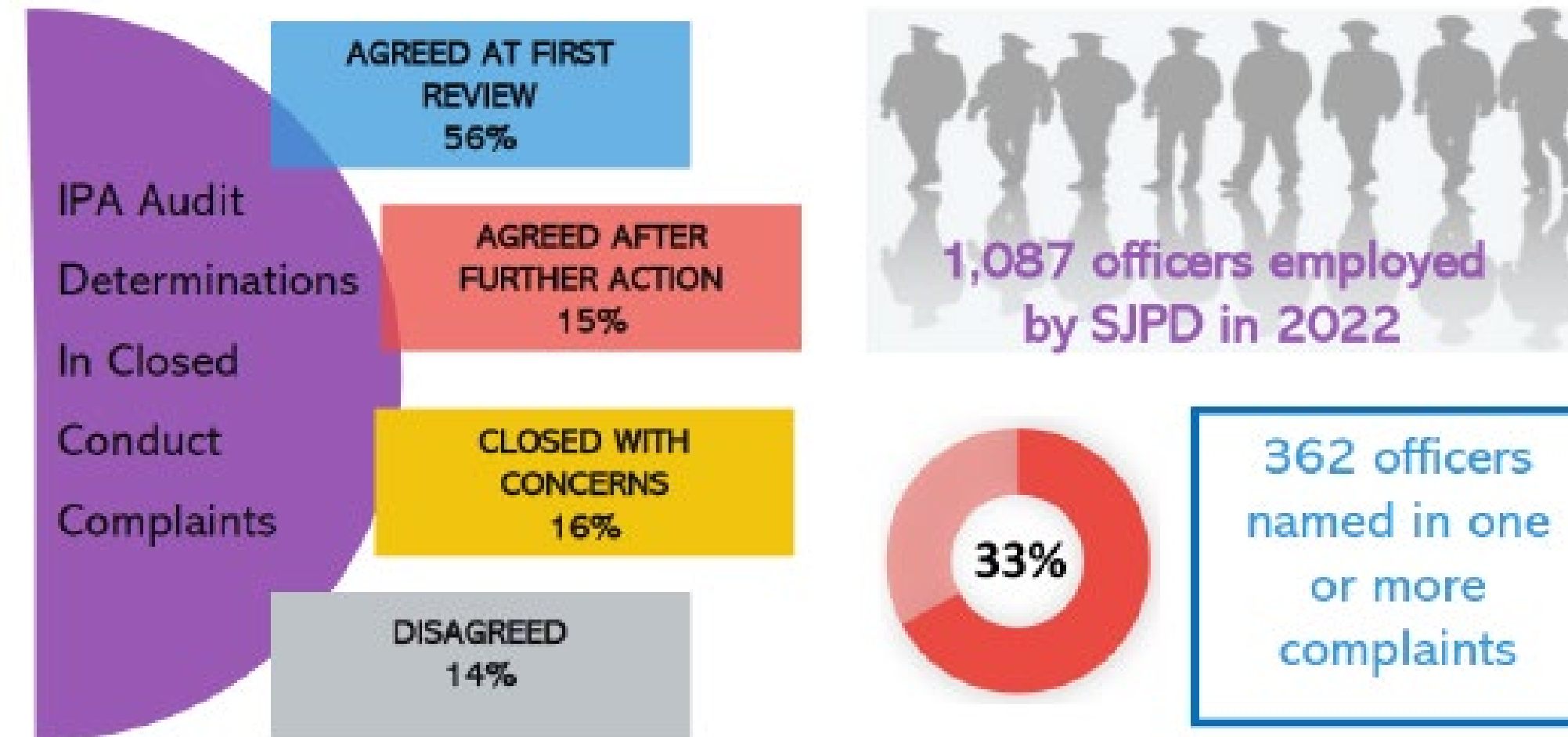


IF 365-DAY  
DEADLINE EXPIRES,  
THERE CAN BE NO  
OFFICER DISCIPLINE.

IF 365-DAY  
DEADLINE EXPIRES,  
ISSUES ARISE AS TO  
HOW TO MAKE AN  
ACCURATE RECORD.

IF 365-DAY  
DEADLINE EXPIRES,  
INVESTIGATION CAN  
AVOID IPA SCRUTINY.

## STATISTICS FOR CALENDAR YEAR 2022

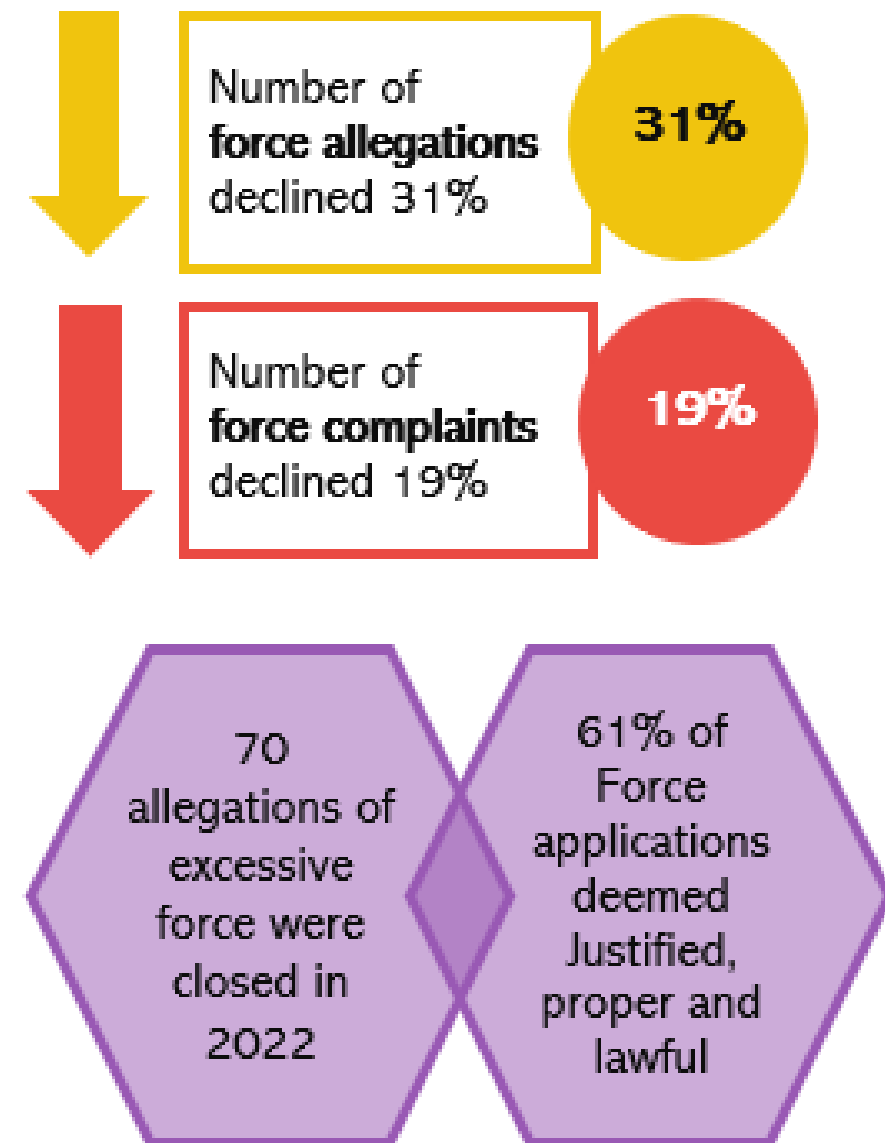


### SUSTAINED RATE

The percentage of closed conduct complaints that have at least one sustained finding

2018	10% sustained rate - 212 complaints closed
2019	7% sustained rate - 197 complaints closed
2020	13% sustained rate - 200 complaints closed
2021	12% sustained rate - 262 complaints closed
2022	18% sustained rate - 203 complaints closed

## Chapter 4 Use of Force



### SB 1421 and SB 16 FORCE RECORDS AVAILABLE FOR PUBLIC REVIEW

- Use of Firearms
- Use of Force Resulting in death of great bodily injury:
- Great Bodily Injury (GBI): GBI means significant or substantial physical injury.
- Sustained Finding of Excessive Force.
- Sustained Finding on Failure to Intervene

See chapter two – recommendation #2

#### PERCEPTION

Did the officer perceive that the suspect had a weapon?

#### CONFIRMATION

Did the officer confirm that the suspect was, in fact, armed?

# WHAT WE LOOK FOR

Our officer reviews IA investigations to ensure they are fair, objective, thorough and complete. We do this by considering a number of factors some of which are included in this chart.





#### FOUR CATEGORIES OF IPA ASSESSMENT OF COMPLAINT INVESTIGATIONS

##### — Agreed at First Review —

The IPA agreed that IA's investigation was fair, thorough, complete, and objective upon initial review.

##### — Agreed After Further Action —

IPA requested that IA complete additional investigation and/or analysis and IA provided a satisfactory response to that request.

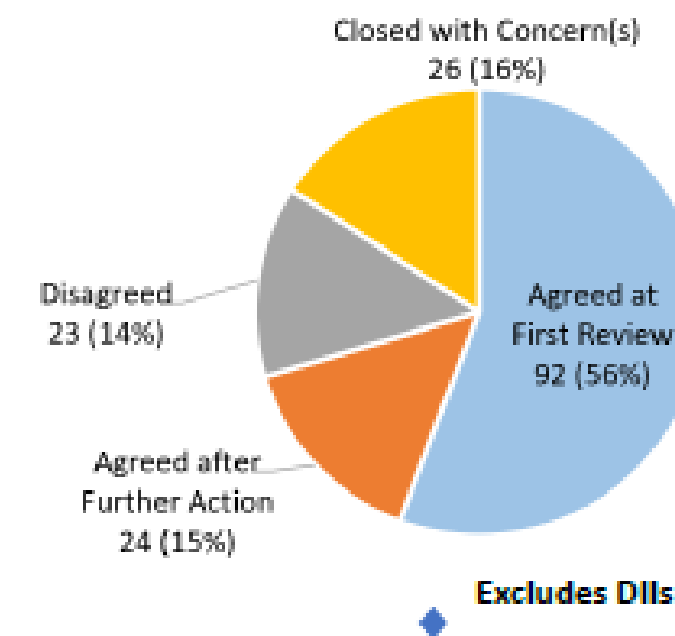
##### — Closed with Concerns —

The IPA had issues with IA's investigation and/or analysis, but the concerns did not warrant a formal disagreement.

##### — Disagreed —

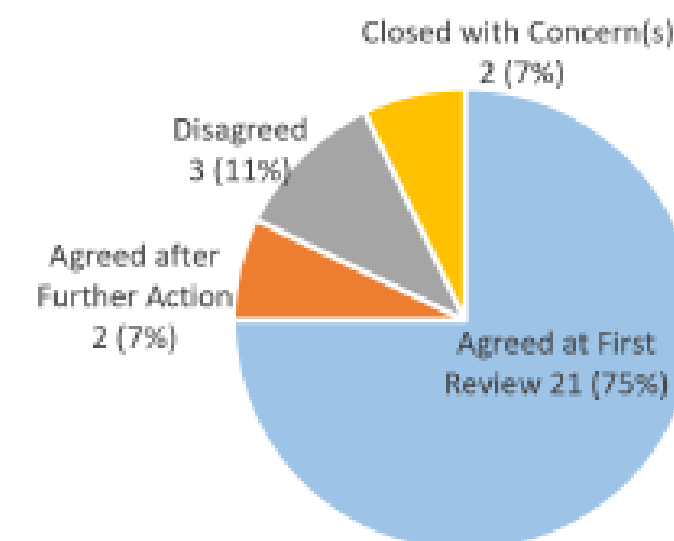
The IPA determined that IA's investigation and/or analysis were not thorough, complete, objective, and fair.

#### IPA Determinations in Conduct Complaints in 2022



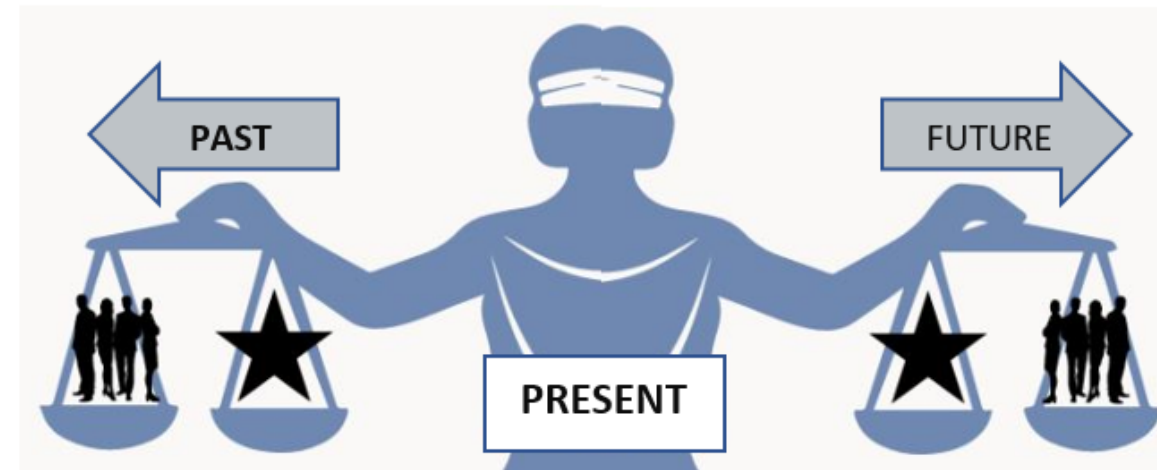
Upon first review, the IPA agreed that the IA investigation was fair, thorough and complete in 56% of conduct complaints closed in 2022. This is a significant decline from prior years (72% in 2021, 71% in 2020, and 84% in 2019).

#### IPA Determinations in Closed DII Investigations



The IPA agreed that the IA investigation of DII complaints was fair, thorough and complete in 77% of the cases closed in 2022.

## LOOKING BACK AND LOOKING FORWARD UPDATES, ISSUES AND CONCERNS



## ISSUE OF MOVING SOME INVESTIGATIONS OUT OF INTERNAL AFFAIRS



## IPA POLICY RECOMMENDATIONS

1

Track When an Officer Points a Firearm at a Persons As a Use of Force.

2

The Department Should Use Best Efforts to Track Data on Suspects Who Are Perceived Armed and Weapons Found.

3

The Duty Manual Should Provide Guidance That a Search of a Person Incident To Arrest Applies Only and Solely to Full Custodial Arrests.

4

The Department Should Provide Guidance About Officer Discretion When Compelling Citizens to Exit Cars to Sign Citations.

5

The Department Should Obtain Devices to Verify Window Tint Prior to Issuing a Citation.